

14,087  
NEW SOUTH WALES.

---

# VOTES

AND

# PROCEEDINGS

OF

# THE LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1868-9,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

---

IN THREE VOLUMES.  
VOL. III.

---

SYDNEY:  
THOMAS RICHARDS, GOVERNMENT PRINTER, PHILLIP-STREET.

---

1869.



LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

VOTES AND PROCEEDINGS.  
SESSION 1868-9.

TABLE OF CONTENTS.

*(Arranged as the Papers should be bound.)*

VOL. I.

LEGISLATIVE—	PAGE.
Title-page.	
Table of Contents.	
Index.	
Votes and Proceedings, Nos. 1 to 64	1 to 400
Proclamation proroguing Parliament	401
Weekly Reports of Divisions in Committee of the Whole House, Nos. 1 to 11	403 to 464
Weekly Abstracts of Petitions received, Nos. 1 to 14	465 to 492
General Summary of ditto	493
Alphabetical Register of Bills	499
Ditto ditto Addresses and Orders	501
Standing and Select Committees appointed during the Session	507
Business of the Session	511
Intrusion of Strangers in the passages to the House—Control of Messen- gers—Proposed New Parliamentary Refreshment Room—(Report from the Standing Orders Committee)	518
 EXECUTIVE—	
Attempted Assassination of H.R.H. the Duke of Edinburgh—(Despatch respecting)	517
Ditto ditto (Despatch in reply to Address from Gun- ning)	519
Departure of Sir John Young from Colony—(Despatch)	521
Treason Felony Act—(Despatch, &c., respecting)	523
Ditto ditto (Further Despatch respecting)	525
Great Banks Island—(Application for lease of—Despatch respecting)	527
Governors of Australian Colonies—(Despatch relative to Leave of Absence to)	531
Gift of Books by the Queen—(Despatch respecting)	533
Federal Council of the Australasian Colonies—(Despatch respecting)	535
Retention of Title of "Honorable" by Executive Councillors—(Despatch)	537
Official Uniform of Executive Councillors—(Despatch)	539
Proposed Conference of Delegates of Australasian Colonies—(Corres- pondence relative to)	541

## EXECUTIVE—continued.

	PAGE.
Proposed Conference on the subject of Free Trade between Australian Colonies and New Zealand—(Correspondence respecting) ...	543
Leasing, &c., of Deposits of Guano—(Despatch enclosing Commission to Governor, authorizing) ...	551
Fiji Islands—(Despatches respecting social and political condition of) ...	553
Captain H.R.H. the Duke of Edinburgh—(Proposed route of, in H.M.S. "Galatea"—Despatch) ...	555
Salaried Officers who have received Leave of Absence—(Return (in part) to Order) ...	557

## ELECTORAL—

Electoral Rolls—(Number of Electors in each District, for 1868-9) ...	573
Ditto ( Ditto in Gold Fields Districts, for 1868-9) ...	575
Electors and Population of the Colony—(Return to Order) ...	577
Electorate of The Hastings—(Petition—Certain Electors of The Hastings) ...	579
Electoral District of The Hume—(Petition from certain Inhabitants of) ...	581
Electoral Representation of the Richmond and Tweed Rivers—(Petition respecting) ...	583

## ADMINISTRATION OF JUSTICE—

Rules of Court—(From 4 December, 1867, to 18 November, 1868) ...	585
District Courts Act of 1858—(Returns under 103rd Section of) ...	589
District Court at Warialda—(Petition respecting establishment of) ...	647
Administration of Justice—(Petition—Mr. Thomas Dangar) ...	649
Ditto ditto (Correspondence respecting Charles Miller, alias Meyers, &c., discharged from prison) ...	651
Ditto ditto (Proceedings, &c., in the case of Levy v. Downey—Return to Address) ...	655
Ditto ditto (Proceedings at Central Police Court, respecting Music License for "Hamburgh Hotel"—Return to Address) ...	659
Ditto ditto (Informations, &c., under Felons Apprehension Act, in Braidwood District—Return to Address) ...	671
Henry James O'Farrell—(Copies of Papers relating to the attempt to assassinate H.R.H. the Duke of Edinburgh) ...	715
Ditto ditto (Correspondence, including legal opinion respecting Papers in possession of Mr. Parkes) ...	731
Ditto ditto (Statement made by, to Chief Warder, Darlinghurst Gaol) ...	733
Attempted Assassination of H.R.H. the Duke of Edinburgh—(Correspondence, &c., with reference to—Return to Order) ...	735
Alleged Conspiracy for purposes of Treason and Assassination—(Report from Select Committee) ...	769
Duties of Master in Equity—(Progress Report from Select Committee) ...	959
Removal of Mr. Samuel Charles from the Commission of the Peace—(Report from Select Committee) ...	1013
Administration of Justice—(G. Lindsay, alleged Lunatic—Return to Address) ...	1047

## VOL. II.

Title-page.
Table of Contents.
Index.

## GAOLS—

Roman Catholic Chaplain, Darlinghurst Gaol—(Correspondence respecting removal of Rev. M. J. Dwyer) ...	1
Gaol Statistics—(Return to Order) ...	9
Gaols—(Correspondence, &c., respecting dismissal of Warder M'Grath, Deniliquin Gaol—Return to Order) ...	35
Ditto (Further Correspondence ditto —Further Return to Order) ...	47

POLICE—		PAGE.
Police—Distribution of Force on 30th September, 1868...	...	51
Reception of H.R.H. the Duke of Edinburgh—(Appointment of Special Constables) ...	...	55
Ditto ditto (Special Expenses incurred by Department) ...	...	57
Police—(Correspondence respecting Charges against Senior-sergeant of, at Berrima) ...	...	59
ORDNANCE—		
Annual Ordnance Returns ...	...	67
VOLUNTEERS—		
Volunteer Force Regulation Act of 1867—(Regulation) ...	...	69
Ditto ditto (Return of Payments to Volunteers and Naval Brigade) ...	...	71
Volunteers—Supply of Snider Rifles for—(Despatch)...	...	73
CUSTOMS—		
Removal of W. A. Duncan, Esq., from the office of Collector of Customs—(Correspondence) ...	...	75
Ditto ditto (Further ditto) ...	...	99
Removal of Messrs. Berney and Jones, and Reinstatement of Mr. Duncan—(Correspondence) ...	...	105
Border Duties Act of 1867—(Despatch) ...	...	107
Differential Duties—(Despatch) ...	...	109
EMIGRATION—		
Emigration to San Francisco—(Correspondence respecting) ...	...	111
Ditto ditto (Further ditto) ...	...	117
EXHIBITION—		
Paris Exhibition of 1867—(Jury Reports on New South Wales Products at)...	...	119
MEDICAL—		
Medical Practitioners in the Colony—(Despatch respecting) ...	...	123
Imperial Vaccination Act—(Despatch, &c.) ...	...	125
Compulsory Vaccination Bill—(Message No. 8, respecting) ...	...	131
Small-pox Prevention Bill—(Message No. 15, respecting) ...	...	133
Vaccination—(Report for 1868) ...	...	135
QUARANTINE—		
Quarantine—(Report of Superintendent in reference to certain complaints respecting) ...	...	139
Detention in Quarantine of the S.S. "Kaikoura"—(Correspondence) ...	...	141
Mr. John Carroll, Overseer of Stores, Quarantine Station—(Papers respecting) ...	...	153
STATISTICS—		
Blue Book for 1867 ...	...	163
Statistical Register for 1867 ...	...	301
Vital Statistics—(Twelfth Annual Report from Registrar General) ...	...	581
MINT—		
Sydney Branch Royal Mint—(Despatch, 20 May, 1868) ...	...	619
Ditto ditto ( Ditto, 29th May, 1868) ...	...	621
Ditto ditto ( Ditto, 10th Nov., 1868) ...	...	623
New Bronze Coin—(Correspondence, &c., respecting Issue of)...	...	625
BANKS—		
Bank Liabilities and Assets—(Quarter ended 31st March, 1868) ...	...	633
Ditto ditto ( Ditto 30th June, 1868) ...	...	635
Ditto ditto ( Ditto 30th September, 1868) ...	...	637
Ditto ditto ( Ditto 31st December, 1868) ...	...	639

## FINANCE—

PAGE.

Abstracts of the Public Accounts for 1867	641
Reception of H.R.H. the Duke of Edinburgh—(Return of Expenses of)	721
Trust Moneys Deposit Account—(From 1st April, 1867, to 31st March, 1868)	723
Estimates for 1869, and Supplementary Estimates for 1868 and previous years—(Message No. 2 respecting)	725
Estimates for 1869	727
Supplementary Estimates for 1868 and previous years	819
Estimates of Ways and Means for 1869	835
Public Accounts—(Report of Board of Audit)	855
Vote of Credit—(Message No. 4)	861
Ditto ditto (Ditto No. 9)	863
Treasury Bills—(Ditto No. 6)	865
Provision for the Expenses of the proposed Visit of H.R.H. the Duke of Edinburgh—(Message No. 7)	867
Travelling Expenses of certain Ministers—(Return to Order)	869
Explanatory Abstracts	871

## POSTAL—

Post Office—(Thirteenth Annual Report, being for 1867)	879
Steam Postal Service—(Further Correspondence respecting)	921
Steam Postal Service <i>viâ</i> Panama—(Return to Order)	963
Panama Mail Service—(Correspondence relative to termination of Contract)	967
Steam Postal Communication—(Time-table)	969

## TELEGRAPHIC—

Telegraphic Communication between United Kingdom and the Australian Colonies—(Despatch respecting)	973
--	-----

## LIGHT-HOUSE—

Proposed erection of Light-house on The Snares, Foveaux Straits—Correspondence)	977
---	-----

## VOL. III.

Title-page.

Table of Contents.

Index.

## ROADS—

Road through purchased land of Mr. Henry Price, Auckland Village Reserve—(Petition—Henry Price)	1
Ditto ( Ditto Residents, Singleton and Jerry's Plains)	5
Road Trust Accounts—(For the half-year ending 30 June, 1868)	7
Randwick and Coogee Roads Transfer Bill—(Report from Select Committee)	13
Ditto ditto (Petition—Commissioners of the Old Botany, Randwick, and Coogee Roads Trust)	25
Subordinate Roads of New South Wales—(Schedule of, under Lands Department)	27
Ditto ditto ( Ditto, under Public Works Department)	35
Proposed Road to Gladesville <i>viâ</i> Balmain and Five Dock—(Correspondence—Return to Order)	37

## BRIDGES, FORDS, &amp;c.—

Windermere Ford—(Report in reference to—Return to Order)	79
Bridge over the Nepean at Penrith—(Petition, certain Inhabitants of Emu Plains)	81
Bridges constructed by Loan—(Schedule of)	83

## RAILWAY—

Railway Trial Survey between Bathurst and Orange—(Petition—Certain Inhabitants of Orange)	85
---	----

## DISEASES IN GRAPE-VINES—

PAGE.

Disease in Grape-vines—(Report from C. Moore, Esq., Botanic Gardens, Sydney, on <i>Oidium Tuckeri</i> )	...	...	...	...	87
Grape Disease—( <i>Oidium Tuckeri</i> —Petition—Illawarra)	...	...	...	...	93
Ditto (ditto ditto Merriwa)	...	...	...	...	95
Ditto (ditto ditto Prospect and Fairfield)	...	...	...	...	97
Ditto (ditto ditto Yass)	...	...	...	...	99
Ditto (ditto ditto Maitland)	...	...	...	...	101
Ditto (ditto ditto Goulburn)	...	...	...	...	103
Ditto (ditto ditto Wagga Wagga)	...	...	...	...	105
Ditto (ditto ditto Bathurst)	...	...	...	...	107
Ditto (ditto ditto Central Cumberland)	...	...	...	...	109
Ditto (ditto ditto Clarence River)	...	...	...	...	111
Ditto (ditto ditto Corowa)	...	...	...	...	113
Ditto (ditto ditto Appin)	...	...	...	...	115
Ditto (ditto ditto Campbelltown)	...	...	...	...	117
Ditto (ditto ditto Clarence Town)	...	...	...	...	119
Ditto (ditto ditto Dubbo)	...	...	...	...	121
Ditto (ditto ditto Camden and Narellan)	...	...	...	...	123
Ditto (ditto ditto Carcoar)	...	...	...	...	125
Ditto (ditto ditto Eden)	...	...	...	...	127
Ditto (ditto ditto Port Macquarie)	...	...	...	...	129
Ditto (ditto ditto Gundagai and Tumut)	...	...	...	...	131
Diseases in Grape-vines Prevention Bill—(Petition—Albury and Corowa)	...	...	...	...	133
Ditto ditto ( Ditto Patrick's Plains)	...	...	...	...	135
Ditto ditto ( Ditto Corowa)	...	...	...	...	137
Ditto ditto ( Ditto John Wyndham, as Chairman of the Hunter River Vineyard Association)	...	...	...	...	139
Ditto ditto ( Ditto Bathurst)	...	...	...	...	141
Ditto ditto ( Ditto Hunter River and Neighbourhood)	...	...	...	...	143
Ditto ditto (Progress Report from Select Committee)	...	...	...	...	145

## ABATTOIRS—

Abattoirs—(Returns for the years 1865, 1866, 1867, and 1868 respecting)	...	...	...	...	191
---	-----	-----	-----	-----	-----

## CATTLE AND SHEEP—

Sydney Cattle Slaughtering Prevention Bill—(Petition — Certain Butchers of Sydney and Suburbs)	...	...	...	...	195
Cattle Diseases Prevention Act Amendment Bill—(Message No. 12, respecting)	...	...	...	...	197
Diseases in Sheep Act Amendment Bill—(Message No. 13, respecting)	...	...	...	...	199

## CROWN LANDS—

Crown Lands—(Statement of Conditional Purchases under Crown Lands Alienation Act of 1861)	...	...	...	...	201
Ditto (Dedicated to Religious and Public Purposes)	...	...	...	...	203
Ditto (Reserved as Sites for Cities, Towns, and Villages)	...	...	...	...	207
Ditto (Ditto ditto )	...	...	...	...	209
Ditto (Ditto as Sites for Future Villages)	...	...	...	...	211
Ditto (Ditto ditto )	...	...	...	...	213
Ditto (Reserved for Preservation of Water Supply, &c.)	...	...	...	...	215
Ditto (Ditto)	...	...	...	...	219
Ditto (Ditto)	...	...	...	...	221
Ditto (Ditto)	...	...	...	...	223
Robert Taylor—(Petition of)	...	...	...	...	225
Mr. John Thomas Neilson—(Petition)	...	...	...	...	227
Ditto (Correspondence—Return to Order)	...	...	...	...	229
Crown Lands Alienation Act of 1861—Particulars of Applications to purchase and reclaim Land under—(Return to Address)	...	...	...	...	245

REAL PROPERTY—		PAGE.
Real Property Act—(Returns for 1867) ... ..		253
Land Titles Department—Mr. W. Wright—(Progress Report from Select Committee) ... ..		255
SUPERANNUATION—		
Superannuation Act of 1864—(Statement of Receipts and Disburse- ments in the year 1868) ... ..		293
COAL—		
Clifts Coal Properties Leasing Bill—(Report from Select Committee)...		299
MUSEUM—		
Australian Museum—(Report from Trustees, for 1867) ... ..		305
MUNICIPAL—		
Municipalities—(Borough of Singleton—By-laws) ... ..		315
Ditto (Ditto Cudgegong—Do.) ... ..		319
Ditto (Ditto Cudgegong—Do.) ... ..		323
Ditto (Ditto Waverley—Do.) ... ..		325
Ditto (Ditto Armidale—Do.) ... ..		329
Ditto (Ditto St. Leonards—Do.) ... ..		335
Ditto (Ditto Balmain—Do.) ... ..		337
Ditto (Ditto Balmain—By-law) ... ..		339
Ditto (Ditto Parramatta—By-laws) ... ..		341
Ditto (Ditto Parramatta—By-law) ... ..		345
Ditto (Ditto Mudgee—By-laws) ... ..		347
Ditto (Ditto West Maitland—Do.) ... ..		349
Ditto (Ditto Newcastle—Do.) ... ..		357
Ditto (Ditto Balmain—Do.) ... ..		361
Ditto (Ditto Randwick—Do.) ... ..		365
Ditto (Ditto Goulburn—Do.) ... ..		371
Ditto (Ditto Orange—Do.) ... ..		375
Ditto (Ditto Grafton—Do.) ... ..		379
Ditto (Petition—Borough of Cook) ... ..		383
Municipalities Act Amendment Bill (No. 2)—(Message No. 14) ...		385
Sydney Boundaries Amendment Bill—(Petition—Inhabitants of Pad- dington) ... ..		387
Ditto ditto (Report from Select Committee) ... ..		389
Municipal Affairs, Newcastle—(Correspondence, &c.—Return to Order)		435
Municipalities—(Return to Order) ... ..		443
Ditto (Correspondence respecting the Incorporation of Numba and South Shoalhaven—Return to Address) ... ..		445
Sewerage and Water Supply—(Twelfth Annual Report, 1868) ... ..		461
CHARITABLE—		
Sydney Infirmary Buildings—(Correspondence) ... ..		467
Ditto ditto (Further do.) ... ..		473
Government Asylums—(Returns for 1867) ... ..		477
Ditto ditto (Ditto for 1868) ... ..		479
Public Charitable Institutions—(Progress Report of Inspector of Charities) ... ..		481
Destitute Children's Society—(List of Office-bearers for 1869) ...		503
LUNATIC—		
Law relating to Lunacy—(Progress Report from Select Committee) ...		505
Lunatic Asylums—(Report by F. N. Manning, M.D.) ... ..		533
EDUCATION—		
University of Sydney—(Report for 1867) ... ..		751
Sydney Grammar School—(Report for 1867) ... ..		759
Public School, Tomago—(Correspondence respecting dismissal of Mr. S. C. Drewe—Return to Address) ... ..		763
Orphan Schools, Parramatta—(Return to Order) ... ..		777

EDUCATION—*continued.*

	PAGE.
Roman Catholic Orphan School, Parramatta—(Letter from Visiting Surgeon, respecting fees, &c.) ... ..	779
Ditto ditto (Correspondence respecting removal of Mr. Simon Cullen—Return to Order) ... ..	781
Public School Boards—(Return to Order) ... ..	797
Public Schools Act of 1866—(Amended Regulations) ... ..	818

## REFORMATORIES—

Industrial School for Girls at Newcastle—(Regulations) ... ..	833
Ditto ditto (Further ditto) ... ..	837
Reformatory School for Girls at Newcastle—(Regulations) ... ..	841
Nautical School Ship "Vernon"—(Reports respecting) ... ..	845
Ditto ditto (Regulations) ... ..	853
Nautical Training Ship "Vernon"—(Cost, &c., of—Return to Order) ...	859
Training Ship "Vernon"—(Progress Report from Select Committee) ...	863

## CEMETERIES—

Cemeteries—(Return respecting) ... ..	955
Balmain Cemetery, Petersham—(Petition—Certain Inhabitants of Petersham) ... ..	957
Burials Regulation Bill—(Petition—Balmain) ... ..	959
Ditto ditto (Ditto—Municipal Council of Balmain) ... ..	961
Ditto ditto (Ditto—Residents in vicinity of Balmain Cemetery—Petersham) ... ..	963
Ditto ditto (Ditto—ditto No. 2) ... ..	965
Ditto ditto (Ditto—Clergyman and Churchwardens of St. Peter's, Cook's River) ... ..	967
Ditto ditto (Ditto—Certain Freeholders, &c., Parish of ditto) ...	969
Ditto ditto (Ditto—Borough of Balmain) ... ..	971

## GRIEVANCES—

Mrs. Mary Singleton—(Petition) ... ..	973
Petition of Mrs. Mary Singleton—(Report from Select Committee) ...	975
Dr. Frederick Beer—(Petition) ... ..	999
Mrs. Mary Fogg—(Petition) ... ..	1005
Claim of the Rev. D. H. McGuinn—(Report from Select Committee) ...	1007
Water Reserve, Township of Rydal—(Petition—Rydal) ... ..	1015
Mr. Richard Henry Wright—(Petition) ... ..	1017

## MISCELLANEOUS—

Testing Marine Steam-boilers in use—(Report of Commission) ...	1019
Sugar Cultivation—(Correspondence, &c.—Return to Address) ...	1105
Mr. Thomas Scott—Sugar Cultivation—(Progress Report from Select Committee) ... ..	1109
Oyster Beds Act—(Regulations under) ... ..	1123
St. Andrew's Cathedral Close Bill—(Petition—Mr. James Powell) ...	1125
Floods in the Hunter—(Report on the Prevention of) ... ..	1127
Water Supply to the City of Sydney and Suburbs—(Progress Reports of Commission) ... ..	1167
Ditto ditto (Fourth Progress Report of Commission) ... ..	1173
Flood Gates, Wallis Creek—(Petition—Return to Order) ... ..	1177
Breadstuffs—(Return of Imports and Exports of, for 1868) ... ..	1179
Sunday Closing of Hairdressers Shops—(Petition—Hairdressers, Sydney)	1181
Importation of South Sea Islanders into Queensland—(Despatch, &c.) ...	1183
Ditto ditto —(Further Despatch respecting) ... ..	1247
Cultivation of Arrowroot in the Colony—(Petition—Mr. W. Cole) ...	1249
Deepening of Parramatta River—(Report from Engineer-in-Chief for Harbours and Rivers) ... ..	1251

## MISCELLANEOUS—continued.

	PAGE.
Water Supply for Town of Liverpool—(Petition) ... ..	1253
State of the Water in George's River at Liverpool—(Reports of Com- mission) ... ..	1255
Alexander W. Scott—(Petition) ... ..	1257
Claims to Water Frontage, Pyrmont Bay—(Petition in reference to the case of Mr. Thomas Smith) ... ..	1261
Sale of Liquors Licensing Act Amendment Bill—(Petition—Certain Licensed Victuallers of Sydney) ... ..	1263
Ditto ditto ( Ditto of New South Wales) ... ..	1265
Aborigines—(Report from Commissioner of Crown Lands, Darling District)... ..	1267
Sydney Paving Bill of 1869—(Petition—City of Sydney) ... ..	1269
Water Frontage at Blue's Point, North Shore—(Progress Report from Select Committee) ... ..	1271

---



LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

INDEX  
TO THE  
VOTES AND PROCEEDINGS  
AND  
PAPERS ORDERED TO BE PRINTED  
DURING THE SESSION  
1868-9.

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>A</b>		
ABATTOIRS :—		
STATISTICS :—		
Return in reference to, laid on Table, 243 .....	3	191
ABORIGINES :—		
Report on the state of, by Commissioner of Crown Lands for the Darling District, laid on Table, 312 .....	3	1267
ABSENCE :—		
Unavoidable, of Mr. Speaker, reported by Clerk, 399.		
LEAVE OF :—		
Despatch relative to, to Governors of Australian Colonies, laid on Table, 12 ...	1	531
Granted to T. G. G. Dangar, Esq., 131.		
Salaried Officers who have received—(Return, <i>in part</i> , to Order), laid on Table, 312 .....	1	557
ACCIDENT (See "RAILWAY.")		
ACCOUNTS (See "FINANCE"; also "ROAD.")		
ADDRESSES :—		
Alphabetical Register of, and Orders for Papers .....	1	501
Do. do. (not being for Papers) .....	1	506
Do. do. of, and Orders for Papers of former Sessions .....	1	505
IN REPLY TO GOVERNOR'S OPENING SPEECH :—		
Select Committee appointed to prepare, 4; Address brought up and read by the Clerk, 4; adopted, 5; Assembly proceed to Government House to present, 11; Presentation of, and Answer reported, 11.		
TO HER MAJESTY THE QUEEN, IN REFERENCE TO PRESENTATION OF BOOKS :—		
Motion made for Address of acknowledgment, and passed unanimously, 47.		
TO HIS EXCELLENCY THE GOVERNOR :—		
Transmitting Address for presentation to Her Majesty, 47.		
ADJOURNMENT :—		
OF ASSEMBLY :—		
For presentation of Address in reply to Governor's Opening Speech, 5.		
Special, 12, 17, 23, 30, 84, 161, 295, 301, 391, 395.		
For want of Quorum before commencement of Business, 317, 399.		
Do. do. after do. do. 107, 114, 162, 181, 188, 210, 220, 257, 263, 268, 290, 306, 314, 331, 335, 341, 358, 369, 387, 392, 399.		
Motion made for, and negatived, 47, 53, 100, 106, 146, 194, 202, 226, 243, 249, 250, 251, 256, 266, 294, 375, 385, 391.		
Do. and negatived after Division, 219, 314.		
Motion made for, and by leave withdrawn, 186.		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>A</b>			
<b>ADJOURNMENT</b> ( <i>continued</i> ):—			
OF DEBATE:—42, 49, 53, 59, 64, 68, 72, 120, 180, 186, 244.			
After Division, 282.			
Motion made for, and negatived, 47, 124, 147.			
Do. do. do. after division, 250, 251, 267, 314, 387.			
Do. do. and by leave withdrawn, 217.			
Do. do. and House counted out, 263.			
<b>ADMINISTRATION OF JUSTICE</b> :—			
<b>RULES OF SUPREME COURT</b> :—			
Dated, 4 December, 1867; 27 December, 1867; 5 March, 1868; and 18 November, 1868, laid on Table, 41		1	585
<b>DISTRICT COURTS ACT OF 1858</b> :—			
Returns under 103rd section of, laid on Table, 41		1	589
<b>MR. THOMAS DANGAR</b> :—			
Petition from, in reference to his dismissal from the Commission of the Peace, and praying inquiry, 36; ordered to be printed, 48		1	649
<b>MR. WILLIAM FARRAND, POLICE MAGISTRATE, FORBES</b> :—			
Motion made for copies of Papers, Correspondence, &c., relative to charges made against, 48.			
Motion made for copies of Commissioner's Report of inquiry relative to do. 386.			
<b>CHARLES MILLER, alias MEYERS, &amp;c.</b> :—			
Correspondence respecting discharge from prison, laid on Table, 57		1	651
<b>DUTIES OF MASTER IN EQUITY</b> :—			
Select Committee appointed to inquire into and report upon, 113; Progress Report brought up, 271		1	959
<b>REMOVAL OF MR. SAMUEL CHARLES FROM THE COMMISSION OF THE PEACE</b> :—			
Select Committee appointed to inquire into and report upon, 168; Evidence taken before Select Committee of last Session, referred to, 168; Report brought up, 374		1	1013
<b>RETURNS IN REFERENCE TO FELONS APPREHENSION ACT—CONSTABLE CARROLL OR KENNAGH—BUSHRANGERS CLARKE</b> :—			
Return to Address ( <i>last Session</i> ), laid on Table, 174		1	671
<b>DISTRICT COURT AT WARRIALDA</b> :—			
Petition from certain inhabitants of The Gwydir, praying for the establishment of, 185; ordered to be printed, 195		1	647
<b>Re JOHN TEBBUTT, LEGATEE OF SOPHIA BEESON</b> :—			
Motion made for copy of any instructions from the Solicitor to the Treasury, England, to Curator of Intestate Estates, Sydney, on the subject of the Administration of the goods of; also, copy of Correspondence between Curator of Intestate Estates and Attorney General, in reference to Proceeding in Equity—The Attorney General v. Elliott and others, 186; Return ( <i>in part</i> ) to Address, laid on Table, 395.			
Resolution moved in reference to, and negatived, 313.			
<b>LEVY v. DOWNNEY</b> :—			
Motion made for Copy of Proceedings taken at the Central Police Office, Sydney, in the case of, 195; laid on Table, 265		1	655
<b>DEPOSITIONS IN THE CASE OF H. J. O'FARRELL</b> :—			
Motion made for, 237.			
<b>COMMITMENTS BY NEWCASTLE BENCH OF MAGISTRATES</b> :—			
Motion made for a Return in reference to, 243.			
<b>EQUITY SUIT—THE ATTORNEY GENERAL v. ELLIOTT</b> :—			
Motion made for a Return in reference to, 267; Return ( <i>in part</i> ) to Address, laid on Table, 390.			
<b>G. LINDSAY, ALLEGED LUNATIC</b> :—			
Motion made for Copies of Depositions and other Documents connected with the case of, 267; laid on Table, 329		1	1047
<b>CHARGE OF PERJURY AGAINST R. A. RODD, AT SINGLETON</b> :—			
Motion made for copies of Depositions taken at the Police Office, Singleton, in reference to, 282.			
<b>TRIALS AND COMMITTALS IN THE RIVERINE DISTRICT</b> :—			
Motion made for a Return in reference to, 334.			
<b>TRIALS AND COMMITTALS AT WEE WAA</b> :—			
Motion made for a Return in reference to, 334.			
<b>STATISTICS RESPECTING JUSTICES OF THE PEACE</b> :—			
Motion made for a Return in reference to, (exclusive of the Metropolitan Police District), 339.			
Do. do. (Metropolitan Police District), 356.			
<b>ADMINISTRATION OF JUSTICE</b> :—			
Motion made for copy of Depositions, &c., taken before the Water Police Magistrate in the case referred to in a Report by the Acting Municipal Officer of Health, dated 22nd March, 1869, 395.			
<b>AFFILIATED</b> (See "UNIVERSITY.")			
<b>ALLEYNE, H. G., ESQUIRE</b> :—			
Letter from, dated 12 Jan., 1869, with Report from Superintendent of Quarantine Station, in reference to certain complaints made by Mr. Henry Selby, laid on Table, 112		2	139
<b>ANSWERS</b> (See "QUESTIONS AND ANSWERS"; also "SESSIONAL ORDERS.")			
<b>APPROPRIATION BILL</b> :—			
Bill brought up and read 1 <sup>o</sup> , 368; Standing Orders suspended in reference to, 375; read 2 <sup>o</sup> , committed, reported without Amendment, and Report adopted, 377; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 377; returned by Council without Amendment, 390.			
<b>ARMIDALE</b> :—			
By-laws of the Borough of, laid on Table, 2		3	329
<b>ARROWROOT</b> :—			
<b>CULTIVATION OF, IN THE COLONY</b> :—			
Petition from William Cole, of Tomago, Hunter River, in reference to, 249; ordered to be printed, 256		3	1249

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>A</b>			
<b>ASSASSINATION</b> (See also "EDINBURGH, THE DUKE OF.")			
<b>ALLEGED CONSPIRACY FOR PURPOSES OF TREASON AND:—</b>			
Select Committee appointed to inquire into and report upon, 57; Papers, Correspondence, &c., referred to, 71; Further Correspondence referred to, 75; Return to Order, in reference to "Attempted Assassination of H.R.H. the Duke of Edinburgh," referred to, 94; <i>Special</i> Report brought up, 146; Report brought up, 194; Resolutions moved in reference to, and Amendment proposed, 244; Debate adjourned, 244; Standing and Sessional Orders suspended in reference to Debate, 244; Debate resumed, 250; concluded, and Amendment carried, 251.	1	769	
<b>ASSEMBLY, LEGISLATIVE</b> (See "ADDRESSES," "ADJOURNMENT," "CLERK.")			
Opening of the Session, 1.			
Proclamation summoning Parliament, read by the Clerk, 1.			
Message from Governor, requesting attendance of, in Legislative Council, 2.			
Governor's Opening Speech reported, 3; Select Committee appointed to prepare Address in reply, 4; Address brought up and read by Clerk, 4; adopted, 5; presented to Governor, 11; Answer reported, 11.			
Speaker reports issue of Writs during Recess, 1 (4).			
Do. do. during Adjournment, 35 (2), 63, 75.			
Do. do. during Session, 35 (6).			
Do. return of Writs during Session, 35 (6), 261.			
Clerk sworn, 185.			
Members sworn, 2 (3), 11, 35 (5), 41, 63, 75, 265.			
Deputy Speaker's Commission to administer the Oath, 88.			
Warrant appointing Committee of Elections and Qualifications, laid on Table, 3; maturity of, reported, 29; Members sworn, 29, 57.			
Sessional Orders passed, 58 (6), 59 (7), 77.			
Library Committee appointed, 59.			
Standing Orders Committee appointed, 59.			
Refreshment Room Committee appointed, 59.			
Chairman of Committees of the Whole elected, 77; Deputy Chairman appointed in absence of, 195, 203, 209, 282.			
Unavoidable absence of Mr. Speaker reported by Clerk, 399.			
Votes and Proceedings, 1 to 64.....	1	1 to 400	
Proclamation proroguing Parliament .....	1	401	
Weekly Reports of Divisions of the Whole House, 1 to 11 .....	1	403 to 464	
Weekly Abstracts of Petitions received, 1 to 14 .....	1	465 to 492	
General Summary of ditto .....	1	493	
Alphabetical Register of Bills .....	1	499	
Do. do. Addresses and Orders .....	1	501	
Standing and Select Committees appointed during the Session .....	1	507	
Business of the Session .....	1	511	
Sittings after Midnight, 72, 76, 124, 148, 155, 195, 203, 219, 226, 250, 257, 272, 277, 290, 300, 322, 341.			
<b>NON-MINISTERIAL OFFICE-HOLDERS WHO HAVE BEEN MEMBERS OF:—</b>			
Motion made for a Return in reference to, 114.			
<b>PAYMENT OF COUNTRY MEMBERS:—</b>			
Motion made for a Committee of the Whole to consider Resolutions in reference to, and negatived, 217.			
<b>INTRUSION OF STRANGERS IN THE PASSAGES TO THE HOUSE—CONTROL OF MESSENGERS—PROPOSED NEW PARLIAMENTARY REFRESHMENT ROOM:—</b>			
Report from Standing Orders Committee, 385 .....	1	513	
<b>ASSENT:—</b>			
To Bills, 87, 194, 275 (2), 299, 356 (2), 385 (2).			
<b>ASSETS</b> (See "BANKS.")			
<b>ASYLUMS:—</b>			
Return of Expenditure of, for the Infirm and Destitute, for 1867, laid on Table, 2...	3	477	
Do. do. do. for 1868, laid on Table, 322 .....	3	479	
Report on Lunatic Asylums, by Frederic Norton Manning, M.D., laid on Table, 36 .....	3	533	
<b>ATTORNEY GENERAL</b> (See "ADMINISTRATION OF JUSTICE.")			
<b>AUDIT</b> (See "FINANCE.")			
<b>AUSTRALASIAN:—</b>			
<b>COLONIES:—</b>			
Correspondence relative to Conference of Delegates from, laid on Table, 94.....	1	541	
<b>AUSTRALIAN</b> (See "GOVERNORS," "FREE TRADE," "LIBRARIES.")			
<b>B</b>			
<b>BALLOT:—</b>			
<b>FOR SELECT COMMITTEE:—</b>			
Water Frontage at Blue's Point, North Shore, 289.			
<b>BALLOTING:—</b>			
<b>FOR SELECT COMMITTEES:—</b>			
Sessional Order in reference to, 59.			
<b>BALMAIN</b> (See also "CEMETERIES.")			
By-law of the Borough of, laid on Table, 2 (2), 312 .....	3	337, 339, 361	
Proposed Road to Gladesville, <i>vid.</i> , and Five Dock—(Return to Order, <i>last Session</i> ), laid on Table, 100; ordered to be printed, 161 .....	3	37	
<b>BANK:—</b>			
<b>LIABILITIES AND ASSETS:—</b>			
Abstract of Returns for Quarter ended 31 March, 1868, laid on Table, 11 .....	2	633	
Do. 30 June, 1868, do. 11 .....	2	635	
Do. 30 September, 1868, do. 36 .....	2	637	
Do. 31 December, 1868, do. 276 .....	2	639	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>B</b>			
BATHURST (See "RAILWAY.")			
BEER, DR. FREDERICK (See "GRIEVANCES.")			
BEESON, SOPHIA (See "ADMINISTRATION OF JUSTICE.")			
BELL, ARCHIBALD, ESQUIRE:—			
Writ certifying return of, as Member for the Upper Hunter, 2; sworn as Member, 2.			
BERRIMA (See "POLICE.")			
BILLS:—			
ASSENT TO:—87, 194, 275 (2), 299, 356 (2), 385 (2).			
PUNCTUATION OF:—			
Resolution moved in reference to, and also of all Acts emanating from the Parliament of this Colony, 312.			
BLAND, DR.:—			
WIDOW OF:—			
Motion made for Committee of the Whole to consider propriety of continuing Pension to, 113; Order of the Day (on the Motion that the Speaker do now leave the Chair, &c., being negatived) discharged, 131.			
BLACK ROD:—			
USHER OF:—			
Delivers Message from Governor, 2.			
BLUE BOOK:—			
For the year 1867, laid on Table, 2.	2		163
BLUE'S POINT:—			
PUBLIC WHARF AT, ST. LEONARDS:—			
Motion made for a Committee of the Whole to consider of an Address in reference to, 106; Order of the Day (on Motion that the Speaker do now leave the Chair, &c., being withdrawn) discharged, 132.			
WATER FRONTAGE AT, NORTH SHORE:—			
Select Committee appointed ( <i>by Ballot</i> ) to inquire into and report upon the necessity of reserve for, 289; Progress Report brought up, 361	3		1271
BOOKS:—			
GIFT OF, BY THE QUEEN:—			
Despatch respecting, laid on Table, 12.	1		533
Message (No. 1) from Governor, respecting, 36.			
Address to Her Majesty in grateful acknowledgment of, 47.			
BORDER DUTIES (See "CUSTOMS.")			
BOROUGH (See "MUNICIPALITIES.")			
BOTANIC (See "GRAPE-VINES," "CHARLES MOORE.")			
BOUNDARIES (See "SYDNEY BOUNDARIES AMENDMENT BILL.")			
BRAIDWOOD:—			
Issue and Return of Writ for the Election of Member for, reported, 35; Member sworn, 41.			
BREADSTUFFS:—			
Return of Imports and Exports of, for 1868, laid on Table, 139.	3		1179
BRIDGE:—			
OVER THE NEPEAN AT PENRITH:—			
Petition from certain inhabitants of Emu Plains and Penrith, in reference to Tolls, 185; ordered to be printed, 195	3		81
Resolution moved in reference to the imposition of Tolls, and Debate adjourned, 186; Debate resumed and continued, 283; Resolution negatived, 283.			
BRIDGES:—			
Schedule of, constructed by Loan, laid on Table, 215	3		83
BRONZE:—			
Minutes, Memoranda, and Correspondence relative to New Coin, laid on Table, 11	2		625
BURIALS REGULATION BILL:—			
Motion made for leave to introduce, and leave granted, 261; Bill presented and read 1 <sup>o</sup> , 261; Motion made that this Bill be now read a second time, and Debate adjourned, 282; Order of the Day for resumption of Debate postponed, 329; Bill read 2 <sup>o</sup> , committed, and progress reported, 377.			
Petitions presented in favour of,—			
From certain Freeholders, &c., of the Parish of St. Peter's, Cook's River, 328; ordered to be printed, 334	3		969
Clergyman and Churchwardens of St. Peter's, Cook's River, 328; ordered to be printed, 334	3		967
Petitions presented against,—			
From certain Residents of the Borough of Balmain, 329; ordered to be printed, 329	3		959
Municipal Council of Balmain, 329; ordered to be printed, 329	3		961
Certain owners and occupiers of land in vicinity of Balmain Cemetery, Petersham, 329; ordered to be printed, 329	3		963
Do. do. do. do. No. 2, 356; ordered to be printed, 361	3		965
Certain Residents of the Borough of Balmain, 356; ordered to be printed, 375	3		971
BERNEY (See "CUSTOMS.")			
BUSHRANGERS—CLARKE (See "ADMINISTRATION OF JUSTICE," "LOCK"; also "KEIGHTLEY.")			
BUSINESS (See also "SESSIONAL ORDERS.")			
Additional Sitting Day, 357.			
BUYERS (See "MUNICIPAL," "NEWCASTLE.")			
BY-LAW (See "MUNICIPALITIES.")			
BY-LAWS (See "MUNICIPALITIES.")			

# INDEX.

V

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>C</b>			
CABRAMATTA (See "ROAD.")			
CALIFORNIA (See "EMIGRATION.")			
CAMPBELL, WILLIAM ROBERT, ESQUIRE :—			
Writ certifying return of, as a Member for West Sydney, 63 ; Membe sworn, 63.			
CANTERBURY :—			
Issue of Writ, during Recess, for the Election of Member for, reported, 1 ;			
Return of Writ reported, 2 ; Member sworn, 2.			
CAPITAL PUNISHMENT :—			
SOCIETY FOR THE ABOLITION OF,—			
Motion made for copies of Correspondence between Secretary to, and Govern-			
ment, in reference to the alleged insanity of H. J. O'Farrell, 113.			
CARCOAR (See "M'GUINN, THE REV. DENIS.")			
CARRIERS (See "COMMON CARRIERS BILL.")			
CARROLL OR KENNAGH (See "ADMINISTRATION OF JUSTICE.")			
CARROLL, MR. J. (See "QUARANTINE.")			
CARTERS :—			
Petition from certain licensed, Sydney, praying for reduction of license fee, 3.			
CASTING VOTE (See "SPEAKER.")			
CATTLE (See "SYDNEY CATTLE SLAUGHTERING PREVENTION BILL" ;			
also "CATTLE DISEASES PREVENTION ACT AMENDMENT			
BILL.")			
CATTLE DISEASES PREVENTION ACT AMENDMENT BILL :—			
Motion made for a Committee of the Whole to consider the propriety of			
introducing, 261 ; Message from Governor (No. 12) in reference to, 275 ;	3	197	
House in Committee and Resolution reported and adopted, 276 ; Bill pre-			
sented and read 1°, 276 ; Motion made for second reading and House			
counted out, 306.			
CEMETERY :—			
BALMAIN, PETERSHAM :—			
Petition from certain owners and occupiers of land in the parish of Petersham,			
complaining of the establishment of, 160 ; ordered to be printed, 174 .....	3	957	
CEMETERIES :—			
IN THE METROPOLITAN POLICE DISTRICT :—			
Return of, laid on Table, 322 .....	3	955	
CENSURE (See "CONFIDENCE.")			
CENTRAL CUMBERLAND :—			
Issue of Writ, during Adjournment, for the Election of Member for, reported,			
35 ; Return of Writ reported, 75 ; Member sworn, 75.			
CERTIFICATES :—			
UNDER VOLUNTEER FORCE REGULATION ACT OF 1867 :—			
Motion made in reference to, 218.			
CHAIRMAN :—			
OF COMMITTEES OF THE WHOLE HOUSE :—			
Election of Thomas Garrett, Esquire, 77 ; reception of Deputy Speaker's			
Commission to administer the Oath reported by Speaker, 88 ; Indisposition			
of, reported, 195, 203, 209, 282 ; counts the House in absence of Mr.			
Speaker, 399.			
OF SELECT COMMITTEE :—			
Sessional Order in reference to Vote of, on Private Bill, 59.			
CHARITABLE :—			
PUBLIC INSTITUTIONS :—			
Progress Report from Inspector of Public Charities, laid on Table, 36 .....	3	481	
CHARLES, MR. SAMUEL (See "ADMINISTRATION OF JUSTICE.")			
CHURCH, WALTER, ESQUIRE :—			
Writ certifying return of, as Member for Gold Fields West, 261 ; sworn as			
Member, 265.			
CIVIL SERVICE :—			
EMPLOYEES IN THE, OF THE COLONY :—			
Motion made for a nominal Return of, and by leave withdrawn, 187.			
AND POLICE SUPERANNUATION FUND :—			
Motion made for copies of all Reports and Documents relating to the state and			
prospects of, 335.			
CLARENCE, THE :—			
Issue and return of Writ for the Election of Member for, reported, 35 ; Member			
sworn, 35.			
CLARKE, BUSHRANGERS (See "ADMINISTRATION OF JUSTICE.")			
CLERK :—			
OF LEGISLATIVE ASSEMBLY :—			
Proclamation on opening of the Session read by, 1.			
Reads Despatch, &c., respecting Treason Felony Act, 2.			
Reads Address in reply to Governor's Opening Speech, 4.			
Administers Oath to Members of the Committee of Elections and Qualifications,			
29, 57.			
Authorized to return Plans and Documents laid before Select Committee, 174, 216			
Oliver Francis Kelly, Esquire, sworn as, 185.			
Inform the House of the unavoidable absence of Mr. Speaker, 399.			
OF THE PARLIAMENTS :—			
Message to Legislative Council, requesting attendance of, as witness before a			
Select Committee, 208 ; Message in reply, 227.			
CLIFTS COAL PROPERTIES LEASING BILL :—			
Petition presented, praying for leave to introduce, 88 ; Motion made for leave			
to introduce and leave granted, 106 ; Bill presented and read 1°, 106 ;			
Ruling of Speaker in reference to non-fulfilment of Standing Order, 113 ;			
Standing Order suspended in reference to, 131 ; Bill referred to Select			
Committee, 131 ; Report brought up, 154 ; read 2°, committed, reported	3	299	
without Amendment, and Report adopted, 180 ; read 3°, 186 ; passed and			
sent to Legislative Council, 188 ; returned by Council without Amendment,			
257 ; Assent reported, 275.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>C</b>		
COAL (See "CLIFTS COAL PROPERTIES LEASING BILL.")		
COIN (See "MINT.")		
COLE WILLIAM (See "ARROWROOT.")		
COLLECTOR OF CUSTOMS SUPERANNUATION BILL:—		
Motion made for leave to introduce and leave granted, 95; presented and read 1 <sup>o</sup> , 95; Motion made for second reading and Debate adjourned, 120; Debate resumed and continued, 123; negatived on motion for second reading, 124; Order of the Day and Bill discharged, 124.		
COLLEGES:—		
UNIVERSITY, AND AFFILIATED:—		
Motion made for a Committee of the Whole to consider of an Address in reference to exemption of, from Municipal Taxation, 210; House in Committee, 238; no Report.		
COLONIES, AUSTRALIAN:—		
CORRESPONDENCE RESPECTING PROPOSED CONFERENCE ON FREE TRADE BETWEEN, AND NEW ZEALAND:—		
Laid on Table, 36	1	543
COMMISSION:—		
Report from, on method of testing Marine Steam-boilers in use, laid on Table, 11	3	1019
Despatch to Governor, enclosing, authorizing leasing, &c., Deposits of Guano, laid on Table, 36	1	551
Reception of Deputy Speaker's, to administer the Oath, reported, 88.		
Reports from, dated respectively, 23 December, 1867, 24 December, 1867, 20 June, 1868, and 19 December, 1868, on Sydney Water Supply, 112	3	1167
Fourth Progress Report on do., 385	3	1173
Reports (two) from, on state of Water in George's River, at Liverpool, 276	3	1255
COMMITTEES (See "ADMINISTRATION OF JUSTICE.")		
COMMITTEE:—		
SELECT:—		
Sessional Order in reference to Chairman's Vote in, on Private Bill, 59.		
Do. do. balloting for, 59.		
COMMITTEES:—		
OF THE WHOLE:—		
Election of Thomas Garrett, Esquire, as Chairman of, 77		
COMMITMENTS (See "ADMINISTRATION OF JUSTICE.")		
COMMONAGES:—		
FOR TOWN OF MERRIWA:—		
Motion made for copies of Correspondence and Papers in reference to sale or exchange of Lands set apart as, 276.		
COMMON CARRIERS BILL:—		
Motion made for leave to introduce, and leave granted, 49; no further action taken.		
COMPULSORY VACCINATION BILL:—		
Motion made for a Committee of the Whole, to consider of the propriety of introducing, 237; House in Committee, and Resolution reported and adopted, 256; presented and read 1 <sup>o</sup> , 256; Message (No. 8) from Governor respecting, 266; Bill read 2 <sup>o</sup> , 290; Committed and House counted out, 290; Order of the Day for the further consideration of the Bill in Committee, restored to Paper, 299; House in Committee and Progress reported, 306; House again in Committee and counted out, 369; Order of the Day for the further consideration of the Bill in Committee, again restored to Paper, 386; House in Committee and Bill reported with Amendments, 391; Report adopted, 395; no further action taken.	2	131
CONDITIONAL PURCHASES (See "CROWN LANDS.")		
CONFERENCE:—		
ON FREE TRADE BETWEEN THE AUSTRALIAN COLONIES AND NEW ZEALAND:—		
Correspondence respecting proposed, laid on Table, 36	1	543
OF DELEGATES FROM THE SEVERAL AUSTRALASIAN COLONIES:—		
Correspondence relative to, laid on Table, 94	1	541
CONFIDENCE:—		
Motion of Want of, in the present Administration made and Debate adjourned, 42, 49, 53, 59, 64, 68, 72; Debate concluded and motion negatived, 76.		
CONSOLIDATED REVENUE FUND BILL:—		
Message No. 4, from Governor (Vote of Credit) respecting, 154	2	861
Motion made for leave to bring in, and leave granted, 169; Bill presented and read 1 <sup>o</sup> , 169; Read 2 <sup>o</sup> , committed, reported, and Report adopted, 175; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 175; returned by Council without Amendment, 180; Assent reported, 194.		
CONSOLIDATED REVENUE FUND BILL (No. 2):—		
Message No. 9 from Governor (Vote of Credit) respecting, 272; Motion made for leave to introduce and leave granted, 277; presented and read 1 <sup>o</sup> , 277; read 2 <sup>o</sup> , committed, reported, and Report adopted, 284; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 284; returned by Council without Amendment, 322; Assent reported 356.	2	863
CONSPIRACY:—		
ALLEGED, FOR PURPOSES OF TREASON AND ASSASSINATION:—		
Select Committee appointed to inquire into and report upon, 57; Papers, &c., referred to, 71, 75, 94; Special Report brought up, 146; Report brought up, 194; Resolutions moved in reference to, and Amendment proposed, 244; Debate adjourned, and Standing and Sessional Orders suspended in reference to, 244; Debate resumed and continued, 250; Debate concluded and Amendment carried, 251.	1	769
CONSTABLES, SPECIAL (See "POLICE.")		
CONTINGENCIES, &c. (See "FINANCE.")		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>C</b>		
CONTINGENT NOTICES:—		
Moved on motion for Committee of Supply, 169, 300.		
COOK, BOROUGH OF (See "MUNICIPALITIES.")		
COOGEE (See "RANDWICK AND COOGEE ROADS TRANSFER BILL.")		
CORPORATION (See "SYDNEY CORPORATION ACT AMENDMENT BILL.")		
COUNCIL, LEGISLATIVE:—		
Message requesting attendance of Member of, as witness before a Select Committee, 146, 207, 288; Reply, 154, 226, 295.		
COUNCIL (See "MUNICIPAL," "EDUCATION.")		
COUNTRY:—		
MEMBERS OF ASSEMBLY:—		
Motion made for a Committee of the Whole to consider Resolutions in reference to payment of, and negatived, 217.		
COURT:—		
Rules of Supreme, laid on Table, 41	1	585
DISTRICT, WABIALDA:—		
Petition from certain inhabitants of The Gwydir District, praying for the establishment of, 185; ordered to be printed, 195	1	647
CREDIT:—		
VOTE OF:—		
Message (No. 4) from Governor in reference to, 154; consideration of, in Committee of Supply, and Resolution reported and agreed to, 169; consideration of, in Committee of Ways and Means, and Resolution reported and agreed to, 169.	2	861
Message (No. 9) from Governor in reference to, 272; consideration of, in Committee of Supply, and Resolution reported and agreed to, 277; consideration in Committee of Ways and Means, and Resolution reported and agreed to, 277.	2	863
CRONAN, WILLIAM (See "GRIEVANCES.")		
CROWN LANDS:—		
Abstracts of, dedicated to Religious and Public Purposes, laid on Table, 82	3	203
Do. for Sites of Cities, Towns, and Villages, laid on Table, 58, 345	3	207, 209
Do. Sites for future Villages, laid on Table, 167, 256	3	211, 213
Do. reserved for preservation of Water Supply and other purposes, laid on Table, 68, 138, 256, 345	3	215, 219, 221, 223
CONDITIONAL PURCHASES:—		
Tabular Returns of, made during the years 1862-3-4-5-6-7 and 8 ( <i>in separate bundles for each year</i> ), laid on Table, 11.		
Schedule shewing total number of, made in New South Wales, from January 1, 1862, to June 30, 1868, laid on Table, 11	3	201
ROBERT TAYLOR:—		
Petition from, in reference to his Free Selection of land in the Murrumbidgee District, 42; ordered to be printed, 48	3	225
CONDITIONAL PURCHASES UNDER CROWN LANDS ALIENATION ACT OF 1861:—		
Return to Order ( <i>Session 1866</i> ), in reference to, laid on Table, 94.		
APPLICATION TO PURCHASE AND RECLAIM LAND UNDER 9TH AND 12TH CLAUSES OF CROWN LANDS ALIENATION ACT:—		
Return to Address ( <i>last Session</i> ) in reference to, laid on Table, 99	3	245
MR. JOHN THOMAS NEILSON:—		
Petition from, in reference to selection of a Run in May, 1866, 99; ordered to be printed, 106	3	227
Motion made for the Tender of, for a Run on the River Darling, named Menindee East, No. 19, and also for Tenders for the Runs "Wambah," "Outer Wambah," and "East Wambah"—with all Papers, &c., relating thereto, 187; laid on Table, 208	3	229
MR. WILLIAM EMERY—CONDITIONAL PURCHASE OF, AT GOOD DOG:—		
Motion made for copies of all Correspondence and other Documents relative to, 256.		
Select Committee appointed to inquire into the allegations of Petition of, presented on 23rd April, 1868, 289.		
SALE OF, IN SYDNEY:—		
Motion made for a Return of Amounts received by Government from, 266.		
WATER RESERVE FOR TOWNSHIP OF RYDAL:—		
Petition presented from certain Freeholders, &c., of the Township in reference to, 305; ordered to be printed, 305	3	1015
CLAIMS OF TENANTS OF THE CROWN—MR. WILLIAM CUMMINGS:—		
Resolution moved in reference to, and House counted out, 314.		
TENDERS FOR RUNS IN THE WAREGO DISTRICT:—		
Motion made for copies of all Correspondence, Reports, Tenders, &c., respecting, 376.		
CROWN LANDS (HELD UNDER PASTORAL OCCUPATION):—		
Motion made for a continuation to the end of the year 1868, of a Return headed as above, and laid upon the Table of this House on April 4th, 1866, 386.		
CUDGEGONG:—		
By-laws of the Borough of, laid on Table, 2	3	319
Do. do. 180	3	323
CULLEN, MR. SIMON:—		
REMOVAL OF, FROM R. C. ORPHAN SCHOOL, PARRAMATTA:—		
Motion made for copies of all Correspondence from the 1st day of June last, relative to, 114; laid on Table, 209	3	781
CUMMINGS, MR. WILLIAM (See "CROWN LANDS.")		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>C</b>			
CUSTOMS (See also "COLLECTOR OF CUSTOMS SUPERANNUATION BILL") :—			
Despatch respecting Differential Duties, &c., laid on Table, 41 .....	2	109	
Do. relative to the Border Duties Act of 1867, laid on Table, 94 .....	2	107	
REMOVAL OF W. A. DUNCAN, Esq., FROM THE OFFICE OF COLLECTOR OF CUSTOMS :—			
Correspondence respecting, laid on Table, 3 .....	2	75	
Further, do., laid on Table, 41 .....	2	99	
REMOVAL OF MESSRS. BERNY AND JONES, AND REINSTATEMENT OF MR. DUNCAN :—			
Correspondence respecting, laid on Table, 95 .....	2	105	
<b>D</b>			
DANGAR, MR. THOMAS (See "ADMINISTRATION OF JUSTICE.")			
DANGAR, T. G. G. ESQUIRE :—			
Leave of absence granted to, 131.			
DARLING DISTRICT (See "ABORIGINES.")			
DARLINGHURST (See "GAOL.")			
DEBATE (See also "ADJOURNMENT") :—			
Postponed, 114, 283.			
Motion made for postponement of, and by leave withdrawn, 238.			
Motion made for postponement of, and negatived after Division, 357.			
DEBTS (See "SMALL DEBTS RECOVERY ACT AMENDMENT BILL.")			
DENILQUIN (See "GAOL.")			
DENOMINATIONAL (See "EDUCATION.")			
DE PHILIPSTHAL, MR. :—			
LATE CLERK IN THE OFFICE OF INSPECTOR GENERAL OF POLICE :—			
Motion made for an Address in reference to, 237.			
DEPUTY (See "SPEAKER"; also "CHAIRMAN.")			
DESPATCHES :—			
IN REFERENCE TO :—			
Treason Felony Act, laid on Table, 2 .....	1	523	
Do. do. 94 .....	1	525	
Departure of Sir John Young from the Colony, laid on Table, 2 .....	1	521	
Attempted Assassination of H.R.H. the Duke of Edinburgh, laid on Table, 2 .....	1	517	
Do. do. in reply to Address from Gunning, laid on Table, 12 .....	1	519	
Application for Lease of Great Banks Island, laid on Table, 2 .....	1	527	
Sydney Branch Royal Mint, dated 20 May, 1868, laid on Table, 11 .....	2	619	
Do. do. 29 May, 1868, do. 11 .....	2	621	
Do. do. (with enclosure) do. 276 .....	2	623	
Gift of Books by the Queen, laid on Table, 12 .....	1	533	
Leave of Absence to Governors of Australian Colonies, laid on Table, 12 .....	1	531	
Medical Practitioners in the Colonies, laid on Table, 36 .....	2	123	
Federal Council of the Australasian Colonies, laid on Table, 36 .....	1	535	
Leasing, &c., of Deposits of Guano, laid on Table, 36 .....	1	551	
Wearing of the uniform of Executive Councillors, by Mr. Martin, Mr. Eagar, and Mr. Wilson, when out of office, laid on Table, 36 .....	1	539	
Retention of the Title of "Honorable" by Mr. Eagar and Mr. John Bowie Wilson, after ceasing to be Members of the Executive Council, laid on Table, 36 .....	1	537	
Differential Duties, &c., laid on Table, 41 .....	2	109	
Border Duties Act of 1867, laid on Table, 94 .....	2	107	
Imperial Vaccination Act, with copy, laid on Table, 174 .....	2	125	
Route proposed to be taken by Captain H.R.H. the Duke of Edinburgh, in H.M.S. "Galatea" (with enclosures), laid on Table, 208 .....	1	555	
The Social and Political Condition of the Fiji Islands, laid on Table, 231 .....	1	553	
Supply of Snider Rifles for Colonial Volunteers, laid on Table, 231 .....	2	73	
Importation of South Sea Islanders into Queensland, laid on Table, 208, 288 .....	3	1183, 1247	
Telegraphic Communication between United Kingdom and the Australian Colonies, laid on Table, 312 .....	2	973	
DESTITUTE :—			
GOVERNMENT ASYLUMS FOR INFIRM, &c. :—			
Return of Expenditure of, for 1867, laid on Table, 2 .....	3	477	
Ditto for 1868, ditto 322 .....	3	479	
CHILDREN'S SOCIETY :—			
List of Directors of, for 1869, laid on Table, 288 .....	3	503	
DIFFERENTIAL DUTIES (See "CUSTOMS.")			
DISEASE (See "GRAPE DISEASE," <i>Oidium Tuckeri</i> .)			
DISEASE IN GRAPE-VINES :—			
CALLED <i>Oidium Tuckeri</i> :—			
Report from Charles Moore, Esquire, Botanic Gardens, Sydney, relative to, laid on Table, 63 .....	3	87	
DISEASES (See "CATTLE DISEASES PREVENTION ACT AMENDMENT BILL," "DISEASES IN SHEEP ACT AMENDMENT BILL"; also "DISEASES IN GRAPE-VINES PREVENTION BILL.")			
DISEASES IN GRAPE-VINES PREVENTION BILL :—			
Motion made for a Committee of the Whole to consider expediency of introducing, 174; House in Committee and Resolution reported and adopted, 181; Bill presented and read 1 <sup>o</sup> , 217; Motion made for second reading and Bill referred to Select Committee for consideration and report, 239; Petitions referred to, 256; Progress Report brought up, 356; no further action taken.	3	145	



VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>D</b>			
<b>DISEASES IN GRAPE-VINES PREVENTION BILL</b> ( <i>continued</i> ):—			
Petitions presented <i>against</i> , from,—			
Certain Vineyard-proprietors and others of the Albury and Corowa Districts, 194; ordered to be printed, 202	3	133	
Certain Vine-growers in the District of Patrick's Plains, 194; ordered to be printed, 203	3	135	
George Gray, as Chairman of a Public Meeting of Vine-proprietors of Corowa, 208; ordered to be printed, 216	3	137	
John Wyndham, as Chairman of the Hunter River Vineyard Association, 216; ordered to be printed, 232	3	139	
Certain Vine-growers, &c., in the District of the Hunter, 249; ordered to be printed, and referred to Select Committee on, 256	3	143	
Do. do. Bathurst, 249; ordered to be printed, and referred to Select Committee on, 256	3	141	
<b>DISEASES IN SHEEP ACT AMENDMENT BILL</b> :—			
Motion made for a Committee of the Whole to consider propriety of introducing, 261; (Message No. 13) from Governor respecting, 276; House in Committee, 276; Resolution reported and adopted, 277; Bill presented and read 1 <sup>o</sup> , 277; Order of the Day for second reading discharged, and Bill withdrawn, 369.	3	199	
<b>DISTRICT COURT</b> (See "ADMINISTRATION OF JUSTICE.")			
<b>DISTRICT COURTS ACT OF 1858</b> :—			
Returns under 103rd Section of, laid on Table, 41	1	589	
<b>DIVISIONS</b> :—			
<b>IN THE HOUSE</b> :—			
Adjournment of House, 219, 314.			
Special Adjournment of House, 391.			
Adjournment of Debate, 68, 72, 124, 147, 250, 251, 267, 282, 314, 387.			
Postponement of Debate, 357.			
Previous Question, 139, 283, 313, 330, 340, 377.			
Address in reply to Governor's Opening Speech, 5.			
Motion of Want of Confidence, 76.			
Chairman of Committees of the Whole House—Election of, 76, 77.			
Suspension of Standing Orders, 82.			
Stamp Duties Acts Continuation Bill, 82, 83.			
Mr. Thomas Scott—Sugar Cultivation, 83, 181, 219.			
Widow of Dr. Bland, 113, 131.			
Collector of Customs Superannuation Bill, 124.			
Triennial Parliaments Bill, 132, 161 (3).			
St. Andrew's Cathedral Close Bill, 132, 180 (2), 209.			
Heirs of the late Francis Flanagan, 139, 238 (2).			
Unauthorized Expenditure from the Treasury, 139.			
Ways and Means—Motion that Speaker do now leave the Chair, 147.			
Supply—Motion that Speaker do now leave the Chair, 169, 300.			
Re John Tebbutt, legatee of Sophia Beeson, 186, 313.			
Small Debts Recovery Act Amendment Bill, 208.			
Treason Felony Act Amendment Bill, 216, 266.			
Payment of Country Members of Assembly, 217 (2).			
Compensation to Edward Lock for injuries sustained through Bushrangers, 218.			
Proposed compensation to Mr. Keightley for injuries sustained through Bushrangers, 219.			
Alleged Conspiracy for purposes of Treason and Assassination ( <i>Resolutions</i> ), 251 (2), 252.			
Equity Suit—The Attorney General v. Elliott (Administration of Justice), 267.			
Bridge over the Nepean at Penrith, 283.			
Newspaper Postage Act of 1864, 284.			
Members of Parliament Claims Restriction Bill, 284.			
Workhouse Act Repeal Bill, 289, 300.			
Compulsory Vaccination Bill, 290, 386.			
Cattle Diseases Prevention Act Amendment Bill, 306.			
Punctuation of Bills, 312.			
Sunday Railway Trains ( <i>Previous Question</i> ), 313.			
Burials Regulation Bill ( <i>Postponement of Order of the Day</i> ), 329.			
Australian Subscription and Free Libraries ( <i>Previous Question</i> ), 330, 377.			
Question of Privilege—Newspaper Postage Act of 1864 ( <i>Previous Question</i> ), 340.			
Newspaper Postage Act Repeal Bill, 358.			
Small-pox Prevention Bill, 369.			
Rev. Denis McGuinn, late R.C.C. at Carcoar, 375.			
<b>IN COMMITTEE OF THE WHOLE</b> :—			
Stamp Duties Acts Continuation Bill, 403.			
St. Andrew's Cathedral Close Bill, 407 (2), 408 (2), 412.			
Exemption of University and Affiliated Colleges from Municipal Taxation, 424.			
Water Supply for the Gold Fields, 425.			
Compulsory Vaccination Bill, 427, 442 (2), 443 (4), 463.			
Deepening of Parramatta River, 430.			
Proposed Compensation to Mr. Keightley, for injuries sustained through Bushrangers, 430.			
Provision for the Expenses of the proposed Visit of H.R.H. the Duke of Edinburgh, 431, 432 (4), 433 (4), 434 (4), 435 (4), 436 (4), 437 (4), 438.			
Sydney Paving Bill of 1869, 442.			
Australian Subscription and Free Libraries, 453.			
Sydney Boundaries Amendment Bill, 460 (3).			
Appropriation Bill, 461, 462 (2).			
Small-pox Prevention Bill, 462.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>D</b>			
DIVISIONS ( <i>continued</i> ) :—			
IN COMMITTEE OF THE WHOLE ( <i>continued</i> ) :—			
Report from Standing Orders Committee, in reference to "Intrusion of Strangers in the Passages to the House"—"Control of Messengers"—"Proposed New Parliamentary Refreshment Room," 463.			
Small Debts Recovery Act Amendment Bill, 463, 464.			
SUPPLY—ESTIMATES FOR 1869 :—			
Executive Council, 409.			
Legislative Council, 410 (3).			
Police, 411 (4).			
Registrar General, 413.			
Workhouse, Parramatta, 414 (3), 415 (2).			
Charitable Institutions, 415 (2), 416 (3).			
Charitable Allowances, 417.			
District Courts, 417.			
Quarter Sessions, 417, 418 (2).			
Coroners Inquests, 418.			
Customs, 419, 420 (4).			
Gunpowder Magazines, 421.			
Harbours, Light-houses, and Pilot Department, 421.			
Department of Lands, 422.			
Survey of Lands, 422 (2).			
Occupation of Lands, 423 (4).			
Gold Fields, 424 (2).			
Prevention of Scab in Sheep, 428.			
Inspection of Cattle, 428.			
Minor Roads, 428, 429 (4), 430, 438 (2).			
Department of Public Works, 439.			
Railways—General Establishment, 440.			
Do. Works in Progress, 444 (2).			
Public Works and Buildings, 444, 445.			
Roads and Bridges—General Establishment, 447, 448.			
Do. Construction and Maintenance, 448 (2), 449 (4), 450 (4), 451.			
Railways (to be raised by Loan), 454.			
Harbours and River Navigation (to be raised by Loan), 454 (2), 455 (4), 456 (4).			
Roads and Bridges (to be raised by Loan), 457.			
Electric Telegraphs (to be raised by Loan), 457 (2).			
Post Office, 458 (4).			
Protestant Orphan School, 459.			
MISCELLANEOUS :—			
Queen's Plate, 421.			
Parramatta Park, 439 (2).			
SUPPLEMENTARY ESTIMATES FOR 1868 AND PREVIOUS YEARS :—			
Allowance in lieu of Lodging to the Aide-de-Camp, 406.			
Compensation to Mr. John Shanks, late Pilot, Port Jackson, 406 (2), 459.			
Gratuity to John Thursell, late Boatman, Customs Department, 409.			
WAYS AND MEANS :—			
Resolution No. 1, 405.			
DOWNEY, LEVY, v. (See "ADMINISTRATION OF JUSTICE.")			
DREWE, MR. S. C. (See "EDUCATION.")			
DUNCAN, W. A., ESQ. (See "CUSTOMS.")			
DUTIES (See "STAMP DUTIES ACTS CONTINUATION BILL," "CUSTOMS"; also "BORDER DUTIES ACT OF 1867.")			
DWYER, REV. M. J. :—			
ROMAN CATHOLIC CHAPLAIN, DARLINGHURST GAOL :—			
Correspondence respecting removal of, laid on Table, 2	2	1	
<b>E</b>			
EAGAR, MR. (See "EXECUTIVE COUNCIL.")			
EDEN :—			
ELECTORATE OF :—			
Writ certifying the return of Member for, 35; Member sworn, 35.			
EDINBURGH, HIS ROYAL HIGHNESS, THE DUKE OF :—			
Despatch respecting attempted assassination of, laid on Table, 2	1	517	
Do. do. (in reply to Address from Gunning), laid on Table, 12	1	519	
ATTEMPTED ASSASSINATION OF :—			
Motion made for copies of all letters, reports, confessions, &c., &c., in possession of the Government, having reference to, 47; laid on Table, 94	1	735	
Printed Papers relating to, laid on Table by Mr. Parkes, 57	1	715	
Statement shewing the expenses incurred in the reception, &c., of, laid on Table, 11	2	721	
Letter from Inspector General of Police, dated 14 January, 1868, respecting appointment of Special Constables, at the approaching reception of, laid on Table, 57	2	55	
Do. do. dated 28 January, 1868, submitting Account for Special Expenses incurred by Department in connection with reception of, laid on Table, 58	2	57	
Despatch (with enclosures) shewing Route proposed to be taken by H.M.S. "Galatea," laid on Table, 208	1	555	
Provision for the Expenses of the proposed Visit of (Message No. 7, referred to Committee of the Whole), 266; House in Committee and Resolution reported, 272; agreed to, 276.	2	867	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>E</b>			
<b>EDUCATION :—</b>			
UNIVERSITY OF SYDNEY :—			
Report for 1867, laid on Table, 2 .....	3	751	
DISMISSAL OF MR. S. C. DREWE BY COUNCIL OF :—			
Return to Address ( <i>last Session</i> ) in reference to, laid on Table, 2 .....	3	763	
SYDNEY GRAMMAR SCHOOL :—			
Report for 1867, laid on Table, 36 .....	3	759	
ORPHAN SCHOOLS AT PARRAMATTA :—			
Motion made for a Return in reference to repairs, additions, improvements, &c., in, 113; laid on Table, 174 .....	3	777	
REMOVAL OF MR. SIMON CULLEN FROM R. C. ORPHAN SCHOOL, PARRAMATTA :—			
Motion made for Copies of all Correspondence from the 1st day of June last in reference to, 114; laid on Table, 209 .....	3	781	
ROMAN CATHOLIC ORPHAN SCHOOL, PARRAMATTA :—			
Letter from Visiting Surgeon, relating to certain fees and the treatment of the Children, laid on Table, 139 .....	3	779	
PERSONS APPOINTED MEMBERS OF COUNCIL OF, OR OF PUBLIC SCHOOL BOARDS :—			
Return to Order ( <i>last Session</i> ) laid on Table, 265 .....	3	797	
COUNCIL OF :—			
Amended Regulations laid on Table, 361 .....	3	813	
PUBLIC AND DENOMINATIONAL SCHOOL TEACHERS :—			
Motion made for a copy of the Memorial from, respecting allowance for house rent, 375.			
COUNCIL OF, AND TEACHERS UNDER PUBLIC SCHOOLS ACT :—			
Motion made for a Return in reference to, and House counted out, 386.			
EGAN, DANIEL, ESQUIRE :—			
Acceptance of office by, reported, 29; Seat declared vacant by reason of acceptance of office, 30; Writ certifying return of as Member, 35; sworn as Member, 35.			
<b>ELECTIONS :—</b>			
AND QUALIFICATIONS COMMITTEE :—			
Speaker's Warrant appointing, laid on Table, 3; Maturity of, reported, 29; Members sworn, 29, 57.			
<b>ELECTORAL :—</b>			
RETURNS :—			
Motion made for a statement of the aggregate Population and Number of Electors in each Electorate of the Colony, 113; laid on Table, 174 .....	1	577	
ELECTORATE OF THE HASTINGS :—			
Petition from certain inhabitants of, praying for a division of the Electorate into two or more Electoral Districts, 36; ordered to be printed, 48 .....	1	579	
DISTRICT OF THE HUME :—			
Petition from certain Electors and Inhabitants of, praying for an additional Member, 186; ordered to be printed, 195 .....	1	581	
REPRESENTATION OF THE RICHMOND AND TWEED RIVERS :—			
Petition from certain inhabitants of these Districts, praying that the Districts may be separated into independent Electorates, 262; ordered to be printed, 267 .....	1	583	
ELECTORS :—			
Return of, on the Roll of each Electoral District, for 1868-9, laid on Table, 106. Do. in the several Gold Fields Electoral Districts, for 1868-9, laid on Table, 106 .....	1	573	
ELLIOTT, &c., ATTORNEY GENERAL, v. (See "ADMINISTRATION OF JUSTICE.")	1	575	
EMERY, MR. WILLIAM (See "CROWN LANDS.")			
<b>EMIGRATION :—</b>			
TO SAN FRANCISCO :—			
Correspondence respecting, laid on Table, 36 .....	2	111	
TO CALIFORNIA :—			
Letter from U. S. Consul to Governor, relative to, laid on Table, 106 .....	2	117	
<b>EMPLOYÉS :—</b>			
IN THE CIVIL SERVICE OF THE COLONY :—			
Motion made for a nominal Return of, and by leave withdrawn, 187.			
<b>EQUITY (See also "ADMINISTRATION OF JUSTICE.")</b>			
DUTIES OF MASTER IN :—			
Select Committee appointed to inquire into and report upon, 113; Progress Report brought up, 271 .....	1	959	
<b>ESTIMATES :—</b>			
OF EXPENDITURE :—			
Message No. 2, transmitting, 41 .....	2	725	
Estimates for 1869, 41 .....	2	727	
Supplementary Do., for 1868 and Previous Years, 41 .....	2	819	
OF WAYS AND MEANS :—			
For the year 1869, laid on Table, 100 .....	2	835	
<b>EXAMINERS (See "REAL-PROPERTY ACT.")</b>			
<b>EXECUTIVE COUNCIL :—</b>			
Despatch respecting the wearing of the Uniform of Executive Councillors by Mr. Martin, Mr. Eagar, and Mr. Wilson, when out of office, laid on Table, 36 .....	1	539	
Despatch respecting retention of the Title of "Honorable" by Mr. Eagar and Mr. John Bowie Wilson, after ceasing to be Members of, laid on Table, 36 .....	1	537	
<b>EXHIBITION, PARIS :—</b>			
Letter from Mr. E. L. Montefiore (with enclosures) relative to, laid on Table, 174 .....	2	119	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>F</b>			
FARRAND, MR. WILLIAM (See "ADMINISTRATION OF JUSTICE.")			
FARNELL, JAMES SQUIRE, ESQUIRE :—			
Deputy Chairman of Committees of the Whole, 232.			
FEDERAL :—			
COUNCIL OF THE AUSTRALASIAN COLONIES :—			
Despatch respecting, laid on Table, 36.....	1	535	
FELONS (See "ADMINISTRATION OF JUSTICE.")			
FENIAN :—			
Correspondence (including legal opinion) respecting "Papers relating to O'Farrell's case, and to an alleged Conspiracy," laid on Table, 57 .....	1	731	
FIJI ISLANDS :—			
Despatch in reference to the Social and political condition of, laid on Table, 231	1	553	
FINANCE :—			
Trust Moneys Deposit Account (from 1 April, 1867, to 31 March, 1868), laid on Table, 11 .....	2	723	
Abstracts of the Public Accounts for 1867, laid on Table, 11 .....	2	641	
Message No. 2, transmitting Estimates of Expenditure, 41 .....	2	725	
Estimates of Expenditure for 1869, 41 .....	2	727	
Supplementary Do. for 1868, and previous years, 41 .....	2	819	
Estimates of Ways and Means for 1869, 100 .....	2	835	
Report of Board of Audit of Public Accounts, laid on Table, 36 .....	2	855	
Explanatory Abstracts .....	2	871	
RECEPTION, &c., OF H.R.H. THE DUKE OF EDINBURGH :—			
Statement shewing the expenses incurred in, laid on Table, 11 .....	2	721	
Letter from Inspector General of Police, submitting account of special expenses incurred by Department in connection with, 58 .....	2	57	
MONEY PAID TO MINISTERS FOR TRAVELLING AND OTHER EXPENSES :—			
Motion made for a Return in reference to, 64.			
TRAVELLING AND OTHER EXPENSES OF MINISTERS IN FORMER ADMINISTRATIONS :—			
Motion made for a Return shewing, 88 ; laid on Table, 89 .....	2	869	
UNAUTHORIZED EXPENDITURE FROM THE TREASURY :—			
Resolutions moved in reference to, 139.			
VOTE OF CREDIT :—			
Message No. 4, referred to Committee of Supply, 154 .....	2	861	
Message No. 9, referred to ditto, 272 .....	2	863	
VOLUNTEERS AND NAVAL BRIGADE :—			
Statement of payments during the year 1868, out of the Votes for, laid on Table, 168 .....	2	71	
CONTINGENCIES, INCIDENTAL AND UNFORESEEN EXPENSES :—			
Motion made for a Tabular Statement shewing, in detail, the expenditure of sums voted for 1867 and 1868 under these heads, 195.			
FIVE DOCK :—			
PROPOSED ROAD TO GLADESVILLE <i>via</i> BALMAIN AND :—			
Return to order ( <i>last Session</i> ) in reference to, laid on Table, 100 ; ordered to be printed, 161 .....	3	37	
FLANAGAN, THE LATE FRANCIS :—			
HEIRS OF :—			
Motion made for a Committee of the Whole to consider of an Address in reference to compensation to, 138.			
Motion made that the Order of the Day for going into Committee of the Whole be discharged, and by leave withdrawn, and Order of the Day postponed, 162 ; further postponed to this day three months, 238.			
FLOODGATES :—			
ERECTION OF, AT WALLIS CREEK :—			
Motion made for a copy of the Petition lately presented by Messrs. Campbell, Windeyer, and Wisdom, to the Minister for Public Works, against, 57 ; laid on Table, 112 .....	3	1177	
FLOODS :—			
IN THE HUNTER :—			
Report on, dated 9 July, 1868, laid on Table, 112 .....	3	1127	
FOGG, MRS. MARY (See "GRIEVANCES.")			
FORD :—			
WINDERMERE :—			
Motion made for a copy of the Report of Surveyor Maitland on the proposed proclamation of, 57 ; laid on Table, 94 .....	3	79	
FORMAL MOTIONS (See "SESSIONAL ORDERS.")			
FORMAL ORDERS (See "SESSIONAL ORDERS.")			
FORSTER, WILLIAM, ESQUIRE :—			
Acceptance of Office by, reported, 29 ; Seat declared vacant by reason of acceptance of Office, 30 ; Writ certifying return of, as Member, 35 ; Sworn as Member, 35.			
FOVEAUX STRAITS :—			
LIGHTHOUSE ON THE SNARES :—			
Correspondence respecting proposed erection of, laid on Table, 36 .....	2	977	
FREE LIBRARIES :—			
AUSTRALIAN SUBSCRIPTION AND :—			
Motion made for a Committee of the Whole to consider Resolutions respecting, 330 ; House in Committee and House counted out, 335 ; Order of the Day for further consideration in Committee restored to Paper, 377.			
FREE SELECTOR (See "CROWN LANDS.")			
FREE TRADE :—			
BETWEEN AUSTRALIAN COLONIES AND NEW ZEALAND :—			
Correspondence respecting proposed Conference on, laid on Table, 36 .....	1	543	
FRIENDLY SOCIETIES BILL :—			
Motion made for leave to introduce and leave granted, 386 ; Bill presented and read 1 <sup>o</sup> , 386 ; no further action taken.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>G</b>			
"GALATEA," H.M.S. :— Route proposed to be taken by Captain H.R.H. The Duke of Edinburgh in— Despatch, laid on Table, 208.....		1	555
GAOL :— DARLINGHURST :— Correspondence respecting Removal of Rev. M. J. Dwyer, R. C. Chaplain, laid on Table, 2 .....		2	1
Letter from, dated 13th March, 1868, and signed "F. R. Bernard," relating to the late convict O'Farrell, laid on Table, 139.....		1	733
STATISTICS :— Return to Order ( <i>last Session</i> ) in reference to, laid on Table, 2 .....		2	9
DISMISSAL OF WARDER M'GRATH FROM DENILQUIN :— Motion made for copies of the information, depositions, &c., in reference to the complaint which led to, 48 ; laid on Table, 82, 322 .....		2	35, 47
CHARLES MILLER, <i>alias</i> MEYERS, <i>alias</i> THOMAS SMITH, <i>alias</i> HOLMER :— Correspondence respecting, transferred from Darlinghurst to Parramatta, and thence discharged, laid on Table, 57 .....		1	651
GARRETT, THOMAS, ESQUIRE :— Elected Chairman of Committees of the Whole House, 77 ; Commission to administer Oath to Members, 88 ; indisposition of, reported, 195, 203, 209, 282 ; takes Chair of House in absence of Mr. Speaker, 399.			
GEORGE'S RIVER :— STATE OF THE WATER IN, AT LIVERPOOL :— Reports (2) from the Commission, laid on Table, 276 .....		3	1255
GIRLS (See "REFORMATORIES.")			
GLADESVILLE :— PROPOSED ROAD TO, <i>via</i> BALMAIN AND FIVE DOCK :— Return to Order ( <i>last Session</i> ) in reference to, laid on table, 100 ; ordered to be printed, 161.....		3	37
GOLD FIELDS NORTH :— ELECTORATE OF :— Writ certifying Return of Member for, 2 ; Member sworn, 11 .....			
GOLD FIELDS WEST :— ELECTORATE OF :— Seat for, declared vacant, 87 ; Writ certifying return of Member for, 261 ; Member sworn, 265.			
GOLD FIELDS :— ELECTORAL DISTRICTS :— Return shewing number of Electors entitled to vote in, for 1868-9, laid on Table, 106 .....		1	575
WATER SUPPLY FOR :— Motion made for a Committee of the Whole, to consider of an Address in reference to, 218 ; House in Committee, and Resolution reported, 239 ; Resolution agreed to, 262.			
GOOD-DOG (See "CROWN LANDS.")			
GOULBURN :— By-laws of the Borough of, laid on Table, 322 .....		3	371
GOVERNMENT :— BUSINESS :— Days for precedence of, 58, 357.			
GOVERNOR :— Proclamation of, summoning Parliament, 1. Message from, summoning Assembly to Legislative Council, 2. Opening Speech of, read by Speaker, 3 ; Select Committee appointed to prepare an Address in reply to, 4 ; Address brought up and read by Clerk, 4, adopted, 5 ; presented and answer reported, 11. Note from, in reference to endeavours in progress for the formation of a new Administration read by Minister, 23.			
GOVERNORS :— OF AUSTRALIAN COLONIES :— Despatch relative to Leave of Absence to, laid on Table, 12 .....		1	531
GRAFTON :— By-laws of the Borough of, laid on Table, 361 .....		3	379
GRAMMAR SCHOOL (See "EDUCATION.")			
GRAPE DISEASES ( <i>Oidium Tuckeri</i> ) (See also "DISEASES IN GRAPE VINES PREVENTION BILL.") Petition from certain proprietors of Vineyards, Maitland, praying for legislation for the compulsory application of remedies where vines are infected, 138 ; ordered to be printed, 147.....		3	101
Do. do. Illawarra, do., 138 ; ordered to be printed, 147....		3	93
Do. do. Prospect and Fairfield, do., 138 ; do. do. 147....		3	97
Do. do. Yass, do., 138 ; do. do. 147....		3	99
Do. do. Merriwa, do., 140 ; do. do. 147....		3	95
Do. do. Bathurst, do., 146 ; do. do. 167....		3	107
Do. do. Dubbo, do., 146 ; do. do. 167....		3	121
Do. do. Clarence River, do., 146 ; do. do. 168....		3	111
Do. do. Carcoar, do., 146 ; do. do. 168....		3	125
Do. do. Wagga Wagga, do., 154 ; do. do. 161....		3	105
Do. do. Goulburn, do., 154 ; do. do. 161....		3	103
Do. do. Campbelltown, do., 160 ; do. do. 174....		3	117
Do. do. Corowa, do., 160 ; do. do. 168....		3	113
Do. do. Central Cumberland, do., 160 ; do. do. 168....		3	109
Do. do. Appin, do., 160 ; do. do. 168....		3	115
Do. do. Port Macquarie, do., 160 ; do. do. 174....		3	129
Do. do. Clarence Town, do., 160 ; do. do. 174....		3	119
Do. do. Camden and Narrellan, do., 174 ; do. do. 179....		3	123
Do. do. Eden, do., 174 ; do. do. 179....		3	127
Do. do. Gundagai and Tumut, do., 203 ; do. do. 208....		3	131

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
G		VOL.	PAGE.
GRAPE DISEASE ( <i>Oidium Tuckeri</i> ) PREVENTION BILL:— Motion made for leave to introduce, and leave granted, 83; presented and read 1 <sup>o</sup> , 131; Order of the Day for second reading discharged, and Bill withdrawn, 161.			
GREAT BANKS ISLAND:— Despatch respecting application for lease of, laid on Table, 2		1	527
GREAT NORTHERN (See "RAILWAY.")			
GRIEVANCES:— WILLIAM CRONAN:— Petition from, representing that having offered a certain sum of money for safe custody to the Gold Commissioners at Lambing Flat in 1863, and those officers neglecting the charge, he was subsequently robbed, and has since become almost blind, and praying favourable consideration, 3.			
DR. FREDERICK BEER:— Petition from, praying that the House will recommend Petitioner to the favourable consideration of Her Majesty for a Special Pardon, 113; ordered to be printed, 123		3	999
HEIRS OF THE LATE FRANCIS FLANAGAN:— Motion made for a Committee of the Whole to consider of an Address in reference to compensation to, 138. Motion made that the Order of the Day for going into Committee be discharged, and by leave withdrawn, 162; order of the day postponed, 162; further postponed to this day three months, 238.			
PROPOSED COMPENSATION TO EDWARD LOCK, FOR INJURIES SUSTAINED THROUGH BUSHRANGERS:— Motion made for a Committee of the Whole to consider of an Address in reference to, and negatived, 218.			
PROPOSED COMPENSATION TO MR. KNIGHTLEY, FOR INJURIES SUSTAINED THROUGH BUSHRANGERS:— Motion made for a Committee of the Whole to consider of an Address in reference to, 219; House in Committee, 262; no Report.			
MRS. MARY FOGG:— Petition from, alleging that by the confiscation of her husband's property consequent upon his conviction for felony, she has been utterly ruined, and praying investigation into the case, 305; ordered to be printed, 313.		3	1005
GUANO:— LEASING, &c., OF DEPOSITS OF:— Despatch, enclosing Commission to Governor authorizing, laid on the Table, 36		1	551.
GUNNING:— Despatch in reply to Address from, in reference to the attempted assassination of H.R.H. The Duke of Edinburgh, laid on Table, 12		1	519
H			
HAMBURGH HOTEL:— APPLICATION FOR MUSIC LICENSE FOR, KING-STREET:— Motion made for a copy of all Proceedings taken at the Central Police Office, on the various applications of Mr. Keeshan, 187; laid on Table, 265		1	659
HAIR DRESSERS:— SUNDAY CLOSING OF SHOPS:— Petition from certain hair-dressers of Sydney, praying for the passing of an Act to compel the, 179; ordered to be printed, 186		3	1181
HART, JAMES, ESQ.:— Deputy Chairman of Committees of the Whole, 195, 203, 209.			
HASTINGS, THE:— ELECTORATE OF:— Writ certifying the return of Member for, 35; Member sworn, 35. Petition from certain Inhabitants of, praying for a division of the said Electorate into two or more Electoral Districts, 36; ordered to be printed, 48		1	579
HEALY, SENIOR SERGEANT:— AT BERRIMA:— Correspondence in reference to charges against, laid on Table, 288.		2	59
HILL, RICHARD, ESQUIRE:— Writ certifying return of, as a Member for Canterbury, 2; sworn as Member, 2.			
HOLMER (See "GAOL.")			
HONEYSUCKLE POINT:— LAND TAKEN BY HUNTER RIVER RAILWAY:— Petition from Alexander Walker Scott, in reference to, 131; ordered to be printed, 138		3	1257
"HONORABLE":— THE TITLE OF:— Despatch respecting the retention of by Mr. Eagar and Mr. John Bowie Wilson, after ceasing to be Members of the Executive Council, laid on Table, 36		1	537
HOSKINS, JAMES, ESQUIRE:— Writ certifying the return of, as Member for the Gold Fields North, 2; sworn as Member, 11.			
HUME, THE:— ELECTORATE OF:— Petition from certain Electors, &c., of the District, praying for an Additional Member, 186; ordered to be printed, 195		1	581
HUNTER, THE:— Report on Floods in, dated 9 July, 1868, laid on Table, 112		3	1127
MINERAL LANDS IN:— Motion made for a Return of, examined and reported upon by Government Examiner, from 1 January, 1867, to 31 December, 1868,—375.			
HUNTER, THE UPPER:— ELECTORATE OF:— Writ certifying the return of a Member for, 2; Member sworn, 2.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>I</b>		
<b>IMPOUNDING ACT AMENDMENT BILL:—</b>		
Motion made for leave to introduce, and leave granted, 288; Bill presented and read, 1 <sup>o</sup> , 289; read 2 <sup>o</sup> , committed, and reported with an Amendment, and Report adopted, 306; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 313; returned by Council with Amendments, 376; Council's Amendments agreed to, 378; Message to Council, 378.		
INCIDENTAL (See "FINANCE.")		
INDISPOSITION (See "CHAIRMAN.")		
INDUSTRIAL (See "REFORMATORIES.")		
INFIRM (See "ASYLUMS.")		
INFIRMARY:—		
BUILDINGS, SYDNEY:—		
Correspondence respecting application for Grant of Site of, laid on Table, 2.....	3	467
Further Do. laid on Table, 140.....	3	473
INSURANCE (See "UNITED FIRE AND LIFE INSURANCE COMPANY'S INCORPORATION ACT AMENDMENT BILL.")		
ISLANDERS, SOUTH SEA:—		
IMPORTATION OF INTO QUEENSLAND:—		
Correspondence in reference to, laid on Table, 208 .....	3	1183
Despatch respecting, laid on Table, 288.....	3	1247
<b>J</b>		
<b>JONES, MESSRS. BERNEY AND (See "CUSTOMS.")</b>		
<b>JOSEPH, SAMUEL A., ESQUIRE:—</b>		
Resignation of Seat for West Sydney (during adjournment) reported, 35; Writ certifying return of William Robert Campbell, Esquire, in room of, 63.		
<b>JOSEPHSON, JOSHUA FREY, ESQUIRE:—</b>		
Acceptance of Office by, reported, 29; seat declared vacant, 30; Writ certifying return of, as Member for Braidwood, 35; sworn as Member, 41.		
<b>JUSTICES OF THE PEACE:—</b>		
STATISTICS RESPECTING:—		
Motion made for a return relative to, in each of the Police Districts (exclusive of the Metropolitan) in this Colony, 339.		
Do., do., do., in the Metropolitan Police District, 356.		
<b>K</b>		
<b>"KAIKOURA" S. S.:—</b>		
DETENTION OF, IN QUARANTINE:—		
Correspondence respecting, laid on Table, 147 .....	2	141
KEESHAN, MR. (See "MUSIC LICENSE.")		
KEIGHTLEY, MR. (See "GRIEVANCES.")		
<b>KELLY, OLIVER FRANCIS, ESQUIRE:—</b>		
Sworn as Clerk of the House, 185.		
<b>KENNAGH, CONSTABLE CARROLL or (See "ADMINISTRATION OF JUSTICE.")</b>		
<b>L</b>		
<b>LAND (See also "ORDNANCE LAND ACT AMENDMENT BILL"; "CROWN LANDS.")</b>		
<b>TAKEN BY HUNTER RIVER RAILWAY:—</b>		
Petition from Alexander Walker Scott in reference to, near Honeysuckle Point, 131; ordered to be printed, 138 .....	3	1257
<b>LANDS:—</b>		
<b>MINERAL, IN THE HUNTER RIVER DISTRICT:—</b>		
Motion made for a return of, examined and reported upon by the Government Examiner of Coal Fields, from 1st January, 1867, to 31st December, 1868, 375.		
<b>LAND TITLES:—</b>		
DEPARTMENT:—		
Select Committee appointed to inquire into and report upon the proceedings of, in reference to the application of Mr. W. Wright for a Certificate of Title, 266; Progress Report brought up, 384.....	3	255
LEAVE (See "ABSENCE.")		
LEE, MR. FREDERICK (See "O'FARRELL.")		
LEVY v. DOWNEY (See "ADMINISTRATION OF JUSTICE.")		
LIABILITIES (See "BANK.")		
<b>LIBRARIES:—</b>		
<b>AUSTRALIAN SUBSCRIPTION AND FREE:—</b>		
Motion made for a Committee of the Whole to consider Resolutions respecting, 330; House in Committee and counted out, 335; Order of the Day for consideration of in Committee restored to Paper, 377; no further action taken.		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>L</b>			
<b>LIBRARY :—</b>			
<b>COMMITTEE :—</b>			
Appointed ( <i>Sessional Order</i> ), 59.			
<b>LIGHT-HOUSE :—</b>			
<b>ON THE SNARES, FOVEAUX STRAITS :—</b>			
Correspondence respecting proposed erection of, laid on Table, 36	2	977	
<b>LINDSAY, G., ALLEGED LUNATIC</b> (See "ADMINISTRATION OF JUSTICE.")			
<b>LISTS</b> (See "TELLERS.")			
<b>LIVERPOOL :—</b>			
<b>WATER SUPPLY TO TOWN OF :—</b>			
Petition from certain landed proprietors and residents of Town and District of, relative to, 266; ordered to be printed, 271	3	1253	
Reports (2) from the Commission appointed to examine and report upon the State of the Water in George's River at, laid on Table, 276.			
<b>LOAN</b> (See also "PUBLIC WORKS LOAN BILL") :—			
<b>BRIDGES CONSTRUCTED BY :—</b>			
Schedule of, laid on Table, 215	3	83	
<b>LOCK, EDWARD</b> (See "GRIEVANCES.")			
<b>LUNACY :—</b>			
<b>LAW RELATING TO :—</b>			
Select Committee appointed to inquire into and report upon, the administration and state of the, 300; Progress Report brought up, 384	3	505	
Motion made for copies of any Opinions of the Crown Law Officers on the Lunacy Act of 1867, 375.			
<b>LUNATIC</b> (See also "G. LINDSAY—ADMINISTRATION OF JUSTICE.")			
<b>ASYLUMS :—</b>			
Report on, by Frede. Norton Manning, M.D., laid on Table, 36	3	533	
<b>LUNCHEON :—</b>			
<b>PROVIDED FOR VOLUNTEERS IN 1861 :—</b>			
Motion made for copy of letter of application from John Sutherland, Esq., Mayor of Sydney, for excess of cost of; also for Correspondence respecting same matter, 218.			
<b>LYONS, SAMUEL, ESQUIRE :—</b>			
Writ certifying return of, as a Member for Central Cumberland, 75; sworn as Member, 75.			
<b>M</b>			
<b>MACPHERSON, ALLAN, ESQUIRE :—</b>			
Resignation of seat for Central Cumberland (during Adjournment) reported, 35.			
Writ certifying return of Samuel Lyons, Esquire, in room of, 75.			
<b>MAITLAND :—</b>			
<b>WEST :—</b>			
By-laws of the Borough of, laid on Table, 2	3	349	
<b>MANNING, FREDC. NORTON, M.D.</b> (See "LUNATIC ASYLUMS.")			
<b>MARINE :—</b>			
<b>STEAM-BOILERS IN USE :—</b>			
Report of Commission appointed to inquire into the method of testing, laid on Table, 11	3	1019	
<b>MARTIN, MR.</b> (See "EXECUTIVE COUNCIL.")			
<b>MASTER IN EQUITY :—</b>			
<b>DUTIES OF :—</b>			
Select Committee appointed to inquire into and report upon, 113; Progress Report brought up, 271	1	959	
<b>M'GRATH, WARDER :—</b>			
<b>DISMISSAL OF, FROM DENILIQUIN GAOL :—</b>			
Motion made for copies of the information, depositions, &c., in reference to, 48; laid on Table, 82, 322	2	35, 47	
<b>M'GUINN, REV. DENIS :—</b>			
<b>LATE R.C.C. AT CARCOAR :—</b>			
Motion made for a Committee of the Whole to consider of an Address in reference to and negatived, 216; Select Committee appointed to consider and report upon the claim of, 216; power granted to Committee to send for persons and papers, 226; Report brought up, 322; Report adopted, 375	3	1007	
<b>M'KENZIE, MESSRS. BUYERS AND</b> (See "NEWCASTLE.")			
<b>M'MAHON, BRYAN PATRICK :—</b>			
Correspondence in reference to charges made by, against Senior-sergeant Healy, at Berrima, laid on Table, 283	2	59	
<b>MEANS</b> (See "WAYS AND MEANS.")			
<b>MEDICAL</b> (See also "COMPULSORY VACCINATION BILL"; also "SMALL-POX PREVENTION BILL") :—			
<b>PRACTITIONERS IN THE COLONY :—</b>			
Despatch respecting, laid on Table, 36	2	123	
Report on Vaccination, for 1868, laid on Table, 312	2	135	
<b>MEMBERS :—</b>			
SWORN, 2(3), 11, 35(5), 41, 63, 75, 265.			
<b>OF COMMITTEE OF ELECTIONS AND QUALIFICATIONS</b> sworn, 29, 57.			
<b>MEMBERS</b> (See "ASSEMBLY," "COUNCIL.")			
<b>MEMBERS OF PARLIAMENT CLAIMS RESTRICTION BILL :—</b>			
Motion made for leave to introduce and negatived, 284.			
<b>MENINDIE EAST</b> —(See "CROWN LANDS.")			
<b>MERRIWA :—</b>			
<b>COMMONAGES FOR TOWN OF :—</b>			
Motion made for copies of all Correspondence, &c., relating to sale or exchange of certain land set apart-as, 276.			



VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
	VOL. PAGE.
<b>M</b>	
<b>MESSAGES:—</b>	
TRANSMISSION OF, BETWEEN THE TWO HOUSES:—	
Sessional Order in reference to, 59.	
FROM HIS EXCELLENCY THE EARL OF BELMORE:—	
Summons Assembly to Legislative Council, 2.	
No. 1. Presentation of Books by Her Majesty, 36.	
2. Estimates of Expenditure for 1869, and Supplementary Estimates for 1868 and previous years, 41	2 725
3. Assent to Stamp Duties Acts Continuation Bill, 87.	
4. Vote of Credit, 154	2 861
5. Assent to Consolidated Revenue Fund Bill, 194.	
6. Treasury Bills, 231.	2 865
7. Provision for the Expenses of the proposed Visit of H.R.H. the Duke of Edinburgh, 266	2 867
8. Compulsory Vaccination Bill, 266	2 131
9. Vote of Credit, 272	2 863
10. Assent to Road Act Amendment Bill, 275.	
11. Assent to Clifts Coal Properties Leasing Bill, 275.	
12. Cattle Diseases Prevention Act Amendment Bill, 275	3 197
13. Diseases in Sheep Act Amendment Bill, 276	3 199
14. Municipalities Act Amendment Bill (No. 2), 282.	3 385
15. Small-pox Prevention Bill, 294	2 133
16. Assent to St. Andrew's Cathedral Close Bill, 299.	
17. Newspaper Postage Act of 1864, 328.	
18. Assent to Consolidated Revenue Fund Bill (No. 2), 356.	
19. Assent to United Fire and Life Insurance Company's Incorporation Act Amendment Bill, 356.	
20. Assent to Summary Convictions and Orders Amendment Bill, 385.	
21. Assent to Police Regulation Extension Bill, 385.	
FROM ASSEMBLY TO COUNCIL:—	
Requesting the attendance of Members of the Legislative Council as Witnesses before Select Committee, 146, 207, 288.	
Do. do. the Clerk of the Parliaments as Witness before Select Committee, 208.	
Transmitting Stamp Duties Acts Continuation Bill, 83.	
Road Act Amendment Bill, 88.	
Police Regulation Extension Bill, 168.	
Consolidated Revenue Fund Bill, 175.	
Clifts Coal Properties Leasing Bill, 188.	
St. Andrew's Cathedral Close Bill, 209.	
Summary Convictions and Orders Amendment Bill, 216.	
Small Debts Recovery Act Amendment Bill, 267.	
Consolidated Revenue Fund Bill (No. 2), 284.	
Randwick and Coogee Roads Transfer Bill, 288.	
Municipalities Act Amendment Bill (No. 2), 294.	
Workhouse Act Repeal Bill, 301.	
Impounding Act Amendment Bill, 313.	
Public Works Loan Bill, 375.	
Appropriation Bill, 377.	
Treasury Bills Bill, 377.	
Sydney Boundaries Amendment Bill, 378.	
Small-pox Prevention Bill, 391.	
Returning United Fire and Life Insurance Company's Incorporation Act Amendment Bill, without Amendment, 288.	
Agreeing to Amendments in,—	
Summary Convictions and Orders Amendment Bill, 329.	
Police Regulation Extension Bill, 330.	
Randwick and Coogee Roads Transfer Bill, 357.	
Municipalities Act Amendment Bill (No. 2), 357.	
Impounding Act Amendment Bill, 378.	
FROM COUNCIL TO ASSEMBLY:—	
In reply to Message requesting attendance of Members as Witnesses before Select Committee, 154, 226, 295.	
Do. do. Clerk of the Parliaments, do. do., 227.	
Transmitting United Fire and Life Insurance Company's Incorporation Act Amendment Bill, 256.	
Returning Stamp Duties Acts Continuation Bill, without Amendment, 83.	
Consolidated Revenue Fund Bill, without Amendment, 180.	
Road Act Amendment Bill, without Amendment, 226.	
Clifts Coal Properties Leasing Bill, without Amendment, 257.	
St. Andrew's Cathedral Close Bill, without Amendment, 272.	
Consolidated Revenue Fund Bill (No. 2), without Amendment, 322.	
Summary Convictions and Orders Amendment Bill, with Amendments, 323.	
Police Regulation Extension Bill, with Amendments, 323.	
Randwick and Coogee Roads Transfer Bill, with Amendments, 340.	
Workhouse Act Repeal Bill, without Amendment, 375.	
Impounding Act Amendment Bill, with Amendments, 376.	
Treasury Bills Bill, without Amendment, 390.	
Public Works Loan Bill, without Amendment, 390.	
Appropriation Bill, without Amendment, 390.	
Small Debts Recovery Act Amendment Bill, with Amendments, 390.	
<b>MESSENGERS</b> (See "ASSEMBLY," "STANDING ORDERS.")	
<b>MEYERS, CHARLES SMITH</b> , alias (See "GAOL.")	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
	VOL. PAGE.
<b>M</b>	
<b>MIDNIGHT :—</b>	
SITTINGS AFTER :—72, 76, 124, 148, 155, 195, 203, 219, 226, 250, 257, 272, 277, 290, 300, 322, 341.	
<b>MILLER, CHARLES SMITH, alias</b> (See "GAOL.")	
<b>MINERAL</b> (See "LANDS.")	
<b>MINISTERIAL :—</b>	
Explanation, 3.	
Statement, 17, 36.	
<b>MINISTERS :—</b>	
MONEY PAID TO, FOR TRAVELLING AND OTHER EXPENSES :—	
Motion made for a Return shewing the amount of, &c., 64.	
TRAVELLING AND OTHER EXPENSES OF CERTAIN, IN FORMER ADMINISTRATIONS :—	
Motion made for a Return shewing, 88 ; laid on Table, 89	2 869
<b>MINT, ROYAL :—</b>	
<b>SYDNEY BRANCH :—</b>	
Despatch respecting, dated 20 May, 1868, laid on Table, 11	2 619
Do. 29 May, 1868, laid on Table, 11	2 621
Despatch (with enclosure) respecting, laid on Table, 276	2 623
<b>NEW BRONZE COIN :—</b>	
Minutes, Memoranda, and Correspondence relative to, laid on Table, 11	2 625
<b>MONTEFIORE, MR. E. L.</b> (See "PARIS EXHIBITION.")	
<b>MOORE, CHARLES, ESQUIRE</b> (See "DISEASE.")	
<b>MOTIONS, FORMAL</b> (See "SESSIONAL ORDERS.")	
<b>MUDGEES :—</b>	
By-laws of the Borough of, laid on Table, 2	3 347
<b>MUNICIPAL :—</b>	
<b>APPAIRS, NEWCASTLE :—</b>	
Motion made for Copies of all Correspondence, &c., relative to ; also Copies of all Correspondence, &c., in reference to the Special Audit of the Newcastle Municipal Accounts conducted by Messrs. Buyers and M'Kenzie, 48 ; laid on Table, 208	3 435
<b>EXEMPTION OF UNIVERSITY AND AFFILIATED COLLEGES FROM TAXATION :—</b>	
Motion made for a Committee of the Whole to consider of an Address in reference to, 210 ; House in Committee, 238 ; no Report.	
<b>COUNCIL OF SYDNEY :—</b>	
Twelfth Annual Report of their proceedings under the Water and Sewerage Acts, laid on Table, 356	3 461
<b>ACTING OFFICER OF HEALTH :—</b>	
Motion made for a copy of the Depositions and all other Evidence taken before Water Police Magistrate in the case referred to in a Report by, dated 22nd March, 1869, 395.	
<b>MUNICIPALITIES :—</b>	
<b>BOROUGH OF ARMIDALE :—</b>	
By-laws of, laid on Table, 2	3 329
<b>BOROUGH OF BALMAIN :—</b>	
By-laws of, laid on Table, 2	3 337
Do. do. 2	3 339
Do. do. 312	3 361
<b>BOROUGH OF CUDGEONG :—</b>	
By-laws of, laid on Table, 2	3 319
Do. do. 180	3 323
<b>BOROUGH OF WEST MAITLAND :—</b>	
By-laws of, laid on Table, 2	3 349
<b>BOROUGH OF MUDGEES :—</b>	
By-laws of, laid on Table, 2	3 347
<b>BOROUGH OF NEWCASTLE :—</b>	
By-laws of, laid on Table, 2	3 357
<b>BOROUGH OF PARRAMATTA :—</b>	
By-laws of, laid on Table, 2	3 341
<b>BOROUGH OF ST. LEONARDS :—</b>	
By-laws of, laid on Table, 2	3 335
<b>BOROUGH OF SINGLETON :—</b>	
By-laws of, laid on Table, 2	3 315
<b>BOROUGH OF WAVERLEY :—</b>	
By-laws of, laid on Table, 2	3 325
<b>BOROUGH OF RANDWICK :—</b>	
By-laws of, laid on Table, 94	3 365
<b>BOROUGH OF GOULBURN :—</b>	
By-laws of, laid on Table, 322	3 371
<b>BOROUGH OF PARRAMATTA :—</b>	
By-law of, laid on Table, 313	3 345
<b>BOROUGH OF ORANGE :—</b>	
By-laws of, laid on Table, 356	3 375
<b>BOROUGH OF GRAFTON :—</b>	
By-laws of, laid on Table, 361	3 379
<b>BOROUGH OF COOK :—</b>	
Petition from the Municipal Council of, in reference to boundaries of, 53 ; ordered to be printed, 58	3 383
<b>INCORPORATION OF NUMBA AND SOUTH SHOALHAVEN :—</b>	
Motion made for copies of all Petitions, Memorials, and Correspondence relative to the Petition for, 154 ; laid on Table, 266	3 445
<b>EXCEPT THE CITY OF SYDNEY :—</b>	
Return to Order ( <i>last Session</i> ) in reference to, laid on Table, 312	3 443

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
	VOL. PAGE.
<b>M</b>	
<b>MUNICIPALITIES ACT AMENDMENT BILL :—</b>	
Motion made for leave to bring in, and leave granted, 208 ; Bill presented and read 1 <sup>o</sup> , 208 ; Ruling of Speaker that the Bill should originate in Committee of the Whole, 220 ; Order of the Day for second reading expunged, 220.	
<b>MUNICIPALITIES ACT AMENDMENT BILL (No. 2) :—</b>	
Motion made for a Committee of the Whole to consider propriety of introducing, 226 ; Message (No. 14) from Governor respecting, 282 ; House in Committee, and Resolution reported and adopted, 283 ; Bill presented and read 1 <sup>o</sup> , 283 ; read 2 <sup>o</sup> , Committed, and reported with an Amendment, 289 ; Report adopted, 289 ; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 294 ; returned by Council with Amendments, 340 ; Legislative Council's Amendments agreed to, 357 ; Message to Council, 357.	3 385
<b>MUSEUM :—</b>	
<b>AUSTRALIAN :—</b>	
Report from Trustees for 1867, laid on Table, 36 .....	3 305
<b>MUSIC LICENSE :—</b>	
<b>APPLICATION FOR, FOR "HAMBURGH HOTEL," KING-STREET :—</b>	
Motion made for a copy of all the Proceedings taken at the Central Police Office, since 29 May, 1868, on the various applications of Mr. Keeshan, 187 ; laid on Table, 265 .....	1 659
<b>N</b>	
<b>NAVAL BRIGADE :—</b>	
<b>VOLUNTEERS AND :—</b>	
Statement of Payments during the year 1868, out of the Votes for, laid on Table, 168 .....	2 71
<b>NEILSON, MR. JOHN THOMAS (See "CROWN LANDS.")</b>	
<b>NEPEAN, THE :—</b>	
<b>BRIDGE OVER, AT PENRITH :—</b>	
Petition from certain Inhabitants of Emu Plains and Penrith, complaining of Tolls now charged for traffic over, 185 ; ordered to be printed, 195 .....	3 81
Resolution moved in reference to Tolls on, and Debate adjourned, 186 ; Debate resumed and continued, and Question negatived, 283.	
<b>NEWCASTLE :—</b>	
By-laws of the Borough of, laid on Table, 2 .....	3 357
<b>INDUSTRIAL SCHOOL FOR GIRLS AT :—</b>	
Regulations, laid on Table, 2 .....	3 833
Do. dated 29 December, 1868, do., 94 .....	3 837
<b>REFORMATORY SCHOOL FOR GIRLS AT :—</b>	
Regulations for, laid on Table, 391 .....	3 841
<b>MUNICIPAL AFFAIRS :—</b>	
Motion made for copies of Correspondence relative to ; also of Correspondence, &c., in reference to Special Audit of Newcastle Municipal Accounts, conducted by Messrs. Buyers and M'Kenzie, 48 ; laid on Table, 208 .....	3 435
<b>COMMITTEES BY BENCH OF MAGISTRATES :—</b>	
Motion made for a Return in reference to, 243.	
<b>NEWSPAPER POSTAGE ACT OF 1864 :—</b>	
Resolution moved in reference to repeal of, and House counted out, 210 ; Order of the Day for the resumption of the Debate, restored to Paper, 232 ; on Order of the Day being read, motion made for adjournment of Debate and House again counted out, 263 ; Order of the Day again restored to Paper, 271 ; Debate resumed and concluded, 283.	
Message (No. 17) from Governor respecting, 328.	
<b>QUESTION OF PRIVILEGE :—</b>	
Resolutions moved in reference to, and superseded by Previous Question, 339.	
<b>NEWSPAPER POSTAGE ACT REPEAL BILL :—</b>	
Motion made for a Committee of the Whole to consider propriety of introducing, 339 ; Motion made that the Speaker do now leave the Chair, &c., and negatived, 358.	
<b>NEW ZEALAND :—</b>	
<b>AUSTRALIAN COLONIES AND :—</b>	
Correspondence respecting proposed Conference on the subject of Free Trade between, laid on Table, 36 .....	1 543
<b>NOTE :—</b>	
<b>FROM GOVERNOR :—</b>	
In reference to endeavours in progress for the formation of a new Administration, read by Minister, 23.	
<b>NON-MINISTERIAL OFFICE-HOLDERS (See "ASSEMBLY.")</b>	
<b>NORTHUMBERLAND :—</b>	
<b>ELECTORATE OF :—</b>	
Writ certifying return of Member for, 2 ; Member sworn, 2.	
<b>NUMBA :—</b>	
<b>INCORPORATION OF, AND OF SOUTH SHOALHAVEN :—</b>	
Motion made for copies of all Petitions, Memorials, and Correspondence relative to the Petition for, 154 ; laid on Table, 266 .....	3 445

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>O</b>			
OATH :—			
Deputy Speaker's Commission to administer, 88.			
Administered by Speaker, 2(3), 11, 35(5), 41, 63, 75.			
Administered by Clerk to Members of Committee of Elections, 29, 57.			
O'FARRELL :—			
Letter from Darlinghurst Gaol, dated 13 March, 1868, and signed "F. R. Bernard," relating to the late convict, laid on Table, 139	1	733	
PAPERS RELATING TO CASE OF, AND ALLEGED FENIAN CONSPIRACY :—			
Correspondence (including legal opinion) respecting, laid on Table, 57	1	731	
ATTEMPTED ASSASSINATION OF H. R. H. THE DUKE OF EDINBURGH :—			
Printed copies of Papers relating to the crime of, in the, laid on Table by Mr. Parkes, 57	1	715	
ALLEGED INSANITY OF :—			
Motion made for copies of all Correspondence between Mr. Frederick Lee, Secretary to the Society for the Abolition of Capital Punishment, and the Government, in reference to, 113.			
DEPOSITIONS IN THE CASE OF :—			
Motion made for copies of, 237.			
OFFICE :—			
ACCEPTANCE OF :—			
By New Ministry, 29.			
OFFICE HOLDERS, NON-MINISTERIAL (See "ASSEMBLY.")			
OFFICERS, SALARIED :—			
WHO HAVE RECEIVED LEAVE OF ABSENCE :—			
Return (in part) to Order ( <i>last Session</i> ), laid on Table, 312	1	557	
OIDIUM TUCKERI (See "GRAPE DISEASE," "DISEASE IN GRAPE VINES.")			
OPENING (See "ASSEMBLY," "SPEECH," "PARLIAMENT.")			
ORANGE :—			
RAILWAY TRIAL SURVEY BETWEEN BATHURST AND :—			
Petition from certain inhabitants of the Town and District, praying that steps may be taken for the immediate prosecution of, 41 ; ordered to be printed, 48	3	85	
Resolution moved in reference to, 67.			
By-laws of the Borough of, laid on Table, 356	3	375	
ORDER :—			
QUESTION OF :—			
In reference to fourth section of 36th Standing Order,—Where a question to omit an item in a vote has been negatived, the item is still open to reduction, 203.			
A Bill that should originate in a Committee of the Whole, 220.			
ORDERS (See "SESSIONAL," also "STANDING.")			
ORDNANCE :—			
RETURNS :—			
Annual, laid on Table, 2	2	67	
ORDNANCE LAND ACT AMENDMENT BILL :—			
Motion made for leave to introduce, and leave granted, 2 ; presented and read 1 <sup>o</sup> , <i>pro forma</i> , 3 ; no further action taken.			
ORPHAN :—			
SCHOOLS AT PARRAMATTA :—			
Motion made for a Return shewing amount voted annually for the last five years, for repairs, additions, &c., to, 113 ; laid on Table, 174	3	777	
REMOVAL OF MR. SIMON CULLEN, FROM R. C. SCHOOL, PARRAMATTA :—			
Motion made for copies of Correspondence relating to charges against, 114 ; laid on Table, 209	3	781	
FEES AND TREATMENT OF CHILDREN IN R. C. SCHOOL, PARRAMATTA :—			
Letters from Visiting Surgeon in reference to, laid on Table, 139	3	779	
OYSTER :—			
BEDS ACT OF 1868 :—			
Regulations for carrying into effect, laid on Table, 58	3	1123	
<b>P</b>			
PADDINGTON (See also "SYDNEY BOUNDARIES AMENDMENT BILL.")			
ELECTORATE OF :—			
Writ certifying return of Member for, 35 ; Member sworn, 35.			
PANAMA (See "POSTAL.")			
PARKES, HENRY, ESQUIRE :—			
Explanation made by, with reference to his recent retirement from the Government, 3.			
PARIS EXHIBITION :—			
Letter from Mr. E. L. Montefiore, dated September 1, 1868, relative to the late, laid on Table, 174	2	119	
PARLIAMENT (See also "MEMBERS OF PARLIAMENT CLAIMS RESTRICTION BILL.")			
Proclamation of Governor, read by Clerk, 1 ; Governor's Speech on opening, read by Speaker, 3.			

VOICES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>P</b>			
PARLIAMENTS (See also "TRIENNIAL PARLIAMENTS BILL")			
CLERK OF THE :—			
Message to Legislative Council requesting attendance of, as witness before Select Committee, 208 ; reply, 227.			
PARRAMATTA :—			
By-laws of the Borough of, laid on Table, 2, 313 .....	3	341, 345	
PARRAMATTA RIVER :—			
DEEPENING OF :—			
Motion made for a Committee of the Whole to consider of an Address in reference to, 181 ; House in Committee, 262 ; no Report.			
Report from Engineer-in-Chief for Harbours and Rivers in reference to, laid on Table, 237 .....	3	1251	
PASSAGES TO THE HOUSE (See "ASSEMBLY," "STANDING ORDERS.")			
PASTORAL (See "CROWN LANDS.")			
PATROL (See "POLICE.")			
PAVING (See "SYDNEY PAVING BILL OF 1869.")			
PAYMENT :—			
OF COUNTRY MEMBERS OF ASSEMBLY :—			
Motion made for a Committee of the Whole to consider Resolutions in reference to, and negative, 217.			
PENRITH (See "NEPEAN," "BRIDGE.")			
PERJURY (See "RODD, R. A.," "ADMINISTRATION OF JUSTICE.")			
PETERSHAM (See "CEMETERY.")			
PLAN :—			
OF THE VILLAGE OF RYDAL :—			
Traced and coloured, laid on Table, 174.			
PLANS :—			
HANDED IN TO A SELECT COMMITTEE :—			
Clerk authorized to return, 174.			
PLANT (See "RAILWAY.")			
POLICE :—			
DISTRIBUTION OF FORCE :—			
Letter from Inspector General of, with Return shewing, laid on Table, 36 .....	2	51	
RECEPTION OF H.R.H. THE DUKE OF EDINBURGH :—			
Letter from Inspector General relative to appointment of Special Constables at the, laid on Table, 57 .....	2	55	
Do. do. submitting account for special expenses incurred by Department in connection with, 58 .....	2	57	
MR. DE PHILIPSTHAL, LATE CLERK IN OFFICE OF INSPECTOR GENERAL :—			
Motion made for an Address in reference to, 237.			
CHARGES AGAINST SENIOR SERGEANT HEALY, AT BERRIMA :—			
Correspondence in reference to, laid on Table, 288 .....	2	59	
PATROL DUTY OF WALGETT :—			
Motion made for a Return of, for the last two years, 329.			
CIVIL SERVICE AND, SUPERANNUATION FUNDS :—			
Motion made for copies of all Reports, &c., relating to the state and prospects of, 335.			
POLICE REGULATION EXTENSION BILL :—			
Motion made for leave to introduce, and leave granted, 138 ; Bill presented and read 1 <sup>o</sup> , 139 ; read 2 <sup>o</sup> , committed, reported with an Amendment, and Report adopted, 162 ; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 168 ; returned by Council with Amendments, 323 ; Council's Amendments agreed to, 330 ; Message to Council, 330 ; Assent reported, 385.			
POPULATION (See "ELECTORAL.")			
POSTAGE (See "NEWSPAPER POSTAGE ACT OF 1864," also "NEWSPAPER POSTAGE ACT REPEAL BILL.")			
POSTAL :—			
STEAM SERVICE :—			
Further Correspondence respecting, laid on Table, 3 .....	2	321	
STEAM COMMUNICATION :—			
Time-table, laid on Table, 71 .....	2	969	
STEAM SERVICE <i>via</i> PANAMA :—			
Return to Order ( <i>last Session</i> ) in reference to, laid on Table, 71 .....	2	963	
PANAMA MAIL SERVICE :—			
Correspondence relative to, laid on Table, 94 .....	2	967	
POST OFFICE :—			
Thirteenth Annual Report, being for 1867, laid on Table, 3 .....	2	879	
POSTPONEMENT (See "DEBATE.")			
PREVIOUS QUESTION :—			
PASSED IN THE AFFIRMATIVE :—			
In reference to Resolutions respecting unauthorized Expenditure from the Treasury, 139.			
In reference to Newspaper Postage Act of 1864,—283.			
In reference to Resolutions respecting Australian Subscription and Free Libraries, 330, 377.			
PASSED IN THE NEGATIVE :—			
In reference to Resolutions respecting Sunday Railway Trains, 313.			
Question of Privilege—Newspaper Postage Act of 1864 (Resolutions), 339.			
MOVED, AND HOUSE COUNTED OUT :—			
Resolutions in reference to Newspaper Postage Act of 1864,—210.			
MOVED AND BY LEAVE WITHDRAWN :—			
Resolutions in reference to Public Works of a reproductive character, 181.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>P</b>		
PRICE, MR. HENRY :—		
ROAD THROUGH PURCHASED LAND OF, IN AUCKLAND VILLAGE RESERVE :—		
Petition from Henry Price in reference to the opening of, 47 ; ordered to be printed, 59	3	1
Do. do. certain residents of Singleton and Jerry's Plains, do., 47 ; ordered to be printed, 59	3	5
PRIVATE (See "SESSIONAL ORDERS.")		
PRIVILEGE (See "NEWSPAPER POSTAGE ACT OF 1864.")		
PROCLAMATION (See "PARLIAMENT.")		
Speaker acquaints the House of the Election of a Member being made valid by, notwithstanding delay in return of Writ, 2.		
PROSPECT :—		
ROAD-METAL QUARRIES AT :—		
Motion made for copies of all Correspondence, Minutes, &c., having reference to, 187.		
PUBLICANS (See "SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.")		
PUBLIC ACCOUNTS (See "FINANCE.")		
PUBLIC :—		
WHARF AT BLUE'S POINT :—		
Motion made for a Committee of the Whole to consider of an Address in reference to, 106 ; Motion that the Speaker do now leave the Chair, &c., by leave withdrawn, and Order of the Day discharged, 132.		
SCHOOL BOARDS :—		
Return to Order ( <i>last Session</i> ) in reference to Persons appointed Members of Council of Education or, laid on Table, 265	3	797
AND DENOMINATIONAL SCHOOL TEACHERS :—		
Motion made for copy of Memorial from certain, respecting continued omission of allowance for house rent, and also copies of all Minutes of the Council in reference thereto, 375.		
SCHOOLS ACT :—		
Motion made for a Return in reference to Council and Teachers under, and House counted out, 386.		
WORKS OF A REPRODUCTIVE CHARACTER :—		
Resolutions moved in reference to, and Question by leave withdrawn, 181.		
PUBLIC WORKS LOAN BILL :—		
Brought up and read 1 <sup>o</sup> , 369 ; read 2 <sup>o</sup> , committed, reported without amendment, and Report adopted, 369 ; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 375 ; returned by Council without amendment, 390.		
PUNCTUATION :—		
OF BILLS AND ACTS :—		
Resolution moved in reference to, 312.		
PYRMONT BAY :—		
CLAIMS TO WATER FRONTAGE TO :—		
Petition from certain owners of property in, praying to be heard at the Bar of the House, by counsel, in reference to Report of Select Committee on the claim of Mr. Thomas Smith, 36 ; ordered to be printed, 58.	3	1261
Petition from Mr. Thomas Smith praying that a certain arrangement respecting, be left undisturbed, 112.		
<b>Q</b>		
QUALIFICATIONS (See "ELECTIONS.")		
QUARANTINE :—		
Letter from H. G. Alleyne, Esq., Health Officer, with Report from Superintendent at Station, Spring Cove, in reference to complaints made by Mr. Henry Selby, laid on Table, 112	2	139
DETENTION OF THE S. S. "KAIKOURA" IN :—		
Correspondence respecting, laid on Table, 147	2	141
MR. J. CARROLL, SUPERINTENDENT OF STATION :—		
Motion made for all Correspondence having reference to the recent suspension and reinstatement of, 217 ; laid on Table, 322	2	153
QUARRIES :—		
ROAD METAL, AT PROSPECT :—		
Motion made for Correspondence in reference to, 187.		
QUEEN, THE :—		
GIFT OF BOOKS BY :—		
Despatch respecting, laid on Table, 12	1	533
Message (No. 1) from Governor, presenting, to Legislative Assembly, 36.		
Motion made for an Address to, in grateful acknowledgment of, to be transmitted by Governor, 47.		
QUEENSLAND :—		
IMPORTATION OF SOUTH SEA ISLANDERS INTO :—		
Correspondence in reference to, laid on Table, 208	3	1183
Despatch respecting, laid on Table, 288	3	1247
QUESTIONS :—		
AND ANSWERS :—		
Entry of in Votes ( <i>Sessional Order</i> ), 59.		
IN REFERENCE TO, :—		
ABATTOIRS :—		
Statistics,—Returns for 1865, 1866, 1867, and 1868,—215.	3	191

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>Q</b>		
<b>QUESTIONS (continued) :—</b>		
<b>ABERDEEN :—</b>		
Bridge over River Hunter, at, 153.		
<b>ABSENCE :—</b>		
Salaried Officers who have received Leave of, 293.		
<b>ACCOUNTS :—</b>		
Special Audit of, Newcastle Borough Council, 138.		
Minutes of Proceedings and Statement of, Sydney Municipal Council, 312.		
<b>ADELAIDE :—</b>		
Border Duties between, and New South Wales, 287.		
<b>ADMINISTRATION OF JUSTICE :—</b>		
Dominic Rogers, 63, 75.		
Registrar of Metropolitan District Court, 193.		
Re John Tebbutt, Legatee of Sophia Beeson, 294.		
Re Joseph and George Launt, 311.		
Sentence of prisoner John Linden, 355.		
Establishment of District Courts for the Gwydir District, 374.		
Estate of John Tebbutt, 389.		
<b>ALBERT AND DARLING DISTRICTS :—</b>		
Construction of Wells in, 384.		
<b>APPRENTICE :—</b>		
Fees, Orphan School, Parramatta, 159.		
<b>ASHER, MESSRS. M. &amp; Co. :—</b>		
Erection of Premises on Reserved Land at Rydal by, 193.		
<b>ASSASSINATION, ATTEMPTED :—</b>		
Of H.R.H. The Duke of Edinburgh (Papers respecting), 185, 381.		
<b>ASSESSMENTS (See "CROWN LANDS.")</b>		
<b>ASYLUM, BENEVOLENT :—</b>		
Drainage from Woolwashing Establishment and, at Liverpool, 194.		
<b>AUDIT OFFICE (See "FINANCE.")</b>		
<b>BALMAIN AND FIVE DOCK :—</b>		
Road to Gladesville <i>vid</i> , 94 (2).		
<b>BANK :—</b>		
Mercantile, of Sydney, 129.		
<b>BANKS :—</b>		
Post Office Savings, 159.		
<b>BEESON, SOPHIA (See "ADMINISTRATION OF JUSTICE.")</b>		
<b>BENEVOLENT :—</b>		
Drainage from Woolwashing Establishment and, Asylum at Liverpool, 194.		
Hawkesbury, Society, Rent and Assessment of Mooki Run, 249.		
<b>BEERIMA :—</b>		
Charges against the Senior Constable of Police at, 255.		
<b>BEXLEY ESTATE :—</b>		
William Sixsmith, 123.		
<b>BIRTHS :—</b>		
False declaration of, 130.		
<b>BORDER :—</b>		
Duties between Adelaide and New South Wales, 287.		
<b>BOWMAN, MR. WILLIAM :—</b>		
Land Claim of, 321.		
<b>BOTANY :—</b>		
Road from Sydney Common to, and Long Bay, 201.		
<b>BRAIDWOOD :—</b>		
Evidence before Commission, 138, 145.		
<b>BREADSTUFFS :—</b>		
Imports and Exports of, for 1868, 119.		
<b>BREAKER BEACH :—</b>		
Dominic Rogers, 71.		
<b>BRIDGE :—</b>		
Erection of, over River Macquarie at Wellington, 71.		
Construction of, over River Hunter, at Aberdeen, 153.		
Re-construction over Cudgegong River at Rylstone, 243.		
Between Plattsburgh and Wallsend, 373.		
<b>BRIDGES :—</b>		
Constructed by Loan, 215.		
<b>BUNGAREE :—</b>		
Erection of Light-house at, Norah Point, 231.		
<b>BURKE, REV. J. A. :—</b>		
State Aid to Religion, 311.		
<b>BURNLEY, MR. JOHN (See "CROWN LANDS.")</b>		
<b>BURTON, MR.</b>		
Examiner of Titles, 194.		
<b>BUTERS, MESSRS., &amp; M'KENZIE :—</b>		
Special Audit of Accounts, Newcastle Borough Council, by, 138.		
<b>CAPE OF GOOD HOPE :—</b>		
Mail Service <i>vid</i> , 111.		
<b>CAUSEWAY :—</b>		
Mr. Glasheen's contract to complete Kaloudah, 159.		
<b>CARCOAR :—</b>		
Rev. Denis M'Guinn, late R. C. C. at, 207.		
<b>CENTRAL CUMBERLAND :—</b>		
Additional Polling Place for, 67.		
<b>CHURCH AND SCHOOL LANDS :—</b>		
Bill for the sale of, 67.		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>Q</b>			
<b>QUESTIONS (continued) :—</b>			
CLARENCE :—			
Tunnel, Great Western Railway, 106.			
CLERGYMEN :—			
Stipends to, under Grants for Public Worship Prohibition Act, 333.			
COAL :—			
Shipment of, at Newcastle, 311, 321.			
COLLECTOR OF CUSTOMS :—			
Alleged use of insulting words to a Clerk in the Customs, 146.			
COMMISSION :—			
Report on Sydney Water, 105.			
Evidence taken before the Braidwood, 138, 145.			
Fees to Government Officers for acting on, in reference to Floods in the Hunter River, 322.			
COMMISSIONS :—			
Fees to Engineer for Harbours and Rivers, for acting on, 321.			
COMMON, SYDNEY :—			
Road from, to Botany and Long Bay, 201.			
CONSOLIDATED REVENUE :—			
Statistics respecting, 99.			
Debt and interest due by Sydney Corporation to Fund, 202.			
CORPORATION (See "MUNICIPAL.")			
COUNCIL (See "MUNICIPAL.")			
COURT HOUSE :—			
Erection of, in the Town of West Maitland, 94.			
Agreement entered into by Government for buildings or land for Lock-up, Police Station, or, at West Maitland, 201.			
Erection of, and Police Barracks, at West Maitland, 374.			
Provision for, at Gunnedah, 339.			
COURTS, DISTRICT (See "ADMINISTRATION OF JUSTICE.")			
CRANE :—			
Steam, at Newcastle, 361.			
CREAGH, MR. RICHARD :—			
Election of, as an Auditor for the City of Sydney, 130.			
CRICKET :—			
Permission to play the Inter-colonial Match in the Domain, 225.			
Law or regulation for taking money at the Domain Gates for ditto, 293.			
Erection of Parliamentary Stand for ditto, 293.			
CROWN LANDS :—			
Consideration by Government of the case of Mr. John Burnley, 71.			
Applications to purchase and reclaim land under 9th and 12th clauses of the Crown Lands Alienation Act, 93.			
Measure for the alteration or amendment of the present Land Law, or reduction of the upset price, 105.			
Selection of land at Good Dog, Shoalhaven, by William Emery, 159.			
Erection of premises on reserved land, by Messrs. M. Asher & Co., at Rydal, 193.			
Reserves of land in the Electorate of Hartley, 207.			
Boundary of Tyalgun Run, Tweed River, 237.			
Hawkesbury Benevolent Society—Rent and Assessment of Mooki Run, 249.			
Sale of improved land at Tellighery Creek—Mr. T. Logan, 265.			
Land Reserve at Leamington, 305, 312.			
Reserve at Flagstaff Hill, Sydney, 305.			
Land Laws Amendment Bill to make better provision for the leasehold rights of Free Selectors, 327.			
Rents and assessments of, 328.			
Land Laws Amendment—Reduction of price of land, &c., 334.			
Conditional purchase of, at Good Dog, by Mr. William Emery, 361.			
Runs "Georgy" and "Georgy East," Warrego District, 374.			
CUDGEGONG RIVER :—			
Reconstruction of Bridge over, at Rylstone, 243.			
CULLEN, MR. SIMON :—			
Removal of, from R. C. Orphan School, Parramatta, 93, 202.			
CUSTOMS :—			
Supposed appointment of Mr. W. A. Duncan to the office of Under Secretary in the Lands Department, 105.			
Alleged words of insult by Collector of, to a Clerk in the Customs, 146.			
Border Duties between Adelaide and N. S. Wales, 287.			
DARLING, ALBERT AND, DISTRICTS :—			
Construction of Wells in, 384.			
DEBENTURES :—			
Statistics respecting, 99, 321.			
DISTRICT COURTS (See "ADMINISTRATION OF JUSTICE.")			
DOMAIN, PARRAMATTA :—			
Enclosure of portions of, for the purposes of a Racecourse, 374.			
DRAINAGE :—			
From Woolwashing Establishment, and Benevolent Asylum, Liverpool, 194.			
DREDGE, SHOALHAVEN :—			
Station of, 355.			
DUNCAN, MR. W. A. (See "CUSTOMS.")			
DUTIES (See "CUSTOMS.")			
EDINBURGH, H.R.H. THE DUKE OF :—			
Dying Declaration and papers relating to the attempted Assassination of, by O'Farrell, 185.			
Public Documents removed from Public Offices, in connection with ditto, 381.			



VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>Q</b>			
<b>QUESTIONS (continued) :—</b>			
<b>EDUCATION :—</b>			
Removal of Mr. Simon Cullen from R. C. Orphan School, Parramatta, 93, 202.			
Apprentice Fees, Orphan Schools, Parramatta, 159, 185.			
Superannuation Fund for Teachers, 345.			
<b>ELECTORAL :—</b>			
Additional Polling Place for Central Cumberland, 67.			
Division of Electorates and redistribution of Seats, 94.			
<b>EMERY, WILLIAM (See "CROWN LANDS.")</b>			
<b>ENGINEER FOR HARBOURS AND RIVERS :—</b>			
Fees to, for acting on Commissions, 321.			
<b>EXAMINER (See "REAL PROPERTY.")</b>			
<b>EXHIBITS :—</b>			
Fees charged at Central and Water Police Offices for, 334.			
<b>EXPENDITURE :—</b>			
Unauthorized, from the Treasury, 99, 231.			
<b>FAT STOCK :—</b>			
Establishment of Public Sale Yards for, 243.			
<b>FEES :—</b>			
Apprentice, Orphan Schools, Parramatta, 159.			
To Engineer for Harbours and Rivers, for acting on Commissions, 321.			
To Government Officers, for acting on Commission in reference to Floods in the Hunter River, 322.			
Charged at Central and Water Police Offices for Exhibits, 334.			
<b>FINANCE :—</b>			
Statistics in reference to Consolidated Revenue, for 1867 and 1868, 99.			
Do. do. Treasury Bills and Debentures, 99.			
Unauthorized Expenditure from the Treasury, 99, 231.			
Special Audit of Accounts, Newcastle Borough Council, 138.			
Moneys paid under Volunteer Force Regulation Act, 167.			
Debt and interest due by Sydney Corporation to Consolidated Revenue Fund, 202.			
Minutes of Proceedings and Statement of Accounts of Sydney Municipal Council, 312.			
Disposal of Government Debentures, 321.			
<b>FITZPATRICK, MR. M., Under Secretary for Lands :—</b>			
Application of, to retire from the Civil Service, under Superannuation Act, 160.			
Application of for an allowance under 8th clause of the Act, 255.			
<b>FIVE DOCK, BALMAIN AND :—</b>			
Road to Gladesville, <i>vid</i> , 94 (2).			
<b>FLAGSTAFF HILL, SYDNEY :—</b>			
Grant of Reserve at, to Municipal Council of Sydney, 305.			
<b>FLOOD :—</b>			
Appointment of Commission to inquire into and report upon the Prevention of, in River Hunter, 282.			
<b>FLOODS :—</b>			
Fees to Government Officers for acting on Commission in reference to, in the Hunter River, 322.			
<b>FOLEY'S FOLLY (See "GOLD FIELDS NORTH.")</b>			
<b>FREE :—</b>			
Establishment of a, Public Library, 281.			
"GEORGY" (See "CROWN LANDS.")			
"GEORGY EAST" (See "CROWN LANDS.")			
<b>GLADESVILLE :—</b>			
Opening of Road to, <i>via</i> Balmain and Five Dock, 94 (2).			
<b>GLASHEEN, MR. :—</b>			
Contract of, to complete Kaloudah Causeway, 159.			
<b>GOLD FIELDS NORTH :—</b>			
Issue of Miners' Rights, Northern Diggings, to Messrs. Samuel Lambert, Paul Frisk, and William Smith, of Foley's Folly, for 1869, 287.			
<b>GOOD DOG (See "CROWN LANDS.")</b>			
<b>GOSFORD (See "ROAD.")</b>			
<b>GOULBURN :—</b>			
Railway Workshops, &c., at, 256.			
<b>GREAT NORTHERN (See "RAILWAY.")</b>			
<b>GREAT WESTERN (See "RAILWAY.")</b>			
<b>GRENELL :—</b>			
Case of Messrs. Wellington, Edwards, and others, in reference to encroachment on Water Right at, 153, 265, 328.			
<b>GUNDAROO :—</b>			
Mail between Yass and, 145.			
<b>GUNNEDAH :—</b>			
Provision for a new Court House at, 389.			
<b>GWYDIR DISTRICT :—</b>			
Establishment of District Courts for, 374.			
<b>GRANTS FOR PUBLIC WORSHIP PROHIBITION ACT :—</b>			
Stipends to Clergymen under, 333.			
<b>HAMBURGH HOTEL :—</b>			
Application for Music License for, King-street, 334.			
<b>HARDY (See "PENANG.")</b>			
<b>HARTLEY :—</b>			
Reserves of Land in the Electorate of, 207.			
<b>HASSALL, MR. :—</b>			
Evidence of, before Braidwood Commission, 145.			
<b>HAWKESBURY :—</b>			
Sum to refund the rent and assessment of Benevolent Society's Run at Mooki, 249.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>Q</b>			
<b>QUESTIONS (continued):—</b>			
<b>HEALY:—</b>			
Charges made by Bryan Patrick M'Mahon against Senior-constable of Police, at Berrima, 255.			
<b>HOLROYD, MR. A. T.:—</b>			
Memorial of residents of Smithfield, Prospect Creek, and neighbourhood, complaining of conduct of, as a Road Trustee, 130.			
<b>HUMILIATION:—</b>			
Observance of a day for Prayer and, 225.			
<b>HUNTER RIVER:—</b>			
Construction of Bridge over, at Aberdeen, 153.			
Appointment of Commission to inquire into and report upon Prevention of Flood in, 282.			
Fees to Government Officers for acting as Commissioners in reference to Floods in, 322.			
<b>HYDE PARK:—</b>			
Opening of Avenue in, 225.			
<b>INSANITY:—</b>			
Papers relating to the alleged insanity of H. J. O'Farrell, 225.			
<b>INTERCOLONIAL (See "CRICKET.")</b>			
<b>JOHNSON (See "PENANG.")</b>			
<b>KALOUNDAN:—</b>			
Execution of Contract, by Mr. Glasheen, to complete Causeway, 159.			
<b>KEESHAN, MR.:—</b>			
Application of, for a Music License for "Hamburgh Hotel," King-street, 334.			
<b>LAMBERT, SAMUEL (See "GOLD FIELDS NORTH.")</b>			
<b>LANDS (See also "CROWN LANDS," "CHURCH AND SCHOOL LANDS," "REAL PROPERTY.")</b>			
Compensation for Land taken for Great Western Railway, 287, 327.			
Land Claim of Mr. William Bowman, at Cudgegong, 321.			
<b>LAUNT, re JOSEPH AND GEORGE:—</b>			
Petition having reference to Commutation of Sentence passed upon, 311.			
<b>LEAMINGTON (See "CROWN LANDS.")</b>			
<b>LEAVE (See "ABSENCE.")</b>			
<b>LEGACIES:—</b>			
Amount of Duties on, and Successions, under Stamp Act, 202.			
<b>LIBRARY:—</b>			
Appropriation of £25,000 for establishment of a Free Public, 281.			
<b>LIGHT-HOUSE:—</b>			
Erection of, at Bungaree, Norah Point, 231.			
<b>LINDEN, JOHN (See "ADMINISTRATION OF JUSTICE.")</b>			
<b>LIVERPOOL:—</b>			
Drainage from Woolwashing Establishment and Benevolent Asylum at, 194.			
<b>LOAN:—</b>			
Bridges constructed by, 215 .....			
<b>LOCK-UP:—</b>			
Court-house, Police Station, or, at West Maitland, 201.			
<b>LOGAN, MR. T. (See "CROWN LANDS.")</b>			
<b>LONG BAY (See "ROAD.")</b>			
<b>MAIL (See "POSTAL.")</b>			
<b>MAITLAND, WEST (See also "ROAD") :—</b>			
Agreement by Government to accept buildings or land for a Court House, Lock-up, or Police Station at, 201.			
Provision for erection of Court House or Police Barracks at, 94, 374.			
Do. do. Police Station, 94.			
<b>MACQUARIE RIVER:—</b>			
Erection of a Bridge over, at Wellington, 71.			
<b>M'GUINN, REV. DENIS, LATE ROMAN CATHOLIC CLERGYMAN AT CARCOAR:—</b>			
Amount of last payment made by Government to, 207.			
<b>M'KENZIE (See "BUYERS.")</b>			
<b>M'MAHON, BRYAN PATRICK:—</b>			
Charges made by, against Senior-constable of Police at Berrima, 255.			
<b>MEDICAL:—</b>			
Appointment of Deputy Quarantine Officer, 281.			
<b>MERCANTILE (See "BANK.")</b>			
<b>MINERS' RIGHTS (See "GOLD FIELDS NORTH.")</b>			
<b>MINISTERIAL:—</b>			
Bill for reduction and equalization of, Salaries, 105.			
<b>MINISTRY, LATE:—</b>			
Date of resignation of, 225.			
<b>MOOKI RUN (See "CROWN LANDS.")</b>			
<b>MORPETH (See "RAILWAY.")</b>			
<b>MUDGE (See "RAILWAY.")</b>			
<b>MUNICIPAL:—</b>			
Reports of Proceedings and Account of Receipts and Expenditure, from Council of Sydney, 119, 312.			
Debt and interest due by Sydney Corporation to Consolidated Revenue Fund, 202.			
<b>MUNICIPALITIES:—</b>			
Special Audit of Accounts, Newcastle Borough Council, 138.			
Proclamation of Numba, 225.			
<b>MUSIC LICENSE:—</b>			
Application by Mr. Keeshan for, "Hamburgh Hotel," King-street, 334.			
<b>MUSWELLBROOK (See "RAILWAY.")</b>			
<b>NARRABRI (See "ROAD.")</b>			
<b>NEBBIGUNDAH (See "ROAD.")</b>			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
	VOL. PAGE.
<b>Q</b>	
<b>QUESTIONS (continued) :—</b>	
NEWCASTLE (See also "MUNICIPAL.")	
Shipment of Coals at, 311, 321.	
Steam Crane at, 361.	
Road from, <i>via</i> Wallsend, to Maitland and Gosford Roads, 373.	
NEW SOUTH WALES :—	
Border Duties between Adelaide and, 287.	
NEWSPAPER :—	
Bill to repeal the Newspaper Postage Act of 1864, 71, 312.	
NORAH POINT (See "LIGHT-HOUSE.")	
NUMBA :—	
Proclamation of Municipality of, 225.	
O'FARRELL, H. J. :—	
Papers relating to the alleged insanity of, 225.	
OFFICERS :—	
Return respecting, who have received leave of absence, 293.	
Fees to Government Officers for acting as Commissioners in reference to Floods in the Hunter, 322.	
ORPHAN :—	
Removal of Mr. Simon Cullen from Roman Catholic School, Parramatta, 93, 202.	
Apprentice Fees, Schools, Parramatta, 159, 185.	
PARLIAMENT :—	
Reassembling of, 389.	
PARLIAMENTARY (See "REFRESHMENT ROOM.")	
PARRAMATTA :—	
Survey of River, and estimate of cost of Dredges and Deepening, 81.	
Estimate of the cost of Deepening River, 202.	
Enclosure of portion of Domain for a Racecourse, 374.	
"PENANG," BARQUE :—	
Alleged ill-treatment of seamen Johnson & Hardy on board, 255.	
PICTON :—	
Railway Goods Station at, 373.	
PLATTSBURGH (See "BRIDGE.")	
POLICE :—	
Purchase of Buildings for the purpose of a Station at West Maitland, 94, 201.	
Charges made by Bryan Patrick M'Mahon against Senior Constable of, at Berrima, 255.	
Amount of money expended for Forage for Station at Walgett, 327.	
Ground at Wallsend, for the purpose of erecting a Station, 373.	
POLICE OFFICERS :—	
Fees charged at Central, and Water, for Exhibits, 334.	
POLLING (See "ELECTORAL.")	
POSTAL :—	
Bill to repeal the Newspaper Postage Act of 1864, 71, 312.	
Establishment of a Mail Service <i>via</i> Cape of Good Hope, 111.	
Mail between Yass and Gundaroo, 145.	
Delivery of Letters in Sydney, 201.	
POST OFFICE :—	
Establishment of, Savings Banks, 159.	
Inspection of, at Smithfield, 226.	
PRAYER :—	
Day for Humiliation and, 225.	
PRIK, PAUL (See "GOLD FIELDS NORTH.")	
PROSPECT :—	
Supply of Road Metal and lease of Quarries, 281.	
PUBLIC :—	
Establishment of a Free, Library, 281.	
QUARANTINE :—	
Appointment of Deputy Medical Officer, 281.	
QUARRIES (See "PROSPECT.")	
RAILWAY :—	
Erection of New Station House, Sydney Terminus, 94.	
Total length, and quantity of excavation of Clarence Tunnel, on Great Western, 106.	
Statistics respecting, Department, 111.	
Contract for Great Northern, between Muswellbrook and Scone, 119.	
Contractor for Receiving House, Redfern Station, 130, 173.	
Materials in stock, 137.	
Number of Locomotive Engines in stock, 146.	
Amount of unexpended Balance of the Votes for Trial Surveys, 153.	
Alteration of arrangements for Sunday Trains, 160.	
Terminus, Mudgee and Great Western Traffic, 174.	
Trial Survey for proposed extension of Great Northern from Murrurundi to Armidale, 194.	
Opening of Great Western Line for traffic to Solitary Creek, 215.	
Extension of time to Contractor for Morpeth Extension, 255.	
Supply of Water for Engines and Workshops, at Goulburn, 256.	
Compensation for Land taken for Great Western, 287, 327.	
Particulars respecting the running of Sunday Trains, 299.	
Tenders for Sleepers, 355.	
Amount of money received at the Goods Station, Picton, during the last three months, 373.	
Fares—readjustment of rates and charges on the several Lines, 373.	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>Q</b>		
<b>QUESTIONS (continued):—</b>		
<b>REAL PROPERTY:—</b>		
Certificate of Title granted to William Sixsmith, Bexley Estate, 123.		
Resumption of Duties by Mr. Burton, as Examiner of Titles, 194.		
Filling up of Vacancy in the Land Titles Office, in the event of Mr. Burton not returning to his duty, 293.		
<b>RECEIVING HOUSE (See "RAILWAY.")</b>		
<b>REDFERN (See "RAILWAY.")</b>		
<b>REFRESHMENT ROOM:—</b>		
Erection of, and estimated cost of new Parliamentary, 383.		
<b>RELIGION:—</b>		
State Aid to Rev. J. A. Burke, 311.		
Stipends to Clergymen under Grants for Public Worship Prohibition Act, 333.		
<b>RENTS AND ASSESSMENTS (See "CROWN LANDS.")</b>		
<b>RESERVE, SYDNEY WATER:—</b>		
Proclamation of Roads through, 361.		
<b>RESIGNATION:—</b>		
Of late Ministry—date of, 225.		
<b>RICHMOND (See "ROAD.")</b>		
<b>ROAD:—</b>		
To Gladesville, <i>via</i> Balmain and Five Dock, 94 (2).		
Conduct of Mr. A. T. Holroyd, as a Trustee, 130.		
Great North-western from Willow-tree to Narrabri, 159.		
Windsor and Richmond Trusts, 160.		
From Sydney Common to Botany and Long Bay, 201.		
Supply of Metal from, and lease of Prospect Quarries, 281.		
Petition relative to repairs of, from Nerrigundah to Uroboodalla, 345.		
From Newcastle, <i>via</i> Wallsend, to the Maitland and Gosford Roads, 373.		
New line surveyed from Tamworth to Narrabri, 374.		
<b>ROBERTS, MR. WILLIAM, SOLICITOR:—</b>		
Money paid to, since 1st Jan., 1868, 173.		
<b>ROGERS, DOMINIC (See "ADMINISTRATION OF JUSTICE," "BREAKER BEACH.")</b>		
<b>RUNS (See "CROWN LANDS.")</b>		
<b>RYDAL:—</b>		
Lithograph or sketch of original Plan by which Town Allotments were sold at, 173.		
Erection of premises on reserved land by Messrs. M. Asher and Co. at, 193.		
<b>RYLSTONE:—</b>		
Reconstruction of Bridge over Cudgegong River at, 243.		
<b>SALARIES:—</b>		
Bill for reduction and equalization of Ministerial, 105.		
<b>SALE YARDS, PUBLIC:—</b>		
Establishment of, for Fat Stock, 243.		
<b>SAVINGS' BANKS:—</b>		
Establishment of Post Office, 159.		
<b>SCAB ACT OF 1866:—</b>		
Contribution levied under, this year, 145.		
<b>SCONE (See "RAILWAY.")</b>		
<b>SEATS (See "ELECTORAL.")</b>		
<b>SHOALHAVEN:—</b>		
Station of Steam Tender to Dredge, 355.		
<b>SIXSMITH, WILLIAM (See "REAL PROPERTY.")</b>		
<b>SLEEPERS (See "RAILWAY.")</b>		
<b>SMALL-POX:—</b>		
Prevention of introduction of, from Victoria, 194.		
<b>SMITH, WILLIAM (See "GOLD FIELDS NORTH.")</b>		
<b>SMITHFIELD (See "POST OFFICE.")</b>		
<b>STAMP ACT:—</b>		
Amount of Duties on Legacies and Successions under, 202.		
<b>STATE AID TO RELIGION:—</b>		
Stipend to Rev. J. A. Burke, 311.		
<b>STATISTICS (See "FINANCE," "RAILWAY," "ABATTOIRS.")</b>		
<b>ST. PATRICK'S DAY:—</b>		
Proclamation of, as a Public Holiday, 271, 287.		
<b>STIPENDS:—</b>		
To Clergymen under Grants for Public Worship Prohibition Act, 333.		
<b>STOCK (See "FAT STOCK.")</b>		
<b>SUCCESSIONS (See "STAMP ACT.")</b>		
<b>SUNDAY:—</b>		
Arrangement, &c., of Railway Trains, 160, 299.		
<b>SUPERANNUATION:—</b>		
Charges upon, and contributions to the Fund for 1868, 167.		
Application of Mr. Fitzpatrick for an allowance under the 8th clause of the Act, 255.		
Establishment of a Fund for Teachers, 345.		
<b>SYDNEY:—</b>		
Proclamation of Roads through the Water Reserve, 361.		
<b>TAMWORTH:—</b>		
Road from, to Narrabri, 374.		
<b>TEACHERS (See "EDUCATION.")</b>		
<b>TEBBUTT, JOHN (See "ADMINISTRATION OF JUSTICE.")</b>		
<b>TELLIGHERY CREEK (See "CROWN LANDS.")</b>		
<b>TENTS (See "VOLUNTEER.")</b>		
<b>TITLES (See "REAL PROPERTY.")</b>		
<b>TRAINS (See "RAILWAY.")</b>		
<b>TREASURY (See "FINANCE.")</b>		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>Q</b>		
QUESTIONS ( <i>continued</i> ):—		
TRUSTS (See "ROAD.")		
TYALGUM RUN (See "CROWN LANDS.")		
UROBODALLA:—		
Repair of Road leading from Nerrigundah to, 345.		
VOLUNTEER:—		
Certificates under Volunteer Force Regulation Act of 1887, 137.		
Moneys paid under do. 167.		
Tents for Encampment, 322.		
WALGETT:—		
Amount of money expended for Forage for Police Station at, 327.		
WALLSEND:—		
Bridge between Plattsburgh and, 373.		
Erection of a Police Station at, 373.		
Road from Newcastle <i>via</i> , to the Maitland and Gosford Roads, 373.		
WARREGO (See "CROWN LANDS.")		
WATER:—		
Report of Sydney Commission, 105.		
Proclamation of Roads through Sydney Water Reserve, 361.		
WATER RIGHT:—		
Encroachment on, at Grenfell, by a Mr. F. A. Martin,—case of Messrs. Wellington and Company, 153, 265, 328.		
WELLINGTON (See "BRIDGE.")		
WELLINGTON & COMPANY (See "WATER RIGHT.")		
WELLS:—		
Construction of, in the Albert and Darling Districts, 384.		
WILLIS, MR.:—		
Alleged use of words of insult to, by Collector of Customs, 146.		
WILLOW-TREE (See "ROAD.")		
WINDSOR (See "ROAD.")		
WOOLWASHING ESTABLISHMENT (See "DRAINAGE.")		
YASS:—		
Mail between, and Gundaroo, 145.		
QUORUM (See "ADJOURNMENT.")		
Absence of, in Committee of the Whole reported, 106, 107, 257, 290, 331 (2), 335 (3), 341 (2), 369, 378, 391.		
Do. in House, before commencement of Business, 317, 399.		
Do. do. after do. 107, 114, 162, 181, 188, 210, 220, 257, 263, 268, 290, 306, 314, 331, 335, 341, 353, 369, 387, 391.		
<b>R</b>		
RAILWAY:—		
TRIAL SURVEY BETWEEN BATHURST AND ORANGE:—		
Petition from certain Inhabitants of the Town and District of Orange, praying for immediate prosecution of, 41; ordered to be printed, 48	3	85
Resolutions moved in reference to, 67.		
TRIAL SURVEY FROM SYDNEY TO THE GREAT NORTHERN:—		
Resolutions moved in reference to, and Question by leave withdrawn, 114.		
LAND TAKEN BY HUNTER RIVER RAILWAY:—		
Petition from Alexander Walker Scott, Esquire, in reference to, 131; ordered to be printed, 138	3	1257
ACCIDENT AT REDFERN:—		
Motion made for a Return of names of Claimants for compensation on account of, and by leave withdrawn, 284.		
SUNDAY TRAINS:—		
Resolution moved, and superseded by Previous Question, 313.		
PLANT AND STATISTICS:—		
Motion made for Returns in reference to, 330.		
RANDWICK:—		
By-laws of the Borough of, laid on Table, 94	3	365
RANDWICK AND COOGEE ROADS TRANSFER BILL:—		
Motion made for leave to introduce and leave granted, 106; Bill presented and read 1 <sup>o</sup> , 106; referred to a Select Committee for consideration and report, 131; power granted to, to send for persons and papers, 160; Report brought up, 179; second reading of the Bill made an Order of the Day, 232; Bill read 2 <sup>o</sup> , committed, reported without Amendment, and Report adopted, 283; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 288; returned by Council with Amendments, 340; Council's Amendments agreed to, 357; Message to Council, 357.	3	13
Petition against, presented from:—		
Commissioners of the Old Botany, Randwick, and Coogee Roads Trust, 215; ordered to be printed, 226	3	25
REAL PROPERTY ACT:—		
Returns for 1867 laid on Table, 2	3	253
EXAMINERS OF TITLES:—		
Motion made for copies of all Correspondence in reference to, 218.		
LAND TITLES DEPARTMENT—MR. W. WRIGHT:—		
Select Committee appointed to inquire into and report upon the proceedings of, 266; Progress Report brought up, 384	3	255
RECOVERY OF SEWERAGE RATES BILL:—		
Motion made for leave to introduce and leave granted, 179; Bill presented and read 1 <sup>o</sup> , 181.		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>R</b>			
<b>REFORMATORIES :—</b>			
INDUSTRIAL SCHOOL FOR GIRLS AT NEWCASTLE :—			
Regulations laid on Table, 2, 94, 391 .....	3	833, 837, 841	
NAUTICAL SCHOOL SHIP "VERNON" :—			
Reports respecting, laid on Table, 2 .....	3	845	
Regulations laid on Table, 180 .....	3	853	
TRAINING-SHIP "VERNON" :—			
Select Committee appointed to inquire into and report upon the general management of, 114; authorized to make visits of inspection, accompanied by a Shorthand Writer, 329; Progress Report brought up, 391 .....	3	863	
Motion made for a Return shewing Cost of Fitting, Amount of Salaries, &c., 139; laid on Table, 276 .....	3	859	
<b>REFRESHMENT ROOM (See also "ASSEMBLY," "STANDING ORDERS") :—</b>			
Committee appointed, 59.			
<b>REGISTER (See "STATISTICAL.")</b>			
<b>REGISTRAR GENERAL :—</b>			
VITAL STATISTICS :—			
Twelfth Annual Report laid on Table, 36 .....	2	581	
<b>REPORTS :—</b>			
University of Sydney, for 1867, 2 .....	3	751	
Nautical School Ship "Vernon," 2 .....	3	845	
Post Office—Thirteenth Annual, 3 .....	2	879	
Commission on method of testing Marine Steam-boilers in use, 11 .....	3	1019	
Sydney Grammar School, for 1867, 36 .....	3	759	
Progress, from Inspector of Public Charities, respecting certain Public Charitable Institutions, 36 .....	3	481	
Australian Museum, for 1867, 36 .....	3	305	
Vital Statistics—Twelfth Annual, from Registrar General, 36 .....	2	581	
Lunatic Asylums, by Fredc. Norton Manning, M.D., 36 .....	3	533	
Board of Audit of Public Accounts, 36 .....	2	855	
Disease in Grape-vines called " <i>Oidium Tuckeri</i> ," from Charles Moore, Esq., Botanic Gardens, Sydney, 63 .....	3	87	
From Superintendent at Quarantine Station, in reference to certain complaints made by Mr. Henry Selby, 112 .....	2	139	
From Sydney Water Commission (Reports), 112 .....	3	1167	
Do. Fourth Progress, 385 .....	3	1173	
Twelfth Annual, from Sydney Municipal Council, on Proceedings under Water and Sewerage Acts, 356 .....	3	461	
Floods in the Hunter, 112 .....	3	1127	
From Visiting Surgeon, Roman Catholic Orphan School, Parramatta, 139 .....	3	779	
Deepening of Parramatta River, from Engineer-in-Chief for Harbours and Rivers, laid on Table, 237 .....	3	1251	
State of the Water in George's River at Liverpool, from Commission (two Reports), 276 .....	3	1255	
Vaccination, for 1868, 312 .....	2	135	
State of the Aborigines, 312 .....	3	1267	
<b>STANDING COMMITTEE :—</b>			
Standing Orders—Intrusion of strangers in the passages to the House—Control of Messengers—Proposed New Parliamentary Refreshment Room, 385 .....	1	513	
<b>SELECT COMMITTEES :—</b>			
In reply to Governor's Opening Speech, 4.			
Alleged Conspiracy for purposes of Treason and Assassination ( <i>Special</i> ), 146.			
Do. do. ( <i>Final</i> ), 194 .....	1	769	
Cliffs Coal Properties Leasing Bill, 154 .....	3	299	
Randwick and Coogee Roads Transfer Bill, 179 .....	3	13	
Mrs. Mary Singleton, 265 .....	3	975	
Duties of Master in Equity (Progress), 271 .....	1	959	
Rev. Denis M'Guinn, late R.C.C. at Carcoar, 322 .....	3	1007	
Sydney Boundaries Amendment Bill, 334 .....	3	389	
Diseases in Grape-vines Prevention Bill (Progress), 356 .....	3	145	
Water Frontage at Blue's Point, North Shore (Progress), 361 .....	3	1271	
Removal of Mr. Samuel Charles from the Commission of the Peace, 374 .....	1	1013	
Land Titles Department—Mr. W. Wright (Progress), 384 .....	3	255	
Law relating to Lunacy (Progress), 384 .....	3	505	
Mr. Thomas Scott—Sugar Cultivation (Progress), 385 .....	3	1109	
Training-ship "Vernon" (Progress), 391 .....	3	863	
<b>RESOLUTIONS :—</b>			
FROM COMMITTEE OF THE WHOLE :—			
Reported, 181, 209, 239, 256, 262, 272, 276, 277, 283, 294, 391.			
Agreed to, 181, 209, 256, 262 (2), 276 (2), 277, 283, 294, 395.			
FROM COMMITTEE OF SUPPLY :—			
Reported, 100, 169, 277, 345, 362.			
Agreed to, 100, 169, 277, 351, 368.			
FROM COMMITTEE OF WAYS AND MEANS :—			
Reported, 154, 169, 277, 368, 369.			
Agreed to, 169 (2), 277, 368, 369.			
<b>RICHARDS, MR. BENJAMIN :—</b>			
CLAIM OF, TO LEASE OF YARALDOOL RUN :—			
Clerk empowered to return Documents handed in to the Committee on, during Session 1867-8, 216.			
<b>RICHMOND AND TWEED RIVERS (See "ELECTORAL.")</b>			
<b>RIFLES, SNEIDER :—</b>			
SUPPLY OF, FOR COLONIAL VOLUNTEERS :—			
Despatch in reference to, laid on Table, 231 .....	2	73	
<b>RIVERINE DISTRICT (See "ADMINISTRATION OF JUSTICE.")</b>			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.	
	VOL.	PAGE.
<b>R</b>		
<b>ROAD :—</b>		
TRUST ACCOUNTS :—		
For Half-year ending 30 June, 1868, laid on Table, 41 .....	3	7
THROUGH PURCHASED LAND OF MR. HENRY PRICE, ON AUCKLAND VILLAGE RESERVE :—		
Petition from Henry Price in reference to the opening of, 47 ; ordered to be printed, 59 .....	3	1
Do. certain residents, Singleton and Jerry's Plains, 47 ; ordered to be printed, 59 .....	3	5
PROPOSED, TO GLADESVILLE, <i>via</i> BALMAIN AND FIVE DOCK :—		
Return to Order ( <i>last Session</i> ) laid on Table, 100 ; ordered to be printed, 161 ...	3	37
FROM THE WESTERN ROAD, <i>via</i> SMITHFIELD, TO CABRAMATTA (MR. HOLROYD AS A TRUSTEE) :—		
Motion made for a copy of any Memorial or Petition from the inhabitants of Smithfield, Sherwood, and Prospect Creek, in reference to, 187.		
METAL QUARRIES AT PROSPECT :—		
Motion made for copies of all Correspondence, Minutes, &c., having reference to, 187.		
<b>ROAD ACT AMENDMENT BILL :—</b>		
Motion made for leave to bring in and leave granted, 49 ; Bill presented and read 1 <sup>o</sup> , 49 ; read 2 <sup>o</sup> , 64 ; Committed, reported without Amendment, and Report adopted, 84 ; read 3 <sup>o</sup> , passed, and sent to Legislative Council, 88 ; returned by Council without Amendment, 226 ; Assent reported, 275.		
<b>ROADS :—</b>		
SUBORDINATE :—		
Schedule of Classification of ( <i>Lands Department</i> ) for 1869, laid on Table, 195 ...	3	27
Do. do. ( <i>Public Works Department</i> ) do. 215 ...	3	35
<b>ROBERTSON, JOHN, ESQUIRE :—</b>		
Acceptance of office by, reported, 29 ; Seat declared vacant, 29 ; Writ certifying return of, as Member for The Clarence, 35 ; sworn as Member, 35.		
<b>ROD, BLACK (See "USHER.")</b>		
<b>RODD, R. A. :—</b>		
CHARGES OF PERJURY AGAINST, AT SINGLETON :—		
Motion made for copies of the Depositions in the case of, 282.		
<b>ROLL (See "ELECTORS.")</b>		
<b>RULING (See "SPEAKER.")</b>		
<b>RUNS (See CROWN LANDS.)</b>		
<b>RYDAL :—</b>		
VILLAGE OF :—		
Traced and coloured Plan of, laid on Table, 174.		
<b>WATER RESERVE FOR TOWNSHIP OF :—</b>		
Petition from certain Freeholders and others, complaining of resumption of, by Government, 305 ; ordered to be printed, 305 .....	3	1015
<b>S</b>		
<b>SALARIED OFFICERS :—</b>		
WHO HAVE RECEIVED LEAVE OF ABSENCE :—		
Return (in part) to Order ( <i>last Session</i> ) in reference to, laid on Table, 312 .....	1	557
<b>SALE OF LIQUORS LICENSING ACT AMENDMENT BILL :—</b>		
Motion made for a Committee of the Whole to consider the expediency of introducing, 186 ; House in Committee, and Resolution reported and agreed to, 209 ; Bill presented and read 1 <sup>o</sup> , 226 ; Order of the Day for second reading discharged and Bill withdrawn, 377.		
Petitions presented <i>against</i> , from certain Licensed Victuallers of Sydney and its environs, 282 ; ordered to be printed, 289 .....	3	1263
Do. do. of New South Wales, 305 ; ordered to be printed, 313 .....	3	1265
<b>SAMUEL, SAUL, ESQUIRE :—</b>		
Acceptance of office by, reported, 29 ; seat declared vacant, 29 ; Writ certifying return of, as Member for Wellington, 35 ; sworn as Member, 35.		
<b>SAN FRANCISCO (See "EMIGRATION.")</b>		
<b>SCHEDULE (See also "CROWN LANDS.")</b>		
OF AMENDMENTS :—		
Made by Council in Bills from Assembly, 323 (2), 340, 341, 376, 390.		
<b>SCHOOL (See "EDUCATION," "REFORMATORIES.")</b>		
<b>SCOTT, MR. THOMAS :—</b>		
SUGAR CULTIVATION :—		
Return to Address ( <i>last Session</i> ), in reference to, laid on Table, 12 .....	3	1105
Motion made for a Committee of the Whole, to consider of an Address in reference to, 83 ; House in Committee and counted out, 106 ; Motion made for restoration of Order of the Day to the Paper, and House again counted out, 181 ; Motion again made for restoration of do., and superseded, by appointment of Select Committee to inquire into and report upon, 219 ; Progress Report brought up, 385 .....	3	1109
Motion made for copies of any Correspondence or Reports on the subject of the cultivation of the Sugar-cane and the manufacture of Sugar at Port Macquarie, 335.		
<b>SEAT :—</b>		
Declared vacant, 29 (2), 30 (4), 87.		
Resignation of, by Members, reported, 87.		
Resignation of, by Members during Recess, reported, 1 (4).		
Do. do. during Adjournment, reported, 35 (2).		
<b>SELBY, MR. HENRY (See "QUARANTINE.")</b>		
<b>SESSION :—</b>		
Opening of, 1.		

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>S</b>			
SESSIONAL :—			
ORDERS :—			
Business days, 58.			
Days for precedence of Government Business, 58.			
Days for precedence of Private Business, 58.			
Formal Motions and Orders of the Day, 58.			
Resumption of Committee of Supply, 58.			
Do. do. Ways and Means, 58.			
Transmission of Messages between the two Houses, 59.			
Balloting for Select Committees, 59.			
Entry of Questions and Answers on Votes, 59.			
Vote of Chairman of Select Committee on Private Bill, 59.			
Library Committee, 59.			
Standing Orders Committee, 59.			
Refreshment Room Committee, 59.			
Chairman of Committees of the Whole House, 76.			
Suspension of, 244.			
SEWERAGE (See also "RECOVERY OF SEWERAGE RATES BILL")			
AND WATER SUPPLY :—			
Twelfth Annual Report of Sydney Municipal Council, laid on Table, 356	3		461
SHEEP (See "DISEASES IN SHEEP ACT AMENDMENT BILL")			
SINGLETON :—			
By-laws of Borough of, laid on Table, 2	3		315
SINGLETON, MRS. MARY :—			
Petition from, complaining of certain circumstances connected with alleged erection of a Court House and Lock-up by her late husband, at Singleton, and praying inquiry, 87; ordered to be printed, 95; Select Committee appointed to inquire into and report upon, 138; Return to Address on the "Land Claim of Mrs. Mary Singleton, ordered by the Council to be printed on 5th December, 1855, referred to, 154; Report brought up, 265; Report adopted, 313	3		973
SMALL DEBTS RECOVERY ACT AMENDMENT BILL :—			
Motion made for leave to introduce and leave granted, 179; Bill presented and read 1 <sup>o</sup> , 179; read 2 <sup>o</sup> , 208; committed and Progress reported, 209; reported with Amendments and amended Title, 238; Report adopted, 262; Bill read 3 <sup>o</sup> , passed, and sent to Legislative Council, 267; returned by Council with Amendments, 390; House in Committee to consider Amendments and counted out, 391.	3		975
SMALL-POX PREVENTION BILL :—			
Motion made for a Committee of the Whole to consider propriety of introducing, 288; House in Committee and Resolution reported and agreed to, 294; Bill presented and read 1 <sup>o</sup> , 294; Message (No. 15) from Governor respecting, and referred to Committee of the Whole on the Bill, 294; Bill read 2 <sup>o</sup> , 369; committed, and Progress reported, 369; Bill reported with Amendments, 378; Report adopted, 386; Bill read 3 <sup>o</sup> , passed, and sent to Legislative Council, 391.	2		133
SMITH, MR. THOMAS (See also "PYRMONT BAY") :—			
PETITION OF :—			
Report of the Select Committee of last Session on, adopted and communicated by Address to Governor, 187.			
SMITHFIELD (See "ROAD.")			
SNARES, THE (See "LIGHT-HOUSE.")			
SNEIDER (See "RIFLES.")			
SOCIETIES (See "FRIENDLY SOCIETIES BILL.")			
SOUTH SEA ISLANDERS :—			
IMPORTATION OF, INTO QUEENSLAND :—			
Correspondence in reference to, laid on Table, 208	3		1183
Despatch do. do. 288	3		1247
SOUTH SHOALHAVEN :—			
INCORPORATION OF :—			
Motion made for copies of all Petitions, Memorials, and Correspondence, relative to the Petition for, 154; laid on Table, 266	3		445
SPEAKER :—			
Reports issue of Writ, 1 (4), 35 (8), 261.			
Reports return of Writ, 2 (4), 35 (6), 63, 75, 261.			
Governor's Speech on opening Parliament, read by, 3.			
Casting Vote given by, 5, 161 (2).			
Reports presentation of Address in reply to Governor's Opening Speech, with Answer thereto, 11.			
Announces the acceptance of office by a New Ministry, 29.			
Reports resignation of Seat, 35 (2), 87.			
Reports acceptance of Deputy Speaker's Commission to administer the Oath, 88.			
Unavoidable absence of, reported by Clerk, 399.			
WARRANT OF :—			
Appointing Committee of Elections and Qualifications, 3; maturity of, reported, 29.			
RULING OF :—			
In reference to,—			
Advertisements in the <i>Government Gazette</i> and newspapers, not sustaining the allegations in the Petition for introducing a Private Bill, 113.			
Fourth Section of 36th Standing Order—When a Question to omit an Item in a Vote has been negatived, the Item is still open to reduction, 203.			
A Bill that should originate in a Committee of the Whole, 220.			
SPECIAL (See "ADJOURNMENT"; also "REPORT.")			
SPEECH :—			
OF GOVERNOR :—			
On opening the Session, 3; Address in reply, 4; presented, and answer reported, 11.			



VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
S	VOL. PAGE.
STAMP DUTIES ACTS CONTINUATION BILL :—	
Suspension of Standing Orders in reference to, 81.	
Motion made for leave to introduce, and leave granted, 82; Bill presented and read 1°, 82; read 2°, Committed, reported with an Amendment, and Report adopted, 82; read 3°, passed, and sent to the Legislative Council, 83; Returned by Council without Amendment, 83; Assent reported, 87.	
ST. ANDREW'S CATHEDRAL CLOSE BILL :—	
Motion made for leave to introduce, and leave granted, 67; Bill presented and read 1°, 67; Order of the Day for second reading read, and House counted out, 114; Bill read 2°, Committed, and Progress reported, 132; Bill reported with Amendments, 162; Bill recommitted, reported 2°, and Report adopted, 180; Order of the Day for third reading read, and House counted out, 188; Bill read 3°, passed, and sent to Legislative Council, 209; returned by Council without Amendment, 272; Assent reported, 299.	
Petition presented against, from James Powell, 76; ordered to be printed, 81...	3 1125
STATEMENT :—	
MINISTERIAL, 17.	
STATISTICAL :—	
Register for 1867, laid on Table, 2 .....	2 301
Blue Book for 1867, laid on Table, 2 .....	2 163
STATISTICS (See "GAOL," "ABATTOIRS," "RAILWAY") :—	
VITAL :—	
Twelfth Annual Report from Registrar General, laid on Table, 36 .....	2 581
RESPECTING JUSTICES OF THE PEACE :—	
Motion made for a Return in reference to (exclusive of the Metropolitan Police District), 339.	
Do. do. (Metropolitan Police District), 356.	
STANDING ORDERS :—	
Committee appointed ( <i>Sessional Order</i> ), 59.	
SUSPENSION OF :—	
In reference to,—	
Stamp Duties Act Continuation Bill, 81.	
Cliffs Coal Properties Leasing Bill, 131.	
Resolutions founded on Report on "Alleged Conspiracy for purposes of Treason and Assassination," 244.	
Appropriation Bill of 1869, 375.	
Treasury Bills Bill of 1869, 375.	
INTRUSION OF STRANGERS IN THE PASSAGES TO THE HOUSE—CONTROL OF MESSENGERS—PROPOSED NEW PARLIAMENTARY REFRESHMENT ROOM :—	
Report brought up and referred to Committee of the Whole, 385; consideration of Report in Committee, and Resolution reported, 391; Resolution agreed to, 395.	1 513
STRANGERS (See "STANDING ORDERS.")	
ST. LEONARDS :—	
By-laws of Borough of, laid on Table, 2 .....	3 335
STEAM-BOILERS IN USE :—	
METHOD OF TESTING MARINE :—	
Report of Commission appointed to inquire into, laid on Table, 11 .....	3 1019
SUBORDINATE (See "ROADS.")	
SUGAR (See "SCOTT, MR. THOMAS.")	
SUBSCRIPTION (See "LIBRARIES.")	
SUBURBAN WATER SUPPLY BILL :—	
Motion made for leave to introduce and leave granted, 75; Bill presented and read 1°, 76; Order of the Day for second reading and Bill discharged, 131.	
SUMMARY CONVICTIONS AND ORDERS AMENDMENT BILL :—	
Motion made for leave to introduce and leave granted, 140; Bill presented and read 1°, 154; motion made for second reading and debate adjourned, 180; Bill read 2°, committed, reported without Amendment, and Report adopted, 209; read 3°, passed, and sent to Legislative Council, 216; returned by Council with Amendments, 323; Council's Amendments agreed to, 329; Message to Council, 329; Assent reported, 385.	
SUNDAY (See "HAIRDRESSERS"; also "RAILWAY.")	
SUPERANNUATION (See also "COLLECTOR OF CUSTOMS SUPERANNUATION BILL.")	
ACT OF 1864 :—	
Statement of Receipts and Disbursements under, being for the year 1868, laid on Table, 194 .....	3 293
CIVIL SERVICE AND POLICE FUNDS :—	
Motion made for copies of all Reports, &c., relating to the state and prospects of, 335.	
SUPPLY :—	
Days for Committee of, appointed, 58.	
Estimates of Expenditure for 1869, and Supplementary Estimates for 1868 and previous years—Message No. 2, 41 referred to Committee of, 100 .....	2 725
Estimates of Expenditure for 1869, 41 do., 100 .....	2 727
Supplementary Estimates for 1868 and previous years, 41 do., 100 .....	2 819
House in Committee of, 100, 154, 169 (2), 175, 195, 203, 226, 232, 257, 277 (2), 294, 300, 322, 330, 341, 345, 362.	
Order of the day for resumption of Committee read, and House adjourned, 140.	
Resolutions reported from Committee, 100, 169, 277, 345, 362.	
Resolutions agreed to, 100, 169, 277, 351, 368.	
Amendments made on motion for Committee of, 169, 226, 300.	
Order of the day discharged, 386.	
SUSPENSION (See "STANDING ORDERS"; also "SESSIONAL ORDERS.")	
SUTHERLAND, JOHN, ESQUIRE :—	
Acceptance of office by, reported, 29; Seat declared vacant, 30; Writ certifying return of, as Member for Paddington, 35; sworn as Member, 35.	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>S</b>			
SYDNEY :—			
WEST :—			
Issue of Writ for vacancy in Electorate of, reported, 35; Return of ditto, 63; Member for, sworn, 63.			
SYDNEY BOUNDARIES AMENDMENT BILL :—			
Motion made for leave to introduce, and leave granted, 49; Bill presented and read 1 <sup>o</sup> , 186; on motion for second reading, Bill referred to a Select Committee for consideration and report, 238; Report brought up, 334; Bill read 2 <sup>o</sup> , committed, reported with Amendments, and Report adopted, 357; Recommended, reported with a further Amendment, and Report adopted, 378; Bill read 3 <sup>o</sup> , passed, and sent to Legislative Council, 378.	3		389
Petition presented <i>in favour of</i> , from,—			
Certain owners of property and others of the Borough of Paddington, 186; ordered to be printed, 195	3		387
Do. do. <i>against</i> , and referred to Select Committee on the Bill, from,—			
Mayor and Aldermen of the Municipal Council of Waverley, 261.			
Mayor, on behalf of the Municipal Council of Paddington, 261.			
Certain freeholders and ratepayers of the Borough of Paddington, 261.			
Do. do. do. Waverley, 265.			
SYDNEY CATTLE SLAUGHTERING PREVENTION BILL :—			
Motion made for leave to bring in, and leave granted, 179; Bill presented and read 1 <sup>o</sup> , 179; Order of the Day for second reading discharged and Bill withdrawn, 306.			
Petition from certain Butchers in Sydney and Suburbs, praying that the Bill may not be proceeded with until they have read and considered the same, 208; ordered to be printed, 232	3		195
SYDNEY CORPORATION ACT AMENDMENT BILL :—			
Motion made for a Committee of the Whole to consider expediency of introducing, 237; House in Committee, and Resolution reported and assented to, 262; Bill presented and read 1 <sup>o</sup> , 262; Motion made for second reading and debate postponed, 283.			
SYDNEY PAVING BILL OF 1869 :—			
Motion made for leave to introduce, and leave granted, 218; Bill presented and read 1 <sup>o</sup> , 231; read 2 <sup>o</sup> , committed, and Progress reported, 262, 289; Reported without Amendment and Report adopted, 335; Motion made for third reading and House counted out, 358.			
Petitions presented <i>against</i> from,—			
Certain property-holders, tenants, &c., Sydney, 356; ordered to be printed, 374	3		1269
Do. do. do. 356;			
<b>T</b>			
TAXATION :—			
MUNICIPAL :—			
Motion made for a Committee of the Whole to consider of an Address in reference to exemption of University and Affiliated Colleges from, 210; House in Committee, 238; no Report.			
TAYLOR, ROBERT (See "CROWN LANDS.")			
TEACHERS. (See "EDUCATION.")			
TEBBUTT, <i>vs</i> JOHN. (See "ADMINISTRATION OF JUSTICE.")			
TELEGRAPHIC :—			
COMMUNICATION BETWEEN UNITED KINGDOM AND AUSTRALIAN COLONIES :—			
Despatch and Correspondence respecting, laid on Table, 312	2		973
TELLERS :—			
ON DIVISION :—			
None reported for the Noses, 180.			
Lists shewing no Quorum, 181, 306.			
THORNTON, GEORGE, ESQUIRE :—			
Resignation of Seat reported, 87; Seat declared vacant, 87.			
Writ of Election certifying return of Member in room of, reported, 261.			
TIGHE, ATKINSON ALFRED PATRICK, ESQ. :—			
Writ certifying return of, as Member for Northumberland, 2; sworn as Member, 2.			
TITLES (See "REAL PROPERTY ACT.")			
TITLE :—			
IN BILL :—			
Amendment in (Small Debts Recovery Act-Amendment Bill), 238.			
TRAINING-SHIP (See "VERNON," "REFORMATORIES.")			
TRAINS (See "RAILWAY.")			
TREASON :—			
ALLEGED CONSPIRACY FOR PURPOSES OF, AND ASSASSINATION :—			
Select Committee appointed to inquire into and report upon, 57; Papers referred to, 71, 75, 94; <i>Special</i> Report brought up, 146; Report brought up, 194; Resolutions moved in reference to, and Amendment proposed, 244; Debate adjourned, and Standing and Sessional Orders suspended in reference to, 244; Debate resumed and continued, 250; concluded, and Amendment carried, 252.	1		769
TREASON FELONY ACT :—			
Despatch, &c., respecting, laid on Table, 2	1		523
Do. do. do. 94	1		525
TREASON FELONY ACT AMENDMENT BILL :—			
Motion made for leave to introduce, and leave granted, 216; Bill presented and read 1 <sup>o</sup> , 266.			
TREASURY, THE :—			
UNAUTHORIZED EXPENDITURE FROM :—			
Resolutions moved in reference to, 139.			

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.	PAPERS.
	VOL. PAGE.
<b>T</b>	
<b>TREASURY BILLS:—</b>	
Message No. 6 respecting, referred to Committee of Ways and Means, 231 .....	2 865
<b>TREASURY BILLS BILL:—</b>	
Message No. 6, from Governor, respecting, 231; Brought up (founded upon Resolutions of Ways and Means) and read 1 <sup>o</sup> , 368; Bill read 2 <sup>o</sup> , 368; Committed and reported without Amendment, 369; Standing Orders suspended in reference to, 375; Report adopted, 377; Bill read 3 <sup>o</sup> , passed, and sent to Legislative Council, 377; returned by Council without Amendment, 390.	2 865
<b>TRIALS AND COMMITTALS (See "ADMINISTRATION OF JUSTICE.")</b>	
<b>TRIENNIAL PARLIAMENTS BILL:—</b>	
Motion made for leave to bring in and leave granted, 58; Bill presented and read 1 <sup>o</sup> , 58; Motion made for second reading, and Debate postponed, 114; further postponed, 132; Bill negatived on motion for second reading, 161; Order of the Day and Bill discharged, 161.	
<b>TRUST (See "FINANCE"; also "ROAD.")</b>	
<b>TWEED RIVER (See "ELECTORAL.")</b>	
<b>U</b>	
<b>UNFORESEEN EXPENSES (See "FINANCE.")</b>	
<b>UNIFORM (See "EXECUTIVE COUNCIL.")</b>	
<b>UNITED FIRE AND LIFE INSURANCE COMPANY'S INCORPORATION ACT AMENDMENT BILL:—</b>	
Received from Legislative Council, and read 1 <sup>o</sup> , 256; read 2 <sup>o</sup> , committed, reported without Amendment, and Report adopted, 282; read 3 <sup>o</sup> , passed, and returned to Council without Amendment, 288; Assent reported, 356.	
<b>UNIVERSITY:—</b>	
<b>OF SYDNEY:—</b>	
Report for 1867, laid on Table, 2.....	3 751
<b>EXEMPTION OF, AND AFFILIATED COLLEGES, FROM MUNICIPAL TAXATION:—</b>	
Motion made for a Committee of the Whole to consider of an Address in reference to, 210; House in Committee, 238; no Report.	
<b>USHER:—</b>	
<b>OF BLACK ROD:—</b>	
Delivers Message from Governor, 2.	
<b>V</b>	
<b>VACANT (See "SEAT.")</b>	
<b>VACCINATION (See also "COMPULSORY VACCINATION BILL"):—</b>	
Report on, being for 1868, laid on Table, 312.....	2 135
<b>IMPERIAL ACT:—</b>	
Despatch, with copy of, laid on Table, 174.....	2 125
<b>"VERNON":—</b>	
Reports respecting Nautical School Ship, laid on Table, 2 .....	3 845
Regulations, dated 13 January, 1869, for do., laid on Table, 180 .....	3 853
<b>TRAINING SHIP:—</b>	
Select Committee appointed to inquire into and report upon the general management of, 114; authorized to make visits of inspection, with services of a Shorthand Writer, 329; Progress Report brought up, 391 .....	3 863
Motion made for a Return shewing cost of, fittings, &c., 139; laid on Table, 276	
<b>VICTUALLERS (See "SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.")</b>	
<b>VINES (See "GRAPE DISEASE," DISEASES IN GRAPE-VINES PREVENTION BILL"; also "GRAPE DISEASE (<i>Oidium Tuckeri</i>) PREVENTION BILL.")</b>	
<b>VISIT:—</b>	
<b>PROPOSED, OF H.R.H. THE DUKE OF EDINBURGH:—</b>	
Message (No. 7) respecting provision for the Expenses of, and referred to a Committee of the Whole, 266; House in Committee and Resolution reported, 272; Resolution agreed to, 276.	
<b>VOLUNTEER:—</b>	
Regulations, dated 4th June, 1868, laid on Table, 2 .....	2 69
<b>CERTIFICATES UNDER VOLUNTEER FORCE REGULATION ACT OF 1867:—</b>	
Motion made for a Return of all Volunteers entitled to, 218.	
<b>VOLUNTEERS:—</b>	
Statement of Payments during 1868, out of the Vote for, and Naval Brigade, laid on Table, 168 .....	2 71
<b>COST OF LUNCHEON PROVIDED FOR, IN 1861:—</b>	
Motion made for a copy of letters of application from John Sutherland, Esquire, Mayor of Sydney, for the excess of costs of, 218.	
<b>SNEIDER RIFLES FOR:—</b>	
Despatch in reference to the supply of, laid on Table, 231 .....	2 73
<b>VOTE:—</b>	
Of Chairman of Select Committee on Private Bill ( <i>Sessional Order</i> ), 59.	
<b>OF SPEAKER:—</b>	
Casting, 5, 161, (2).	
<b>OF CREDIT:—</b>	
Message (No. 4) from Governor respecting, referred to Committee of Supply, 154; House in Committee and Resolution reported and agreed to, 169.	
Message (No. 9) from Governor, do. do., 272; House in Committee, and Resolution reported and agreed to, 277.	
<b>VOTES:—</b>	
Entry of Questions and Answers on ( <i>Sessional Order</i> ), 59.	

VOTES AND PROCEEDINGS (REFERENCES TO)—VOL. I.		PAPERS.	
		VOL.	PAGE.
<b>W</b>			
<b>WALGETT :—</b>			
<b>PATROL DUTY OF POLICE :—</b>			
Motion made for a Return of, during the last two years, 329.			
<b>WALLIS CREEK :—</b>			
<b>ERECTION OF FLOODGATES AT :—</b>			
Motion made for a copy of the Petition of Messrs. Campbell, Windeyer, and Wisdom, against, 57; laid on Table, 112.....	3	1177	
<b>WAMBAH (See "CROWN LANDS"—MR. JOHN THOMAS NEILSON.)</b>			
<b>WARIALDA :—</b>			
<b>DISTRICT COURT AT :—</b>			
Petition from certain inhabitants of the Gwydir District, praying for the establishment of, 185; ordered to be printed, 195 .....	1	647	
<b>WARRANT (See "SPEAKER.")</b>			
<b>WARREGO DISDRICHT :—</b>			
<b>TENDERS FOR RUNS IN :—</b>			
Motion made for copies of Correspondence, Reports, Maps, &c., relative to, 376.			
<b>WATER :—</b>			
<b>STATE OF, IN GEORGE'S RIVER, AT LIVERPOOL :—</b>			
Reports (2) from Commission appointed to examine, laid on Table, 276.			
<b>WATER FRONTAGE (See "PYRMONT BAY"; also "BLUE'S POINT.")</b>			
<b>WATER SUPPLY (See "CROWN LANDS," "SUBURBAN WATER SUPPLY BILL," "GOLD FIELDS," "LIVERPOOL.")</b>			
<b>WATER RESERVE :—</b>			
<b>FOR TOWNSHIP OF RYDAL :—</b>			
Petition from certain freeholders and residents of the Township, complaining of the resumption of, by Government, for Railway and other purposes, 305; ordered to be printed, 305.....	3	1015	
<b>WATER :—</b>			
<b>AND SEWERAGE ACTS :—</b>			
Twelfth Annual Report of the Municipal Council of Sydney, laid on Table, 356 .....	3	461	
<b>WATER COMMISSION :—</b>			
<b>SYDNEY :—</b>			
Reports from, dated respectively 23 December, 1867, 24 December, 1867, 20 June, 1868, and 19 December, 1868, laid on Table, 112 .....	3	1167	
Fourth Progress Report from, laid on Table, 385 .....	3	1173	
<b>WAVERLEY :—</b>			
By-laws of the Borough of, laid on Table, 2 .....	3	325	
<b>WAYS AND MEANS :—</b>			
Days for Committee of, appointed, 58.			
Estimates of, laid on Table, 100 .....	2	835	
House in Committee of, 100, 148, 154, 169, 277, 368, 369.			
Amendment moved on motion for Committee of, and negatived, 147.			
Resolutions reported from, 154, 169, 277, 368, 369.			
Resolutions agreed to, 169 (2), 277, 368, 369.			
Order of the Day discharged, 378.			
<b>WEE WAA (See "ADMINISTRATION OF JUSTICE.")</b>			
<b>WELLINGTON :—</b>			
<b>ELECTORATE OF :—</b>			
Writ certifying Return of Member for, 35; Member sworn, 35.			
<b>WHARF, PUBLIC (See "BLUE'S POINT.")</b>			
<b>WILSON, MR. JOHN BOWIE (See "EXECUTIVE COUNCIL," "HONORABLE.")</b>			
<b>WINDERMERE :—</b>			
<b>FORD :—</b>			
Motion made for a copy of the Report on the proposed proclamation of, 57; laid on Table, 94.....	3	79	
<b>WITNESS (See "COUNCIL," "CLERK OF THE PARLIAMENTS.")</b>			
<b>WRIGHT, MR. RICHARD H. :—</b>			
<b>LATE TELEGRAPH LINE INSPECTOR :—</b>			
Petition from, complaining of certain charges made against him, and of his dismissal, without being heard in his defence and without inquiry, 194; ordered to be printed, 203 .....	3	1017	
<b>WRIGHT, MR. W. (See "REAL PROPERTY ACT.")</b>			
<b>WORKHOUSE ACT REPEAL BILL :—</b>			
Motion made for leave to bring in, and leave granted, 208; Bill presented and read 1 <sup>o</sup> , 208; read 2 <sup>o</sup> , 289; committed, reported without Amendment, and Report adopted, 290; read 3 <sup>o</sup> , 300; passed, and sent to Legislative Council, 301; returned by Council without Amendment, 375.			
<b>WRIT :—</b>			
<b>OF ELECTION :—</b>			
Issue of, reported by Speaker, 1 (4), 35 (8), 261.			
Return of, reported by Speaker, 2 (4), 35 (6), 63, 75, 261.			
<b>Y</b>			
<b>YOUNG, SIR JOHN :—</b>			
Despatch respecting departure of, from the Colony, laid on Table, 2 .....	1	521	
<b>YARALDOOL RUN (See "RICHARDS, MR. BENJAMIN.")</b>			

1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROAD THROUGH PURCHASED LAND OF MR. HENRY  
PRICE, AUCKLAND VILLAGE RESERVE.

(PETITION—HENRY PRICE.)

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

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

The humble Petition of Henry Price, of the Auckland Reserve, near Singleton,  
in the Colony of New South Wales, Farmer,—

MOST RESPECTFULLY SHEWETH :—

That in the year one thousand eight hundred and fifty-six, your Petitioner having saved some money by many years of labour, purchased from the Crown, at public auction, several allotments in the village reserve of Auckland, containing in the whole upwards of sixty acres of land.

That at the time of such sale, certain roads and streets were marked out on the plan of sale, by which your Petitioner bought running at right angles through the said allotments, and especially a road called the "Jerry's Plains Road."

That before such sale, one Samuel Billingsley Dight, a landed proprietor residing at Clifford—an estate somewhat further from Singleton than your Petitioner's residence—had been in the habit of making a short cut across the land then belonging to the Crown, but now to your Petitioner, and thus cutting off an angle from one part of the said "Jerry's Plains Road" to another part thereof.

That your Petitioner having bought all the allotments in the said village reserve between the said Jerry's Plains Road and the River Hunter, afterwards received from the Government a letter informing him that, as he had purchased the whole of the said allotments, he had the right, in pursuance of the Act 4th William 4th, No. 11, to close all the streets laid out on the said plan, not leading to any other places, and that such streets became his property; and your Petitioner fenced all the said land between the said Jerry's Plains Road and the river, and placed his cattle and horses therein to graze.

That after your Petitioner had been in possession of the said land for some time, the said Samuel Billingsley Dight attempted to force a road across the same, in the direction of the track he had formerly used for the purpose of cutting off the angle formed by the river—Jerry's Plains Road turning to the left, after passing through the land of your Petitioner; but the said Mr. Dight was then prevented by your Petitioner from committing such trespass, and he, Mr. Dight, then declared his intention of having a road there by some means.

That the said Jerry's Plains Road is in good order; and the distance which the said Samuel Billingsley Dight, or others, would save by going through the land of your Petitioner, instead of passing along the said Jerry's Plains Road, is not above ninety rods. That some time after the said Samuel Billingsley Dight had been so prevented from passing through the land of your Petitioner, a notice appeared in the *Government Gazette*, notifying that the Government had found it expedient to form a parish road through the land of your Petitioner, somewhat in the same line as the track formerly used by the said Samuel Billingsley Dight.

That your Petitioner caused certain objections to be lodged, as required by Act of Council 4th Wm. 4, No. 11, which objections, however, were all disallowed; and your Petitioner craves that your Honorable House will be pleased to refer to the said objections and the various other documents referred to in this his Petition, in the various public offices in which the same may be, and copies of some of which are forwarded herewith.

That your Petitioner, in accordance with another notice which appeared in the said *Government Gazette*, then caused a claim for compensation in respect of the land proposed to be taken from him for the formation of the said road, to be lodged in the proper office, which claim was also disallowed.

That the said road, as described and delineated on the plan thereof, is in fact a short cut across your Petitioner's land, for the convenience of the said Samuel Billingsley Dight and his family, and is not, as your Petitioner respectfully submits, a parish road within the meaning of the Act, and is not required for the use of the public. He cuts obliquely through several of the allotments bought by your Petitioner, as laid out at right angles with the several roads or streets set out on the said plan, and no such road as that now sought to be opened is shewn on the said plan; and your Petitioner humbly submits that, had several persons bought the said allotments as so laid out, and had the streets as shewn on the said plan been opened to the public, no such road would ever have been proclaimed; although, by a letter from the Surveyor General to your Petitioner, it is now sought to be shewn that the said road had been intended to be opened some years ago, but no correct description thereof was made; but even were this the case, your Petitioner craves leave to point out that all intention of forming such road was abandoned by the Government, when the village reserve of Auckland was laid out, and the allotments afterwards sold, and your Petitioner informed by the Surveyor General, as before mentioned, that he might close the said streets; and that the attempt to open such a road, whilst there is one in existence between the same points, is a breach of good faith on the part of the Government towards your Petitioner. And your Petitioner would humbly submit, that the Act never contemplated such a case as the present, but cases where large grants of land have been made either at a quit rent or by purchase, and where the necessities of the public require roads to be made.

That your Petitioner intended at one time to address a Petition to His Excellency the Governor-in-Chief, for redress of his grievances, and a Memorial to that effect was prepared, numerously signed, and ready for presentation; but a lingering hope that the Government might be persuaded to reconsider the matter and rescind their decision, induced your Petitioner to refrain from forwarding that document. A similar Petition, addressed to your Honorable House, and signed by upwards of seventy of the most respectable residents at Singleton and the adjacent district, engaged in constant traffic on the said Jerry's Plains Road, is however, forwarded herewith, and which your Petitioner humbly craves your Honorable House to refer to for corroboration of some of the statements herein contained.

That your Petitioner afterwards received a letter from the Lands Office, informing him that the sum of seventy-two pounds was at his disposal, for the purpose of fencing the road; but as the said sum was utterly insufficient to erect such a fence as that which your Petitioner had already erected on his said land, and as your Petitioner was advised and believed that the making of the said road was not in accordance with the spirit or words of the Act, and that your Petitioner, by addressing your Honorable House, or otherwise, would obtain redress, he refused to accept the said sum; and he thereupon received a notice that the road would be opened and his fence taken down; and accordingly, Mr. Licensed Surveyor Biden came with a party of men and, in spite of a protest in writing, and verbally, on behalf of your Petitioner, to cut down or pull down your Petitioner's fence in two places, and nearly the whole of your Petitioner's cattle and horses got out, some of which have not yet been recovered. Besides this, various persons, some of bad character, trespassed on various parts of your Petitioner's land and refused to leave, stating that there was a public road through the same.

That your Petitioner, however, some short time afterwards, obtained permission to re-erect his fence, until further communication had passed between the Government and his solicitors; and your Petitioner caused his solicitors to write to the Minister for Lands, proposing certain terms of compromise, without obtaining any satisfactory result.

That your Petitioner subsequently determined, by the advice of his solicitors, to lay a full statement of his case before your Honorable House, in the shape of a Petition, soliciting such redress as to your Honorable House should seem meet; and the necessary arrangements were made for that purpose; and your Petitioner received intimation from his solicitors, on 16th November, 1867, of their intention to forward the said Petition for presentation on the 18th of same month, but that intention was not carried out, delays unaccountable to your Petitioner took place, and eventually the Petition was withdrawn, in consequence of an official communication having been received from the Under Secretary for Lands, dated 19th December, 1867, stating—"I am directed to inform you that Mr. Secretary Wilson has approved of your application being granted."

That instead of carrying out the above promise to agree with your Petitioner's proposal to compromise the matter, shortly after the termination of the Parliamentary Session your Petitioner was subjected to a repetition of the annoyances of which he complains. On the 13th of April, 1868, a notice was served on your Petitioner, by Mr. W. D. Biden, licensed surveyor in charge of the district, announcing that, "at the expiration of one month from that date," the road through your Petitioner's land would be formally opened, and all the obstructions removed, which was carried out on the 12th May last.

Finding that, although the road was thus (nominally) "formally opened to the public, and all obstructions removed," no progress was made beyond the taking down of a certain fencing belonging to your Petitioner, the intervening fences of other landowners remaining undisturbed, your Petitioner considering he had just cause of complaint, felt himself justified in appealing to the Surveyor General, and making the following demand:—"That the line of road through Auckland to Merton, *via* Jerry's Plains, which, according to statements of the district surveyor, has been confirmed by notice in the *Government Gazette*, shall be really and effectually opened to the public without further delay, and all other obstructions besides those opposed by my fencing be equally removed."

That

That no notice has been taken of the remonstrances of your Petitioner, and tenders have been invited for fencing off the road in question, by Mr. Surveyor Biden, to whom the charge of carrying out the work has been entrusted.

That the opening of said road confers no benefit whatever upon your Petitioner, but on the contrary, will render a large portion of his land almost useless for grazing purposes, as it hinders his cattle from watering at the river, and injures him in various ways.

That your Petitioner begs to refer to a sketch of the said land, shewing the present Jerry's Plains Road and that sought to be opened, and also to refer to the several copies of documents and letters which have passed between himself, his solicitors, and the various officers of the Government, which are in his possession.

Your Petitioner, therefore, most humbly prays that your Honorable House will be pleased to take the matters herein referred into favourable consideration, and grant him such redress as the premises shall warrant.

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

his  
HENRY × PRICE,  
mark

Auckland, near Singleton.

I certify that the above is Henry Price's mark.

JOHN DAVIS,  
Queen-street, Paddington.





1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROAD THROUGH PURCHASED LAND OF MR. HENRY  
PRICE, AUCKLAND VILLAGE RESERVE.

(PETITION—CERTAIN RESIDENTS, SINGLETON AND JERRY'S PLAINS.)

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

To the Honorable the Speaker and the Honorable the Members of the Legislative  
Assembly of New South Wales, &c., &c.

The humble Petition of the undersigned Residents in the Districts of Singleton  
and Jerry's Plains,—

MOST RESPECTFULLY SHEWETH:—

That your Petitioners are in the habit of travelling the line of Road from  
Singleton to Jerry's Plains, at present proclaimed, and running through land belonging  
to Mr. Henry Price, at the Auckland Reserve.

That, in the humble opinion of your Petitioners, the road as at present used is a  
good road, and sufficient for all purposes of public use.

That your Petitioners also know the land purchased in allotments from the  
Government by the said Henry Price, and fenced in by him; and they have heard with  
surprise and regret that it is the intention of the Government to open a Parish Road  
leading out of the Jerry's Plains Road aforesaid, and running through the said allotments,  
and cutting several of them into triangular blocks.

That, in the humble opinion of your Petitioners, such intended road is not only  
unnecessary and undesirable, but the enforcing its opening will be a great act of injustice  
towards a hard-working man; and such intended road has not been applied for by any of  
your Petitioners, and will not be a parish road, but a road for the convenience of one or  
two families, who will save a few chains in length by cutting off a corner of the said  
Henry Price's land.

That your Petitioners have been credibly informed that the said Auckland Reserve,  
when laid out in allotments as shewn upon the Government plan of sale, had certain  
roads or streets cut through it for the convenience of purchasers; but no such road as  
that now sought to be opened was shewn upon such plan; although it is now said that  
such road is an old road, although never properly described; and your Petitioners  
crave leave to observe that, had such road been known, the said Auckland Reserve, which  
was intended as a village, would not have been so laid out.

That your Petitioners have also learned that, although the said Henry Price  
caused certain objections to be lodged against the opening of such road in due time,  
and further caused an application to be made to the proper officer for compensation for  
the land intended to be taken from him, the said objections have been disallowed, and  
compensation has been refused, on the ground that there is a reservation in the grants  
from the Crown to the said Henry Price, enabling Her Majesty to resume the said land,

or so much thereof as might be required for public purposes; and your Petitioners here would most respectfully submit that such road so intended to be made is not required for public purposes, but for private purposes and private convenience, and is in breach of good faith of the public sale so made and the plan so exhibited as aforesaid, as no person would have been likely to bid—or, at any rate, to give high prices—for allotments of land in a village reserve, with the knowledge that such a road was in existence or was ever likely to be made, unless, indeed, ample compensation were allowed to them for the injury they might sustain; for your Petitioners believe and submit that no benefit will be derived by the said Henry Price from such road being so enforced through his land.

That your Petitioners have been further informed, that it is the intention of the said Henry Price to petition your Honorable House with respect to some or all of the matters herein set forth.

Your Petitioners, therefore, most humbly pray that your Honorable House will be pleased to give this their Petition, and the Petition of the said Henry Price, your most favourable and attentive consideration, and that you will afford such relief as the nature and circumstances of this matter may seem to your Honorable House to require.

And your Petitioners will ever pray, &c., &c., &c.

*(Here follow 84 Signatures.)*

1868.

NEW SOUTH WALES.

ROAD TRUST ACCOUNTS.

(FOR THE HALF-YEAR ENDING 30 JUNE, 1868.)

Presented to Parliament in accordance with the provisions of the several Acts.

SCHEDULE.

NO.					PAGE.
1.	South Head Road	...	...	11 Vict., No. 49, clause 6	2
2.	Maitland	"	...	17 " 16, " 23	2
3.	Campbelltown	"	...	13 " 41, " 19	3
4.	Richmond	"	...	18 " 16, "	3
5.	Windsor	"	...	18 " 16, "	4
6.	Randwick and Coogee Road	...	...	18 " 14, " 22	4
7.	Parramatta	"	...	13 " 41, " 19	5

# ROAD TRUST ACCOUNTS.

## No. 1.

### SOUTH HEAD ROADS TRUST.

THE Commissioners of the South Head Roads Trust Account of Receipts and Disbursements, for the Half-year ending 30th June, 1868.

Dr.			Cr.		
RECEIPTS.			DISBURSEMENTS.		
1868.		£ s. d.	1868.		£ s. d.
June 30	To 6 months' rent of toll-gates to date	1,680 0 0	June 30	By Balance from last half-year	6,179 6 1
	" Government Grant	375 0 0		" Secretary's and Surveyor's salaries	50 0 0
	" Balance against the Commissioners, viz.:			" Miscellaneous expenditure:—	
	Mortgage debt due to Mrs. Dean	4,000 0 0		Duty Stamps on voucher	£ s. d.
	Overdraft at Bank	1,638 5 2		to Auditor General	0 10 7
		5,638 5 2		Tools	6 8 2
				A. Henderson, per E. J. Cory, damage to vehicle	4 10 6
				Sundries, being repairs to pump, and kerosene	1 3 0
				Mrs. Dean, interest on mortgage	200 0 0
				Herald and Empire account for advertising	3 3 9
				Goodlet and Smith, drain pipes, for junction of Elizabeth-st., and Old Road, and Glenmore Road	3 8 0
				Beaumont and Waller, repairs to Toll-house, Old Road	13 10 0
				Kenyon, Law Stationer, engrossing petition	0 15 6
				Cory, costs in Henderson's case	0 15 6
				Bank interest on overdraft	99 0 0
					333 5 0
				" Expenditure on undermentioned roads, viz.:	
				" Old South Head Road:—	
				Paid Mr. O'Brien for blue metal	300 0 0
				Wages, ballast, &c.	123 6 4½
					423 6 4½
				" New South Head Road:—	
				Paid Mr. O'Brien for blue metal	150 0 0
				Wages, ballast, &c.	421 10 6
					571 10 6
				Glenmore Road, wages, &c.	88 4 7
				Watson's Bay Road, wages, &c.	46 4 7½
				Darling Point Road, wages, &c.	1 8 0
					£ 7,693 5 2
		£ 7,693 5 2			

For the Commissioners of the South Head Roads Trust,—

T. W. SMART, Hon. Treasurer.  
GERARD PHILLIPS, Secretary.

## No. 2.

### MAITLAND ROAD TRUST.

ABSTRACT of Receipts and Expenditure of the Maitland District Council, during the Half-year ending 30th June, 1868.

Dr.			Cr.		
1868.		£ s. d.	1868.		£ s. d.
Jan. 1	To Balance on hand	91 1 7	June 30	By Salary—Secretary	31 8 0
June 30	" Receipts from Falls' Punt	106 5 0		" Bond for Secretary	1 1 0
	" " Hinton	105 8 10		" Repairs to punts, punt-houses, approaches, &c.	269 15 1
	" " Largs	24 13 0		" Loan to Oakvale Road	6 10 0
	" Proceeds, sale of sunken punt	3 10 0		" " Morpeth to Largs	3 0 0
	" " punt house	1 15 0		" Surveying Road, Morpeth to Largs	1 1 0
	" Repayment Loan, Oakvale Road	6 10 0		" Stationery, postage stamps, &c.	3 1 3
	" " Morpeth to Largs	3 0 0		" Advertising, and printing voting papers	15 17 4
	" Miscellaneous	7 2 3		" Commission on sale of punts	5 5 0
				" Poll Clerk at Election	2 2 0
				" Miscellaneous	9 9 3
				" Balance to credit	0 15 9
		£ 349 5 8			£ 349 5 8

STEPHEN SCHOLEY, Warden.  
THOMAS HUGHES, Secretary.

## No. 3.

## CAMPBELLTOWN ROAD TRUST.

The Commissioners of the Campbelltown Road Trust in Account Current, for the Half-year ending 30th June, 1868.

Dr.			Cr.		
DATE.	PARTICULARS OF SUMS RECEIVED.	AMOUNT.	DATE.	PARTICULARS OF SUMS EXPENDED.	AMOUNT.
1868.		£ s. d.	1868.		£ s. d.
June 30	To Balance from December, 1867 ...	14 15 0	Feb. 5	By sum paid for repairing barrows ...	0 10 6
	" Six months rent of Denham Court Toll Bar ...	36 0 0	April 4	" " Attorney's services ...	5 5 0
			May 2	" " Advertising lease of Toll Bar ...	0 16 0
			June 30	" " Repairing Road ...	5 17 6
			" 30	" " to Secretary, for six months services ...	15 0 0
			" 30	" " for postage stamps, 6s.; duty do., is. 6d. ...	0 7 6
			" 30	" " Paper and envelopes ...	0 4 6
			" 30	" " Sundries ...	0 11 3
			" 30	" Balance ...	22 2 9
		£ 50 15 0			£ 50 15 0

We certify to the correctness of the above Account,—

THOMAS CHIPPENDALL, }  
JOSEPH WARBY, } Commissioners.

Campbelltown, 11 July, 1868.

## No. 4.

Account of Receipts and Disbursements of the Commissioners of the Richmond Road Trust, for the Half-year ending 30th June, 1868.

Dr.			Cr.		
DATE.	PARTICULARS OF SUMS RECEIVED.	AMOUNT.	DATE.	PARTICULARS OF SUMS EXPENDED.	AMOUNT.
1868.		£ s. d.	1868.		£ s. d.
Jan. 1	To Balance on hand, 31st December, 1867...	264 6 11	Jan. 2	By paid Dixon and M'Pherson, further on account of new Bridge, Blacktown Road ...	150 0 0
" 11	" Rent of Blacktown Tolls for Dec. /67 ...	15 0 0	" 2	" " Hy. Pye, repairs to Blacktown Road ...	13 10 0
Feb. 14	" " " Jan. /68 ...	20 16 8	Feb. 5	" " P. Winter, on account of new Toll-houses ...	42 12 11
Mar. 20	" " " February ...	20 16 8	" 5	" " Hy. Pye, repairs to road—Richmond to Blacktown ...	4 4 0
April 30	" " " March ...	20 16 8	" 5	" " Dixon and M'Pherson, on account of new Bridge ...	50 0 0
May 22	" " " April ...	20 16 8	Mar. 4	" " Hy. Pye, repairs to Blacktown Road ...	12 17 0
June 23	" " " May ...	20 16 8	" 4	" " Do. do. ...	6 13 4
			April 1	" " Secretary, salary ...	7 10 0
			" 1	" " Do., postage stamps, &c. ...	0 5 0
			June 30	" " J. Johnston, inspecting new Toll-house ...	1 1 0
			" 30	" " Secretary, quarter's salary ...	7 10 0
			" 30	" " Do., postage stamps and stationery ...	0 5 0
			" 30	" Balance on hand ...	87 2 0
		£ 383 10 3			£ 383 10 3

EDWARD POWELL, }  
SLOPER COX, }  
JOSEPH ONUS, } Commissioners.

No. 5.

WINDSOR ROAD TRUST.

ACCOUNT of Receipts and Expenditure of the Commissioners of the Windsor Road Trust, for the Half-year ending 30th June, 1868.

Dr.			Cr.		
1868.		£ s. d.	1868.		£ s. d.
Jan. 1	To Balance on hand on 31 December, 1867...	0 0 8	Jan. 1	By paid S. White, advertising ...	1 1 11
Feb. 7	" Rent of Fitz Roy Bridge Toll, January /68	27 3 4	" 1	" " Charles Sheen, repairs Fitz Roy	
" 18	" Ditto, December /67, on account	12 10 0		Bridge ...	18 0 0
Mar. 19	" Ditto, February /68 (less allowance for		" 1	" " W. Rooke, bill sticking ...	0 5 0
	Flood) ...	20 0 0	Feb. 25	" " J. Crew, repairs to Bridge-street...	7 1 0
April 14	" Ditto, March /68...	27 3 4	" 26	" " D. Robertson, repairs to tools ...	1 6 10
May 13	" Ditto, April ...	27 3 4	Mar. 21	" " J. Crew, repairs to Windsor Road	8 2 8
June 10	" Ditto, May, on account ...	16 0 0	" 28	" " Same, ditto ...	5 11 0
"	" Ditto, December /67, balance ...	12 10 0	" 31	" " Secretary, quarter's salary ...	10 0 0
			" 31	" " Same, postages, &c. ...	0 5 0
			May 2	" " C. Phipps, repairs to Windsor Road	2 0 0
			" 15	" " J. Crew, ditto ...	7 0 0
			June 8	" " Same, ditto ...	4 8 0
			" 30	" " Jas. Atkinson, plan and specifica-	
				tion ...	2 10 0
				" " W. Rooke, bill sticking ...	0 5 0
				" " Secretary, quarter's salary ...	10 0 0
				" " Same, stamps and stationery ...	0 5 0
				Balance on hand ...	64 9 3
		£ 142 10 8			£ 142 10 8

RICHD. RIDGE, }  
W. J. CREW, } Commissioners.  
JOHN WOOD, }

No. 6.

RANDWICK AND COOGEE ROAD TRUST.

THE Commissioners of the Randwick and Coogee Road Trust in Account Current, for the Half-year ending 30th June, 1868.

Dr.			Cr.		
DATE.	PARTICULARS OF SUMS RECEIVED.	AMOUNT.	DATE.	PARTICULARS OF SUMS EXPENDED.	AMOUNT.
1868.		£ s. d.	1868.		£ s. d.
	To toll receipts ...	410 0 0		By balance due Joint Stock Bank, January,	
	" balance due Bank, overdrawn account ...	266 6 8		1868 ...	1 19 1
				" Wages, as per vouchers ...	269 8 10
				" Miscellaneous expenditure, do. ...	404 18 9
		£ 676 6 8			£ 676 6 8

We certify to the correctness of the above Account,—

HENRY CLARKE, }  
BUCHAN THOMSON, } Commissioners.  
J. B. HOLDSWORTH, }

Sydney, 28 July, 1868.

## ROAD TRUST ACCOUNTS.

5

No. 7.

## PARRAMATTA ROAD TRUST.

ABSTRACT of the Receipts and Expenditure of the Parramatta Road Trust, for the Half-year ending 30th June, 1868.

Dr.

Cr.

RECEIVED.			EXPENDED.		
	£	s. d.		£	s. d.
Six months' rental of toll-gate at Broken-back Bridge	129	10 0	Salaries :—		
			Clerk and Treasurer ...	18	15 0
			Miscellaneous :—		
			Stationery and advertising ...	1	17 0
			Purchase of tools, stores, &c. ...	4	12 6
			Repairs to tools ...	1	10 8
				8	0 2
Balance, 31 December, 1867 ...	454	12 8	Balance, 30 June, 1868...	557	7 6
	£	584 2 8		£	584 2 8

We certify the above Account to be correct,—

JAMES BYRNES,  
 ANDREW PAYTEN,  
 JOHN L. CASTRUE, } Commissioners.





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON THE

RANDWICK AND COOGEE ROADS TRANSFER BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
29 *January*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price, 9d.*]

204—A

1868-9.

## EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES, No. 23. FRIDAY, 15 JANUARY, 1869.

7. Randwick and Coogee Roads Transfer Bill :—Mr. Oatley moved, That this Bill “be” now read a second time.  
 Debate ensued.  
 Mr. Hart moved, That the Question be amended, by omitting all the words after the word “be,” with a view to inserting in their place the words “referred to a Select Committee for consideration and report.”  
 “(2.) That such Committee consist of Mr. Forster, Mr. Lord, Mr. Lucas, Mr. Neale, Mr. Oatley, Mr. Smart, Mr. R. Stewart, Mr. Sutherland, and the Mover.”  
 Debate continued.  
 Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
 Question,—That the words proposed to be inserted, in the place of the words omitted, be there inserted,—put and passed.  
 Whereupon Question,—  
 (1.) That this Bill be referred to a Select Committee for consideration and report,—  
 (2.) That such Committee consist of Mr. Forster, Mr. Lord, Mr. Lucas, Mr. Neale, Mr. Oatley, Mr. Smart, Mr. R. Stewart, Mr. Sutherland, and the Mover,—put and passed.

VOTES, No. 27. FRIDAY, 22 JANUARY, 1869.

4. Randwick and Coogee Roads Transfer Bill :—Mr. Hart, *with the concurrence of the House*, moved (without notice), That the Select Committee appointed by the Legislative Assembly, on 15th January, 1869, to consider and report upon the Randwick and Coogee Roads Transfer Bill, have power to send for persons and papers.  
 Question put and passed.

VOTES, No. 30. FRIDAY, 29 JANUARY, 1869.

10. Randwick and Coogee Roads Transfer 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 January, 1869.  
 Ordered to be printed.

### CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Report ... ..	3
Proceedings of the Committee ... ..	4
Schedule of Amendments ... ..	5
List of Witnesses ... ..	5
Minutes of Evidence ... ..	7

1868-9.

---

RANDWICK AND COOGEE ROADS TRANSFER BILL.

---

REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 15th January, 1869, the "*Bill to authorize the Commissioners of the Old Botany, Randwick, and Coogee Roads Trust to transfer certain Roads under their care to the Municipal Council of Sydney or of Randwick*"—"with power to send for persons and papers,"—beg leave to report to your Honorable House,—

That they have examined the witnesses named in the margin,\* and the Bill submitted to them; and, having made certain Amendments in the Bill† and in the Title,—beg to lay before your Honorable House the Bill so amended by them, with an amended Title.‡

\* Henry Clarke,  
Esq.  
Charles Moore,  
Esq., Mayor of  
Sydney.

† *Vide* Schedule  
of Amendments.

‡ *Vide* Schedule  
of Amendments.

JAMES HART,

Chairman.

No. 3 Committee Room,

Sydney, 29 January, 1869.

---

## PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 22 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Lucas,		Mr. Oatley,
Mr. R. Stewart,		Mr. Hart.

Mr. Hart called to the Chair.

Printed copies of the Bill *referred*, on the Table.

Committee deliberated as to their course of proceedings.

Chairman requested to move the House to give power to this Committee to send for persons and papers.

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

WEDNESDAY, 27 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. Forster,		Mr. Oatley,
Mr. R. Stewart.		

Committee deliberated.

Henry Clarke, Esq., (*Chairman of the Randwick and Coogee Road Trust*), called in and examined.

Witness withdrew.

Charles Moore, Esq., (*Mayor of Sydney*), called in and examined.

Witness withdrew.

Committee deliberated as to the necessity for taking any more evidence.

Bill considered.

Preamble postponed.

Clause 1 read and considered.

Amendment proposed (*Mr. Oatley*), to *insert* in line 20, after the words "transfer the," the words "power of making managing and upholding the,"—*agreed to*.

Further Amendment proposed (*Mr. R. Stewart*), to *omit* from lines 22 and 23, all the words from the word "Act" to the word "to" at the end of line 23,—*agreed to*.

Further Amendments proposed (*Mr. Oatley*), to *omit* "ing" from the word "providing" in line 24, and insert "ed" instead—and to *insert* the word "said" at the end of same line,—*agreed to*.

Further Amendments proposed (*Mr. R. Stewart*), to *omit* from line 25, the words "to whom such transfer shall be made"—also, to *omit* from line 27 the word "Municipal," and substitute the word "said"—also, to *omit* from line 28 the words "to whom such transfer shall have been made,"—*agreed to*.

Clause, as amended, *agreed to*.

Clause 2 read and considered.

Amendment proposed (*Mr. Forster*), to *omit* all the words after "1869" to end of clause,—*agreed to*.

Clause, as amended, *agreed to*.

Preamble read, and *agreed to* without amendment.

Title read and considered.

Amendments proposed (*Mr. R. Stewart*), to *omit* from line 2 the words "under their care"—and also, to *omit* from line 3 the words "Sydney or of"—*agreed to*.

Bill then *agreed to*, as amended in the body and in the title.

Reassembling of the Committee (to consider Report) to be arranged by Chairman.

[Adjourned.]

FRIDAY, 29 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. R. Stewart,		Mr. Oatley.
-----------------	--	-------------

Chairman submitted Report.

Same read and *agreed to*.

Chairman to report.

SCHEDULE

SCHEDULE OF AMENDMENTS.

- Title, line 2. *Omit* " under their care"  
Title, line 3. *Omit* " Sydney or of"  
Clause 1, line 20. *Before* " roads" *insert* " power of making managing and upholding the"  
" lines 22 and 23. *After* " Act" *omit* " to the Municipal Council of the City of Sydney or (should the said Municipal Council of Sydney refuse to accept such transfer)"  
" line 24. *Omit* " ing" from word " providing," and *insert* " ed" in lieu thereof.  
" line 24. *After* " the" at end of line, *insert* " said"  
" line 25. *After* " Council" *omit* " to whom such transfer shall be made"  
" line 27. *After* " the" at end of line, *omit* " municipal," and *insert* " said" in its place.  
" line 28. *After* " Council" *omit* " to whom such transfer shall have been made"  
Clause 2, lines 33 and 34. *After* " 1869" *omit* " and shall come into operation on"

LIST OF WITNESSES.

	PAGE.
Clarke, Henry, Esq. ....	7
Moore, Charles, Esq. ( <i>Mayor of Sydney</i> ) ....	10



1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

RANDWICK AND COOGEE ROADS TRANSFER BILL.

WEDNESDAY, 27 JANUARY, 1869.

Present:—

MR. HART,  
MR. FORSTER,

MR. OATLEY,  
MR. R. STEWART.

JAMES HART, Esq., IN THE CHAIR.

Henry Clarke, Esq., examined:—

1. *Chairman.*] You are Chairman of the Randwick and Coogee Road Trust? I am.
2. By whom is that Trust appointed? By the Governor and Executive Council, I presume.
3. Who are the members? Myself, the Mayor of Sydney, Messrs. S. H. Pearce, J. B. Holdsworth, Buchan Thomson; and Dr. Reid, of Coogee, has been lately appointed. The Mayor of Sydney is Commissioner only during his term of office.
4. That is by virtue of 31st Vic., No. 21? Yes; that is the Act passed in February of last year.
5. What are the duties of the Trust? The duties of the Trust are, to let the tolls annually, and to see to the proper expenditure of the money from the tolls—to receive the endowment from the Government. The endowment is very little—it is only £10 a mile.
6. *Mr. Forster.*] By endowment you mean the annual grant? The annual grant for Minor Roads.
7. *Chairman.*] Do you supervise the whole of the roads contained in the Schedule to 18th Vict., No. 14? Yes.
8. That is to say, the Old Botany Road, the Randwick and Coogee Road, and the Frenchman's Road? The Frenchman's Road we have the power to transfer, according to the last Act, and we want merely the same power for the Coogee Road, from Botany-street to Coogee.
9. What has been done under the Act passed last Session—what steps have been taken—what negotiations have been entered into? We have merely entered into a negotiation with the Waverley and Randwick Council, to transfer the Frenchman's Road, that is, the road from Randwick High Cross to Waverley; the Randwick Municipal Council have agreed to take their portion over, and to keep it in repair; and the Waverley Municipal Council have agreed to the same, and to give us £50 for toll-house, and the toll is to be abolished at Waverley on that portion of the road.
10. Then the Frenchman's Road would be maintained partly by Randwick and partly by Waverley? Yes, when completed. We merely wait the sanction of the Executive.
11. Has any debt been incurred by the Road Trust for the maintenance of these roads? Yes, a debt of £2,000—a mortgage on the whole of the tolls on the road.
12. Is that all you owe at present? There is, besides, an overdrawn account, for which the Mayor of Sydney and myself are responsible, of about £1,600.

H. Clarke,  
Esq.

27 Jan., 1869.

- H. Clarke, Esq.  
27 Jan., 1869.
13. What revenue is derived from the tolls established on the Old Botany Road? That is, the main road?
  14. Yes? This year it is let for about £800—£807 or £810—I am not sure of the precise sum.
  15. Has the amount increased or diminished from year to year? It increased over £100 from last year; that is, for the present year.
  16. Do you anticipate any further increase? If the roads were in good order, I anticipate a great increase.
  17. Is there not a new road now being constructed from Botany Road to Randwick Racecourse? Not that I am aware of.
  18. Botany-street? That is a portion of new road that is to be in lieu of the old road.
  19. Do you anticipate that, when that road is completed, there will be greater facilities for traffic? Yes, when the whole road is in good order, I believe there will be a largely increased traffic.
  20. Have you read the Bill that was brought in by Mr. Oatley, with reference to this trust? I have.
  21. Does that Bill meet with the sanction of the Road Trust Commissioners? The whole of them. It was passed at a full meeting called for that purpose, and passed unanimously.
  22. Do you consider it expedient to make further provision for the transfer of the Old Botany, Randwick, and Coogee Roads Trust from the Commissioners to the Municipality of Sydney? I do, or to the Municipality of Randwick; I should prefer the Municipality of Sydney.
  23. What are your reasons for arriving at that conclusion? Because the road runs through a great deal of the property of the Municipality of Sydney; and I think, if they had it in their hands, they would be much better able to make a good road than the present Commissioners—they would have greater means at command.
  24. Do you anticipate any difficulty in borrowing sufficient money to keep the roads in order? We have great difficulty; we have tried several times, but people do not care to lend, except at a high rate of interest. We have been asked 8 per cent., and even then we have not been able to succeed in getting more than the promise of £4,000.
  25. What amount would be necessary to put both of these roads in thorough repair? You do not mean the Waverley portion?
  26. The Old Botany, Randwick, and Coogee Roads? It would take a great deal more than we have the power to borrow at present. It would take between £2,000 and £3,000 yet.
  27. In the Act that passed last Session, there was a proviso inserted, limiting your power of borrowing money? That was in the old Act as well as in the new.
  28. Do you find that an inconvenience? It is an inconvenience so far that we cannot borrow enough.
  29. Could you offer sufficient security if you were allowed to borrow more? We have no security but the toll.
  30. The tolls produce £800 a year? Yes.
  31. What do you think a person would be safe in lending, assuming that the revenue would be the same from year to year? I should say they would be safe, after paying off all liabilities, in lending about £6,000. Our object was to borrow enough to pay off the existing liability—to borrow the amount required in one sum.
  32. Do you think it would be safe to borrow to the amount of ten years' income? At the present low rates of interest it might be safe, but if money becomes higher it might be a question.
  33. Will Moore Park produce any revenue, when completed, in the shape of grazing or otherwise? Not that I am aware of.
  34. Have you spoken to any of the inhabitants of Randwick or Coogee about this Bill? Yes.
  35. What do you gather is their opinion? The opinion of people generally is, that it would be better if it were in the possession of the Municipality of Sydney, or of the Municipality of Randwick. They would, they think—as I think myself—be able to borrow money at a lower rate of interest, and be able to make a better road.
  36. *Mr. Oatley.*] You are paying 8 per cent.? Yes; and I believe that either Municipality could borrow at 6 per cent. There are various institutions that cannot lend to Road Trusts, as for instance, the Savings' Bank, and the Mutual Provident Association; but they can lend to Municipal Councils.
  37. *Chairman.*] What state of repair is the Coogee Road in? Not a very good state. A good sum of money has been expended in cutting down a hill, and in making a slight deviation from the old road, which is proclaimed lately. When that is completed, it will be in pretty fair order. It is in front of Mr. Daintrey's, and runs through Mr. Nathan's property, which now belongs to Mr. Tait.
  38. *Mr. Oatley.*] The road you have been speaking of—the Old Botany Road—commences at the city boundary, and proceeds from that to the Coogee Bay? Yes.
  39. Is that in the Municipality of Randwick? Yes.
  40. Then I understand that the chief reason of seeking for this transfer is, to enable the parties to borrow the money required at a less rate of interest? Yes.
  41. I think it is six times the annual amount of your tolls you are at present limited to? Yes.
  42. Making about £5,000? Yes.
  43. If you had that, you would pay off the £2,000 borrowed, and you would then have £3,000 left to improve the road? I think our present debt is about £3,600.
  44. That is £1,600 borrowed since the other Bill was passed? Yes, and £2,000 previous mortgage.



45. You think, if this Bill were passed, and the parties were able to borrow at 5 per cent., the money so raised would put the road in a decent state of repair? I think about £6,000 would put it in a decent state of repair.

46. That would be an additional £1,000? Yes.

47. You say £800 is the toll on the present road? Yes; the other lets for £140.

48. That would enable you to borrow what you require? Yes, I think we could borrow on the rate of the last year's toll.

49. Do you not think it would be much better that the Municipality of Randwick, having a portion of these roads, should have the remainder; because the Municipality of Randwick would be able to borrow at the same rate as the Municipality of Sydney, and then they would have the sole management of the whole? The matter originated with the Randwick Municipality at first.

50. And they are quite willing to take it now, are they not? Yes; but when the Mayor of Sydney was made a member of the Trust, Mr. Pearce, as Mayor of Randwick, said he had no objection for the Municipality of Sydney to have it, and he would give way and give the first offer to Sydney.

51. Still, if the Municipal Council of Sydney refused to take it, the Municipal Council of Randwick were willing to take it? They were willing to take it in any way. They were willing to give Sydney the first offer. There has been no disunion in the matter.

52. There was a meeting of the whole of the Trustees called by circular? Yes.

53. At that meeting this Bill was submitted and approved of? Approved of unanimously. I believe if the Municipal Council of Sydney get it, they will be able to make a better road than the Municipal Council of Randwick.

54. I do not suppose it will add anything to their funds? I do not suppose it will; it might, as I believe the toll would bring in £1,200 a year or more.

55. The toll-house has been removed? Not yet.

56. They are now erecting it? Yes, the Municipality of Sydney is now erecting a new in lieu of the old one.

57. *Chairman.*] On the same road? On the same road; at the commencement of the Old Botany or Bunnerong Road. A good many people came over these hills at race-time and evaded the toll; it will catch them.

58. *Mr. Forster.*] Do not you think, as a matter of principle, it would be better to leave the road to be managed by the Municipality through which it passes? It would, certainly; the whole of it does pass through the Municipality of Randwick at the present time.

59. When you gave as a reason for preferring the Municipality of Sydney, that the persons who compose the Municipality of Sydney have a quantity of property in Randwick,—do not you think this property has such an influence on the Municipality in Randwick, as to produce nearly the same result in its effect upon the Council? No doubt, whoever has property in Randwick or Coogee will be anxious to have a road.

60. Practically, then, the effect will be much the same in either case? I do not see that it will make much difference: the members of the Municipality of Randwick have as much property as the members of the Municipality of Sydney.

61. There is a sort of identity of interest? I think so.

62. Practically, the result would be about as beneficial in one case as in the other? Yes, very little difference. I think, however, that the Municipality of Sydney would be able to make a better road—they have more means to do so. That is my impression. I have very little property in Randwick myself—my residence is on lease.

63. Of course, as the people of Sydney and the members of the Council have so much property in Randwick, their interest would be much the same; and they would, I suppose, be likely to assist as much as they would if they were directly armed with this authority? I think it would make very little difference.

64. *Chairman.*] Do you know what amount was spent upon the road last year? I could not say, without the books.

65. *Mr. Forster.*] Why are the Botany tolls proposed to be given up? They are not: it is proposed only to remove the toll-house, so as to catch those people who now at race-time evade the toll. The Municipal Council of Sydney have agreed to build the toll-house in lieu of the other.

66. *Mr. R. Stewart.*] In point of fact, Sydney possesses no property except the Common? And the Water Reserve.

67. Does their property involve any large amount of traffic on the road? A great deal of traffic; since they have commenced the Common, it has cut up our road a good deal.

68. They are forming a new road? At the expense of the tolls.

69. *Chairman.*] I understood that the new road was paid for out of money obtained from the sale of a portion of the Common? No, that was done by the Road Trust because the old road was in a bad state. As far as we have gone, we have made that road, but we do not intend to go any further.

70. *Mr. Forster.*] If you armed the Municipality of Sydney with too much power in this matter, might they not look after their own interest, in opposition to the interest of the people of Randwick? I think not; it is their interest to have a good road, as well as the interest of the Municipality of Randwick. One of the largest landholders and the Mayor of Randwick, Mr. Pearce, said he was willing to take the whole of the road with all its liabilities. He is also a member of our Trust.

71. *Mr. Stewart.*] Suppose this Bill were passed, would the Trustees have any choice as to whom it should be handed over to? No; in the first instance it would be offered to the Municipality of Sydney, and then to that of Randwick.

72. To the highest bidder? That is the resolution that was come to, and the Act says so.

H. Clarke,  
Esq.

27 Jan., 1869.

Charles Moore, Esq., examined:—

- C. Moore, Esq.  
27 Jan., 1869.
73. *Chairman.*] You are Mayor of the City of Sydney? Yes.
74. You are also a member of the Botany, Randwick, and Coogee Road Trust? Yes.
75. Under the Act passed last Session? Under the Act passed last Session.
76. Have you read the Bill introduced by Mr. Oatley to transfer certain roads to the Municipal Council of Sydney, or of Randwick? Yes.
77. Does that Bill meet with your approval? Yes.
78. Has it in any way been submitted to the Municipal Council of Sydney? This has not; a former Bill has been submitted.
79. That is the one transferring the Frenchman's Road? No.
80. A similar Bill has been submitted to the Council? No, it is not a similar Bill—it is a different one altogether.
81. *Mr. Oatley.*] The principle of the Bill was the same—to hand over the road to the Municipal Council of Sydney? Yes.
82. *Chairman.*] A new road is now being constructed from Botany-street towards the Randwick Racecourse? Yes.
83. At whose expense is that road being constructed? At the expense of the present Road Trust; it is in conjunction with the Sydney Common improvement—the Road Trust are making it. As far as the road has gone, it will be a shortening of the road, but no additional expense to them.
84. Has any portion of the money that has been derived from the sale of the Sydney Common been applied to the construction of the road through Moore Park? No, no portion of the road—the levelling has been; that is, the cutting down the hills, and filling in the hollows.
85. *Mr. Stewart.*] That is the purpose for which the Act was obtained? Yes, but not for making the road.
86. *Chairman.*] Is it not rather inequitable to ask the Randwick Road Trust to construct a road through Moore Park? Not at all; it is the proper course for it, and it is the better way.
87. Is Moore Park situated in the City of Sydney, or in the Municipality of Randwick? At present it is within the Randwick Municipality; but we have a Bill before the House to extend the boundaries of the City, so as to take in the Common and the Water Reserve. They should never have been beyond the boundaries of the City. The Municipal Council of Sydney have borrowed £10,000 for the improvement of the Common; and the Road Trust have agreed, in conjunction, to make this road for the benefit of both parties.
88. If that Bill should pass the House, would it not be proper to transfer that portion of the road to the City of Sydney, leaving the other portion to the Municipality of Randwick? How will you divide the tolls?
89. That is a question rather for your consideration than for mine. Is there any toll now on the Coogee Road? The toll now is the Coogee Toll-house, situated on the Common.
90. *Mr. Oatley.*] Commonly known as the Old Botany Road Toll-house? Yes.
91. *Chairman.*] There is but one toll-house from Botany-street down to the bay? Yes. We are now moving it nearer to the Racecourse, in order to have it more on the margin of the Common, so that the citizens may take a drive without paying toll; but if they want to go to Coogee, Randwick, or the Races, they must then pay toll.
92. Is it in contemplation of the Randwick Municipality, if this Bill passes, to erect a toll-house on the Randwick and Coogee Road? No.
93. What amount would be necessary to put these two roads in a thorough state of repair? I think it will take £6,000, including what has been expended already.
94. *Mr. Oatley.*] That will be about £4,400? No, £6,000 altogether. There is a mortgage of £2,000, and about £1,600 or £1,700 of an open account, which make £3,700, and it would take about £2,300 to complete it; in all about £6,000. The last Act gave us power to borrow £5,000; but the tolls this year have been let for considerably more than they have ever before, and they will increase every year, I have no doubt.
95. *Chairman.*] Do you find your power cramped by reason of the limitation of the former Act, as to borrowing? We cannot borrow the money.
96. Is it on account of the limitation, or on account of not being able to give security? I think, on account of there being a first mortgage on the tolls; no one will come in as a second mortgagee. That is my opinion.
97. Do you think it would be prudent to give the Trust, or the Municipalities, in case the roads are transferred to them, the power to borrow ten times the amount of the annual revenue? We should not want that power.
98. What amount would you require? The last Act, I think, gave us the power to borrow six times the amount of the revenue; eight times the present revenue would do it.
99. Could a Municipality offer better security than a Road Trust? Yes; the Municipality of Sydney have borrowed for the Common improvements at 5 per cent. I think that was the last, and the Road Trust cannot get it at 8; that on £6,000 would be about £150 a year—sufficient almost to keep the road in repair.
100. Will any revenue be derived from Moore Park after it is constructed? Yes, a large revenue.
101. In what way? From grazing.
102. Are you aware of any scheme by which the toll on the road could be altogether abolished in time? I should like to see it very much.

103. Are you aware of any plan by which that could be effected? I have not given it consideration. C. Moore, Esq.
104. If the road were put into a thorough state of repair, what would be the annual cost of its maintenance? I do not think it would cost more than from £200 to £300 a year. 27 Jan., 1869.
105. Supposing your powers were transferred to Randwick Municipality, could you ensure that the roads would be kept in repair or a sufficient amount of the income be spent upon them instead of being applied to other purposes? I will give my own opinion now. I think Randwick Municipality would be in the same fix as the Road Trust are in at present. They have a first mortgage at 8 per cent. on their rates for the erection of the Council Chamber, and I fear the same question would arise upon that as upon the first mortgage of the Road Trust.
106. Then it would be desirable to give the power of transfer to the Municipal Council of Sydney in the first instance? Yes, and if they do not take it the Randwick Municipality must do the best they can with it afterwards; then the improvements of levelling the Common, and so on, must be carried on in conjunction.
107. Can you state what has been done, in accordance with the Act of last Session, for transferring the Frenchman's Road to the Randwick and Waverley Municipalities? The arrangements are almost completed for the transfer of these two portions of the road, in accordance with the powers given in that Act.
108. Will these Municipalities take any portion of the debt? No portion of the debt.
109. Then you relieve them entirely from the debt, in consideration of their keeping the road in repair and abolishing one of the tolls? Abolishing one of the tolls; that portion of the road has always been a loss to the Trust.
110. What benefit does the Road Trust receive by reason of the transfer of the Frenchman's Road to the Municipalities mentioned? They get rid of an incubus; it is of no use to them at all, and the other people have no objection to take it.
111. You allude to the toll-bar? I allude to the toll-bar. The money that came from that never did pay for its maintenance, but if it is transferred to the Municipality they will then get the mileage.
112. *Mr. Oatley.* That is £10 a mile? Yes, I think for first class it is £10.
113. You said that a Bill similar to this was presented to the Municipal Council last year? Yes.
114. What was the fate of that—I declined, did I not, to have anything to do with it? It was brought before the Council, and Mr. Alderman Oatley made a sort of drawn game of it—it was half and half.
115. Was it not thrown out? It was not thrown out, but a sort of agreement was come to that the Mayor of Sydney was to be made one of the Trustees. If it had not been for Mr. Alderman Oatley it would not have been thrown over.
116. The Bill did not pass the Municipal Council? It was passed, but afterwards an additional Member came in and it was rescinded. The Council was fairly divided—it was eight to eight; that is, the Chairman was for it—there were seven on his side besides himself, and eight on the other.
117. There was a full Council, fifteen Aldermen and the Mayor? Yes.
118. There were eight of the Aldermen against it, and seven for it? It was withdrawn; it was not thrown out in consequence of disagreement—there would be objection, it was said, to the Mayor of Sydney being a member of the old Trust, and it was agreed to.
119. The Randwick people are quite willing to take it? The Randwick Council are quite willing to take it if we do not take it.
120. *Chairman.* I understood you to say that your purpose would not be effected by a transference to the Randwick Municipality, in consequence of that Municipality having mortgaged their revenue to some person or other? I fear they would not be in a position to take it, because they would be in the same situation as the Road Trust, having a first mortgage on their rates.
121. *Mr. Oatley.* If the Municipal Council of Randwick are in that position, are not the Municipal Council of Sydney also—is not the whole of their revenue mortgaged—have not debentures been issued to a very large amount? We can borrow at 5 per cent.
122. *Mr. Stewart.* In point of fact, the whole interest of this road is in the Randwick Municipality, as far as keeping it in repair is concerned? About five-eighths of this road passes through City property to the Racecourse.
123. Does that form five-eighths? Yes.
124. *Mr. Oatley.* When you say City property, is not this Common for general purposes? So is the Water Reserve.
125. Will you have the kindness to answer my question, Mr. Mayor—is it not for general purposes—is not the Common as much for the benefit of the people of Randwick, of Waverley, and of the general public, as for the benefit of the Municipality of Sydney? The Common belongs to the City of Sydney.
126. Has it not been granted as much for the general public as for the benefit of the people of Sydney? I deny that. The Common is the property of the City of Sydney.
127. Has there been any grant? It was granted in 1811.
128. Has there been any grant at all? They do not give any grants now; the Act of Parliament is enough. The great object is to have the road in the hands of one party. There would be nothing but squabbling if two municipalities had it. Give it to Sydney—if Sydney does not take it, let the other have it altogether.
129. *Mr. Stewart.* What objection would there be to the City keeping the road in repair up to the boundary? Not the slightest, but how will you divide the Trust.

- C. Moore, Esq.  
 27 Jan., 1869.
130. Unless you do away with tolls? I wish you would find some means of doing so. If you could do that, we would find some means to pay off one portion of it.
131. *Chairman.*] If the Bill you have spoken of, to extend the city boundary, passes, the Municipal Council of Sydney will be bound to keep the road in repair? No doubt.
132. Then the remainder of the road will be kept by the Municipality of Randwick? Yes.
133. The citizens of Randwick are assessed for that purpose? They are.
134. Would it not then be possible to abolish the toll? If you could abolish the toll I should be very happy: it costs me about £16 a year for tolls.
135. *Mr. Stewart.*] Are you aware that in England there is a strong feeling in that direction—to do away with tolls? Yes.
136. Is it not felt that, in many instances, the expense of collecting the tolls is almost as much as the amount collected? Yes.
137. *Mr. Oatley.*] You stated, just now, that a Bill was before the House for the extension of the boundaries of the City of Sydney—When was the Bill brought in? Notice was given.
138. By whom? By Mr. Windeyer.
139. It has not been brought up: notice has been given? He has given notice.
140. *Mr. Stewart.*] Would that Bill include "No Man's Land"? Yes, the Water Reserve and Sydney Common.

1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

RANDWICK AND COOGEE ROADS TRANSFER BILL.

(PETITION—COMMISSIONERS OF THE OLD BOTANY, RANDWICK, AND COOGEE ROADS TRUST.)

---

*Ordered by the Legislative Assembly to be Printed, 10 February, 1869.*

---

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

The humble Petition of the Commissioners of the Old Botany, Randwick, and  
Coogee Roads Trust,—

MOST RESPECTFULLY SHEWETH:—

That the Bill, as amended by the Select Committee, and now before your Honorable House, and cited as the “Randwick and Coogee Roads Transfer Bill,” does not meet the wishes of your Petitioners, and therefore humbly pray that the Bill may be restored to its original form.

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

[Here follow 6 Signatures.]

---



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## SUBORDINATE ROADS OF NEW SOUTH WALES.

(CLASSIFICATION AND PROPOSED DISTRIBUTION FOR 1869.)

*Ordered by the Legislative Assembly to be Printed, 3 February, 1869.*

## SCHEDULE OF SUBORDINATE ROADS UNDER THE DEPARTMENT OF LANDS.

Number.	Class.	Length in Miles.		Proposed Expenditure
<b>Sydney or Metropolitan Roads.</b>				
				£
1	2	7	Part of Road from Sydney to South Head (Upper South Head Road)...	175
2	2	5	Lower South Head Road ...	125
3	2	1	Road from Upper to Lower South Head Road (Point Piper Road) ...	25
4	2	1	" Upper to Lower South Head Road (Glenmore Road) ...	25
5	2	1	" Lower South Head Road to Darling Point ...	25
6	2	4	Sydney to Botany Bay (Mudbank Road) ...	100
7	4	2	" Mudbank Road to Botany Bay (Gardener's Road) ...	20
8	4	2	" Mudbank Road, at Williamson's, <i>via</i> Franksville, to Cook's River Road ...	20
9	2	3	" Mudbank Road to Banks' Meadow (Bunnerong Road) ...	75
10	4	2	" Banks' Meadow, <i>via</i> Lord's and Hancock's to the Bunnerong Road, near the Tannery ...	20
11	4	4	" Sydney to Coogee (Randwick Road) ...	40
12	4	3	" Randwick Road to Upper South Head Road at Waverley ...	30
13	4	6	" Randwick and Coogee Road to Banks' Meadow ...	60
14	2	5	" Sydney to south side of Cook's River Dam (Newtown Road) ...	125
15	4	3	" Undercliff Bridge to George's River Road ...	30
16	3	2	" Newtown Road, near the Church, to the Botany Road ...	30
17	3	3	" From Western Boundary of Newtown Municipality, along the Northern Boundary of Marrickville Municipality, to Canterbury (New Canterbury Road) ...	45
18	2	3	" Newtown Road, <i>via</i> Unwin's Bridge, to Undercliff Road ...	75
19	2	6	" Cook's River Dam to Rocky Point (Rocky Point Road) ...	150
20	2	8	" Rocky Point Road, near Dam, to George's River (Forest Road) ...	200
21	3	4	" Rocky Point Road to George's River, at Tom Ugly's Point (Koggerah Road) ...	60
22	5	2	" Rocky Point Road, near Cook's River Dam, to Muddy Creek ...	14
23	1	2	" Main Western Road to Glebe Island ...	100
24	2	2	" Main Western Road to Balmain Municipality (Balmain Road) ...	50
25	2	3	" Main Western Road to Canterbury ...	75
26	3	10	" Canterbury, <i>via</i> Salt Pan Creek, to George's River ...	150
27	3	1	" Main Western Road towards Hen and Chicken Bay ...	15
28	4	2	" Main Western Road to Railway Station at Haslem's Creek ...	20
29	5	3	" Irish Town to Haslem's Creek Railway Station ...	21
30	5	2	" Great North Road to Kangaroo Point ...	14
31	4	5	" Main Southern Road near Burwood, over Cook's River, into Parish of St. George ...	50
32	5	2	" Main Western Road to Government Wharf at Longbottom ...	14
33	5	2	" Longbottom to Breakfast Point ...	14
34	3	5	" Middle Harbour to Pittwater Road ...	75
35	3	16	" Manly Cove to Pitt Water ...	240
36	4	2	" Manly Cove to Balgowlah ...	20
37	2	13	" North Willoughby Municipality to Pennant Hills ...	325
38	2	1	" Hunter's Hill Municipality, to Road from Parramatta to Bedlam Ferry (Onion's Point Road) ...	25
				£ 2,677

## SUBORDINATE ROADS OF NEW SOUTH WALES.

Number.	Class	Length in Miles.		Proposed Expenditure
<b>Northern Roads.</b>				<b>£</b>
1	4	17	Road from Newcastle Municipality to Maitland ...	170
2	5	9	" Newcastle Municipality, <i>via</i> Wallsend, to Maitland and Gosford Road ...	63
3	5	17	" Stockton to Raymond Terrace ...	119
4	5	5	" Stockton and Raymond Terrace Road to Saltash ...	35
5	4	31	" Raymond Terrace to Stroud ...	310
6	5	73	" Stroud, <i>via</i> Gloucester, to Tinonee ...	511
7	3	7	" Tinonee to Cundle ...	105
8	5	5	" Cundle to Jones' Island ...	35
9	5	11	" Tinonee to Bohnock ...	77
10	4	6	" Tinonee to Wingham, south side of Manning River Road ...	60
11	5	2	" Tinonee and Bohnock Road to south channel of the Manning River (Redbank Road) ...	14
12	3	6	" Tinonee and Cundle Road, to Wingham ...	90
13	5	11	" Wingham to Wherrol Flat, Dingo Creek ...	77
14	5	16	" Wingham, on the left bank of the Manning River, to Black Flat ...	112
15	5	11	" Wingham and Wherrol Flat Road, up eastern branch of Dingo Creek, <i>via</i> Marlee Flat, to Bobin Flat ...	77
16	5	56	" Cundle to Port Macquarie ...	392
17	5	3	" Raymond Terrace and Stroud Road, to Raymond Terrace and Seaham Road (Miscal's Road) ...	21
18	5	6	" Raymond Terrace and Stroud Road to Raymond Terrace and Clarence Town Road (Caswell's Road) ...	42
19	5	4	" Raymond Terrace and Stroud Road, <i>via</i> the Duck Hole Swamp, towards the Parading Ground ...	28
20	4	19	" Raymond Terrace, by east side of Williams' River, to Clarence Town ...	190
21	3	8	" Raymond Terrace to Hinton ...	120
22	3	4	" Raymond Terrace and Hinton Road to Seaham ...	60
23	3	5	" Raymond Terrace, towards Maitland, to its junction with the Morpeth Road ...	75
24	3	5	" Junction of Morpeth Road with Raymond Terrace and Maitland Road to East Maitland ...	75
25	3	4	" Raymond Terrace and Maitland Road to Morpeth Municipality ...	60
26	5	6	" Raymond Terrace to Hexham ...	42
27	5	5	" Alwicks to Hexham ...	35
28	5	8	" Hexham to Fullerton Cove ...	56
29	2	4	" East Maitland Municipality to Oak Vale ...	100
30	3	14	" Oak Vale to the Broken Back Gap ...	210
31	2	28	" East Maitland, <i>via</i> Largs and Dunmore Bridge, to Paterson and Gresford ...	700
32	3	16	" Dunmore Bridge to Seaham and Clarence Town ...	240
33	1	6	" Clarence Town, towards Dungog, to south boundary of J. D. Walker's 1,280 acres ...	300
34	2	8	" South boundary of J. D. Walker's 1,280 acres to Dungog ...	200
35	4	17	" Gresford to Eccleston ...	170
36	4	12	" Gresford to Lowstock ...	120
37	3	9	" Largs, <i>via</i> Tocol, to Paterson ...	135
38	3	6	" West Maitland to Dunmore ...	90
39	4	3	" The north boundary of West Maitland Municipality up the right bank of Hunter's River ...	30
40	2	4	" Morpeth Municipality, <i>via</i> Hinton Punt, to Dunmore and Seaham Road ...	100
41	4	4	" Dunmore and Seaham Road, <i>via</i> Butterwick, to Dunn's Creek ...	40
42	2	3	" West Maitland, <i>via</i> Louth Park, to East Maitland and Brisbane Water Road ...	75
43	5	15	" West Maitland to Mulbring Creek ...	105
44	5	10	" Lochinvar, <i>via</i> Windermere, to Pritchett's 2,000 acres, and loop-line, to same place, <i>via</i> Kaloudah ...	70
45	5	7	" Deep Creek to Allandale Railway Station ...	49
46	3	5	" Morpeth Municipality to Four-mile Creek ...	75
47	4	2	" Morpeth Municipality to Largs ...	20
48	5	4	" Morpeth Punt, through Phoenix Park, to Largs ...	28
49	5	9	" Clarence Town to Half-way House, on Raymond Terrace and Stroud Road ...	63
50	5	8	" Clarence Town, <i>via</i> Glen William to Clarence Town and Dungog Road at south boundary of J. D. Walker's 1,280 acres ...	56
51	3	8	" Dungog to Chichester River ...	120
Carried forward ...				<b>£ 6,147</b>



## SUBORDINATE ROADS OF NEW SOUTH WALES.

3

Number.	Class.	Length in Miles.		Proposed Expenditure.
Northern Roads—continued.				£
			Brought forward ... ..	6,147
52	5	6	Road from Dungog to Fosterton ... ..	42
53	5	15	" Dungog to Stroud ... ..	105
54	5	13	" Dungog and Stroud Road to Monkerai ... ..	91
55	4	26	" The Broken Back Gap, <i>via</i> Wyee, to Wyong Creek... ..	260
56	3	13	" Wyong Creek to Gosford ... ..	195
57	5	8	" Gosford to Kincumber ... ..	56
58	5	10	" Wyong Creek to Bumble Hill... ..	70
59	5	10	" Bumble Hill to the Blood Tree ... ..	70
60	5	20	" Gosford to the Blood Tree ... ..	140
61	5	6	" The Blood Tree to Mangrove Creek at Pemberton's Hill ... ..	40
62	2	20	" Main Northern Road near West Maitland, <i>via</i> Cessnock, to the Dividing Range... ..	500
63	3	13	" The Dividing Range to Wollombi ... ..	195
64	5	4	" Town of Ellalong to Main Road from Maitland to Wollombi ... ..	28
65	5	11	" Wollombi Road to Congewai ... ..	77
66	5	29	" Wollombi to Warkworth ... ..	203
67	5	60	" Wollombi and Warkworth Road to Colo River (Bulga Road) ... ..	420
68	4	44	" Wollombi to Wiseman's Ferry... ..	440
69	5	11	" Wiseman's Ferry <i>via</i> Shepherd's Gully and Whalan's Punt, to St. Alban's ... ..	77
70	5	10	" St. Alban's through Wallambine Common ... ..	70
71	5	15	" St. Alban's up the M'Donald River to Melon Creek, and up that Creek ... ..	105
72	2	1	" Tomago Crossing-place to Railway Station at Hexham ... ..	25
73	2	1	" Waratah to Railway Station ... ..	25
74	4	7	" Main Northern Road, near Anvil Creek, to Glendon Brook ... ..	70
75	4	4	" Anvil Creek and Glendon Brook Road to Stanhope... ..	40
76	4	14	" Main Northern Road, near Black Creek, to Cessnock, on Wollombi Road ... ..	140
77	5	11	" Main Northern Road, near Black Creek, <i>via</i> Glendon, to Main Northern Road, near Singleton ... ..	77
78	3	12	" Main Northern Road, near Munnimba Brook, to Warkworth ... ..	180
79	5	11	" Wittingham Reserve to Broke, Wollombi Brook ... ..	77
80	5	5	" Singleton and Jerry's Plains Road to Warkworth ... ..	35
81	5	15	" Musclebrook to Merton ... ..	105
82	5	39	" Scone to Merriwa ... ..	273
83	5	8	" Scone to Page's River, at Gundy ... ..	56
84	5	8	" Box-tree Flat to Blandford ... ..	56
85	5	70	" Manilla, <i>via</i> Barraba, to Bingera ... ..	490
86	5	70	" Armidale Municipality to Inverell ... ..	490
87	5	55	" Main Northern Road, at Bendemeer, to Bundarra ... ..	385
88	4	30	" Bundarra to Inverell ... ..	300
89	4	40	" Glen Innes to Inverell ... ..	400
90	4	4	" Main North Road, at Uralla, to the Rocky River ... ..	40
91	5	25	" Frederickton to Macleay River Heads ... ..	175
92	5	4	" Kempsey to Frederickton ... ..	28
				£ 12,798
Western Roads.				
1	3	3	Road from Main Western Road to Parramatta River, at Bedlam Ferry... ..	45
2	2	2	" Left Bank of Long Cove to Parramatta River ... ..	50
3	2	6	" Parramatta to Ryde ... ..	150
4	2	2	" Pennant Hills, at Duggans' Corner, to Pennant Hills Wharf ... ..	50
5	2	1	" Great North Road at Ryde, to Parramatta River, at Ryde Wharf ... ..	25
6	3	1	" Bedlam Ferry to Gladesville ... ..	15
7	2	10	" the Western boundary of Hunter's Hill Municipality, at Gladesville, <i>via</i> Ryde and Pennant Hills, to Castle Hill, to the Road from Baulkham Hills to G. Acre's 1,500 acres at Dural ... ..	250
8	2	1	" Gladesville to Gladesville Wharf ... ..	25
9	3	2	" Ryde towards Field of Mars Common ... ..	30
10	3	3	" Main Western Road towards Parramatta River (Concord Road) ... ..	45
11	2	4	" Parramatta to Pennant Hills ... ..	100
Carried forward ... ..				£ 785

## SUBORDINATE ROADS OF NEW SOUTH WALES.

Number.	Class.	Length in Miles.		Proposed Expenditure.
Western Roads—continued.				
			Brought forward	£ 785
12	5	8	Road from Main Western Road, near St. Mary's, to Orphan School Road	56
13	5	8	Do. do. to Blacktown Road	56
14	5	12	Do. near Penrith, to Richmond	84
15	4	15	Do. do. to Bringelly Cross Roads	150
16	4	6	Bringelly Cross Roads to the Road from the Main Southern Road, to Cobbitty	60
17	4	11	Parramatta and Windsor Road, at Baulkham Hills, to south boundary of G. Acre's 1,500 acres at Dural	110
18	5	15	South boundary of G. Acre's 1,500 acres at Dural, to its junction with Pitt Town and Wiseman's Ferry Road (Great North Road)	105
19	4	3	Wiseman's Ferry Road into parish of North Colah	30
20	2	19	Parramatta to Windsor	475
21	2	5	Windsor Road to Pitt Town Punt	125
22	2	1	Windsor Road to Mulgrave Railway Station	25
23	4	4	Parramatta and Windsor Road through Pitt Town Bottoms	40
24	5	4	Broken Back Bridge to Pennant Hills	28
25	4	20	Pitt Town to Wiseman's Ferry	200
26	5	5	Pitt Town Punt to Churchill's Wharf	35
27	4	5	Windsor, <i>via</i> Wilberforce, to Pitt Town Punt and Churchill's Wharf Road	50
28	5	9	Enfield to Windsor Punt	63
29	4	1	Wilberforce to Pitt Town Punt and Churchill's Wharf Road	10
30	5	6	Wilberforce and Churchill's Wharf Road, <i>via</i> Page's Punt, to Pitt Town and Wiseman's Ferry Road	42
31	5	2	Churchill's Wharf and Page's Punt Road to Sackville Reach	14
32	5	8	Churchill's Wharf to Mouth of Colo River	56
33	3	5	Windsor to Richmond	75
34	3	6	Windsor to Cornwallis and Richmond Bottoms	90
35	3	2	Windsor to Blacktown Road	30
36	5	4	Blacktown Road, <i>via</i> Dight's Hill, towards Richmond Bridge	28
37	3	2	Richmond to New Bridge	30
38	4	9	Main Western Road, near Parramatta, through Domain, and by Old Windsor Road, to Windsor Road	90
39	3	19	Main Western Road, near Prospect, to Richmond (Blacktown Road)	285
40	5	6	Blacktown Road to Windsor Road	42
41	3	12	Penrith, <i>via</i> Castlereagh, to Richmond	180
42	4	10	Richmond Bridge to top of the Big Hill (Kurrajong)	100
43	5	40	The Big Hill (Kurrajong) to Main Western Road, near Bowenfell's (Bell's Line)	280
44	5	13	Bell's Line to Colo River (Comleroy Road)	91
45	5	3	Wood's Falls, to Road from Richmond Bridge to Kurrajong	21
46	5	10	Penrith <i>via</i> Regentville and Mulgoa, to Greendale	70
47	5	2	Penrith and Greendale Road, at Mulgoa Church, to the Penrith and Bringelly Road	14
48	4	10	Main Western Road, at Little Hartley, to Ganbenang Swamp	100
49	4	30	Main Western Road, at Magpie Hollow, near Bowenfells, <i>via</i> the Sod Walls and Mutton's Falls, to O'Connell Plains (Lockyer's Line)	300
50	4	5	Hartley to Blaxland's Swamp	50
51	2	4	Bowenfells to Blaxland's Swamp	100
52	5	7	Blaxland's Swamp to Antonio's Creek (part of Old Bathurst Road)	49
53	4	30	Hartley, <i>via</i> Glenroy and Bindo Flats, to Fish River Creek Bridge, near Oberon	300
54	3	10	Mudgee Road, near Middle River, to Main Western Road at Meadow Flat	150
55	5	14	Mudgee Road to Rylstone	98
56	5	40	Cudgegong Municipality to Cassilis	280
57	5	50	Mudgee and Cassilis Road to Merriwa and Cassilis Road	350
58	5	22	Cudgegong Municipality to Rylstone	154
59	4	21	Cudgegong Municipality to Hargraves	210
60	4	5	Cudgegong Municipality and Hargraves Road to Windeyer	50
61	2	28	Main Western Road, at Woodside, Brown's Hill, <i>via</i> the Limekilns, to Peel, and Sofala Road	700
			Carried forward	£ 6,926

## SUBORDINATE ROADS OF NEW SOUTH WALES.

5

Number.	Class.	Length in Miles.		Proposed Expenditure.
Western Roads—continued.				
			Brought forward	£ 6,926
62	3	8	Road from Bathurst to Peel	120
63	4	4	Peel to junction of Brown's Hill and Sofala Road	40
64	4	5	Coach and Horses, at Kelso, to its junction at Winburndale Creek with the Brown's Hill and Sofala Road	50
65	3	19	Peel to Sofala, <i>via</i> Wyagdon	285
66	5	9	Brown's Hill and Sofala Road, at Cheshire Creek, to Upper Turon	63
67	4	30	Sofala, <i>via</i> Piramul Hill and Dun Dun, to Hargraves	300
68	5	10	Tambaroora to Sofala and Hargraves Road, near Boiga	70
69	4	12	Tambaroora to Sofala and Hargraves Road, near Piramul Hill	120
70	5	4	Bathurst Road, at Kirkconnell, to Mitchell's Creek Quartz Reefs	28
71	5	40	Kelso to Tambaroora, <i>via</i> Kelloshiel and Lower Turon	280
72	5	22	Kelloshiel, <i>via</i> White's Crossing, to Little Forest	154
73	5	11	Bathurst and O'Connell Plains Road, <i>via</i> Dirty Swamp, to the Road from Mutton's Falls to O'Connell's Plains	77
74	5	2	Bathurst and Ophir Road, <i>via</i> Rankin's Bridge, to Kelloshiel	14
75	2	20	Bathurst to Caloola	500
76	4	16	Bathurst and Caloola Road to Rockley	160
77	5	8	Do. do. to Limekilns	56
78	2	32	Bathurst to Carcoar	800
79	4	34	Carcoar to Canowindra	340
80	2	31	Carcoar to Cowra	775
81	5	30	Carcoar to Orange	210
82	5	44	Cowra to Young	308
83	5	30	Cowra to Grenfell	210
84	4	13	Bathurst and Caloola Road to Tea-pot Swamp	130
85	4	30	Bathurst, by Gorman's Hill and Lagoon, to Campbell's River	300
86	4	29	Bathurst, <i>via</i> O'Connell's Plains, Eight-mile Swamp and Oberon, to Fish River Creek	290
87	5	11	Mutton's Falls to Fish River Creek Bridge, near Oberon	77
88	5	8	O'Connell Plains, <i>via</i> Alick's Swamp, to Wiseman's Creek	56
89	5	20	Oberon to Swatchfield	140
90	5	50	Orange to Nanima	350
91	5	16	Stony Creek to Burrendong	112
92	5	27	Stony Creek to Wellington	189
93	5	54	Wellington to Dubbo	378
				£ 13,908
Southern Roads.				
1	3	2	Road from Main Western Road, at Burwood, to Main Southern Road	30
2	3	6	Main Western Road, near Parramatta, to Main Southern Road (Dogtrap Road)	90
3	4	10	Main Western Road, near Parramatta, <i>via</i> Smithfield, towards Cabramatta	100
4	5	3	Main Southern Road, near Irish Town, to George's River Road	21
5	3	2	Smithfield to Fairfield Railway Station	30
6	4	6	Main Southern Road to Salt Pan Creek (Punchbowl Road)	60
7	5	15	Main Southern Road, near Lansdown Bridge, to Penrith and Bringelly Road (Orphan School Road)	105
8	5	3	Liverpool to Orphan School Road	21
9	4	10	Main Southern Road to Campbelltown	100
10	4	6	Campbelltown to Menangle	60
11	4	4	Menangle to Main South Road, at foot of Razorback	40
12	4	12	Menangle to Pictou	120
13	4	4	Main Southern Road at Camden to Road from Menangle to Main Southern Road	40
14	4	10	Main Southern Road, at Carne's Hill, towards Bringelly	100
15	5	3	Main Southern Road to Campbelltown Road, near Denham Court	21
16	5	7	Main Southern Road to Cobbitty	49
17	3	2	Main Southern Road at Narellan, through Orielton, to Liverpool and Cobbitty Road	30
Carried forward				£ 1,017

## SUBORDINATE ROADS OF NEW SOUTH WALES.

Number.	Class.	Length in Miles.	Southern Roads—continued.		Proposed Expenditure.
					£
			Brought forward	...	1,017
18	5	8	Road from Cobbitty to Matavai, Westwood, and Vermont	...	56
19	5	15	" Main South Road at Camden, towards Burragorang	...	105
20	5	3	" Main South Road at Cawdor, to Westbrook Bridge...	...	21
21	5	4	" Lefevre's to Brownlow Hill	...	28
22	3	5	" That portion of the Picton and Burragorang Road, <i>via</i> the Oaks, from Picton to the junction of the Mulgoa Road...	...	75
23	5	13	" That portion of the Picton and Burragorang Road, <i>via</i> the Oaks, from the junction of the Road to Mulgoa, to Burragorang	...	91
24	1	5	" Campbelltown to Main Southern Road, near Narellan	...	250
25	3	10	" Campbelltown to Appin	...	150
26	4	7	" Wollongong and Kiama Road, to Mount Keira, towards Appin	...	70
27	4	3	" Broughton's Pass to Wilton	...	30
28	5	9	" Broughton's Creek to Kangaroo Ground	...	63
29	2	5	" Appin and Mount Keira Road, <i>via</i> Douglass Park Railway Station, to Menangle Road	...	125
30	5	4	" Appin to Brooke's Point	...	28
31	1	5	" North Boundary of North Illawarra Municipality, <i>via</i> Bulli and Westmacot's Pass towards Appin, to the top of the Mountain	...	250
32	3	15	" Top of the Mountain, near Westmacot's Pass, to Appin	...	225
33	4	13	" Broughton Village to Bomaderry Ferry	...	130
34	5	90	" Nowra, <i>via</i> Tomerong and Ulladulla, to Bateman's Bay	...	630
35	5	7	" Tomerong to Jervis Bay, at South Huskisson	...	49
36	5	5	" Tomerong and Jervis Bay Road to North Huskisson	...	35
37	4	17	" Bateman's Bay to Moruya	...	170
38	3	16	" Moruya to Bodalla	...	240
39	4	2	" Nowra to west boundary of Numba Municipality	...	20
40	5	75	" Nowra, <i>via</i> Sassafras Range, Narriga, and Marlow, to Braidwood	...	525
41	5	12	" Nowra to Burriar	...	84
42	5	8	" Illaroo, <i>via</i> Brown's Mountain, to Bomaderry Ferry	...	56
43	5	8	" Main Southern Road, near Mittagong, to Loseby's Old Inn (Old Southern Road)	...	56
44	3	4	" Main Southern Road, at Fitz Roy Mines, <i>via</i> Bowral, to Old Southern Road, at Loseby's Old Inn	...	60
45	3	4	" Berrima to Moss Vale Station	...	60
46	5	25	" South Coast Road, near Dapto Post Office, to Old Southern Road, near Berrima	...	175
47	3	13	" Loseby's Old Inn, <i>via</i> Bong Bong and Sutton Forest, to Main Southern Road at Black Bob's Creek	...	195
48	5	2	" Old Southern Road at Mittagong to Main Southern Road at Nattai	...	14
49	3	11	" Moss Vale Railway Station to west boundary of Creighton's 200 acres	...	165
50	4	9	" West boundary of Creighton's 200 acres, <i>via</i> Yarrawa Brush, to Vidler's	...	90
51	5	18	" Village of Robertson towards Bowral	...	126
52	5	10	" Marulan to Bungonia	...	70
53	5	35	" Bungonia, <i>via</i> Windellama and Larbert, to Braidwood and Warri Road	...	245
54	5	30	" Goulburn to Taralga	...	210
55	4	17	" Goulburn to Bungonia	...	170
56	4	30	" Goulburn Municipality, <i>via</i> Clear Hills, to Laggan	...	300
57	5	35	" Laggan, <i>via</i> Tuena to the Abercrombie River	...	245
58	5	40	" Goulburn Municipality to Weeho	...	280
59	4	42	" Goulburn and Weeho Road to Binda	...	420
60	5	42	" Main Southern Road, near Yass, <i>via</i> Morumbateman, Ginindera, and Canberra, to Queanbeyan	...	294
61	5	12	" Weeho to Binda	...	84
62	4	12	" Tumut to Adelong	...	120
63	5	36	" Weeho to Burrowa	...	252
64	4	27	" Burrowa to Young	...	270
65	5	72	" Young <i>via</i> Weddin Police Station, Grenfell and Boga Boga-long, to Forbes	...	504
66	5	15	" Goulburn Municipality, <i>via</i> Mummell, to Pomeroy	...	105
			Carried forward	...	£ 9,033

SUBORDINATE ROADS OF NEW SOUTH WALES.

7

Number.	Class.	Length in Miles.		Proposed Expenditure.
Southern Roads—continued.				
			Brought forward	£ 9,033
67	5	37	Road from Main Southern Road, at Breadalbane Plain, <i>via</i> Collector, to Gundaroo	259
68	3	12	„ Bungendore, to Boro and Braidwood Road, near Doughboy Hill	180
69	5	17	„ Bungendore, <i>via</i> Molonglo to the Queanbeyan and Bungendore Road	119
70	5	23	„ Queanbeyan to Gundaroo	161
71	5	25	„ Bombala to Delegate	175
72	5	12	„ Merimbula to Jellat Jellat	84
73	4	10	„ Bega, <i>via</i> Jellat Jellat, to Tathra	100
74	4	25	„ Brogo, <i>via</i> Bega, to Wolumla	250
75	5	27	„ Araluen to Moruya	189
76	5	11	„ Braidwood and Moruya Road, <i>via</i> Kiora, to Moruya	77
77	5	4	„ Moruya to the Heads	28
78	5	8	„ Elrington to Araluen	56
79	4	9	„ Braidwood to Sergeant's Point (Little River)	90
80	4	8	„ Sergeant's Point (Little River) to Clyde Road	80
81	5	30	„ Main Southern Road, at Sharpening Stone Creek, to Boorowa	210
82	5	11	„ Tumut to Brungle	77
83	5	30	„ Main Southern Road, at Little Billabong, to Tumberumba...	210
84	5	6	„ Albury Municipality to Dight's Forest (Burrumbuttock Road)	42
				£ 11,420

SUMMARY OF PROPOSED DISTRIBUTION :—

	£
Sydney or Metropolitan Roads	2,677
Northern Roads	12,798
Western Roads	13,908
Southern Roads	11,420
TOTAL	£40,803

NOTE.—The amount per mile proposed to be expended on each class of Roads is as under :—

1st Class	£50 per mile.
2nd Class	25 „
3rd Class	15 „
4th Class	10 „
5th Class	7 „



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## SUBORDINATE ROADS OF NEW SOUTH WALES.

(CLASSIFICATION AND PROPOSED DISTRIBUTION FOR 1869.)

*Ordered by the Legislative Assembly to be Printed, 9 February, 1869.*

## SCHEDULE of Subordinate Roads under the Department of Public Works, Roads Branch.

Number.	Class.	Length in Miles.		Proposed Expenditure.
<b>Northern Roads.</b>				<b>£</b>
1	2	15	Muswellbrook to Merton ... ..	375
2	3	72	Singleton, <i>via</i> Jerry's Plains, to Merriwa ... ..	1,080
3	5	27	Merriwa to Cassilis ... ..	189
4	5	75	Cassilis to Coonabarabran ... ..	525
5	5	19	Main Northern Road, North of Wallabadah to Nundle, Hanging Rock, and Peel River Gold Fields ... ..	133
6	5	50	Main North Road, <i>via</i> Currabubula, to Tamworth ... ..	350
7	4	130	Willow Tree to Narrabri ... ..	1,300
8	4	25	Tamworth to Manila ... ..	250
9	4	60	Armidale to Glen Innes ... ..	600
10	4	135	Armidale to Grafton ... ..	1,350
11	4	130	Armidale, <i>via</i> Walcha, to Port Macquarie ... ..	1,300
12	5	60	Kempsey to Armidale and Grafton Road ... ..	420
13	3	35	Port Macquarie to Kempsey ... ..	525
14	2	116	Lawrence to Tenterfield ... ..	2,900
15	4	58	Glen Innes to Tenterfield ... ..	580
16	4	65	Grafton to Casino ... ..	650
17	4	17	Casino to Lismore ... ..	170
18	5	30	Lismore to Ballina ... ..	210
				12,907
<b>Western Roads.</b>				
19	1	2	Petersham to Glebe Island ... ..	100
20	1	32	Bathurst to Carcoar ... ..	1,600
21	5	35	Bathurst to Ophir ... ..	245
22	3	27	Bathurst to Sofala, <i>via</i> Peel and Wyagdon ... ..	405
23	5	16	Rockley to Caloola and Tuena Roads ... ..	112
24	5	29	Caloola to Tuena ... ..	203
25	5	12	Orange to Ophir ... ..	84
26	4	38	Orange to Stony Creek ... ..	380
27	4	63	Orange, <i>b<sup>y</sup></i> Boree, to Forbes ... ..	630
28	5	40	Molong to Obley ... ..	280
29	4	22	Molong to Stony Creek ... ..	220
30	2	30	Cowra to Grenfell ... ..	750
31	4	70	Cudgegong Municipality to Dubbo ... ..	700
				5,709

## SUBORDINATE ROADS OF NEW SOUTH WALES.

Number.	Class.	Length in Miles.		Proposed Expenditure.
<b>Southern Roads.</b>				<b>£</b>
32	1	60	Goulburn to Queanbeyan, <i>via</i> Tarago and Bungendore ... ..	3,000
33	1	56½	Marulan to Braidwood ... ..	2,825
34	3	36	Tarago to Braidwood ... ..	540
35	5	37	Goulburn and Braidwood Road, <i>via</i> Bangalore Gap, Lake George, to Bungendore ... ..	259
36	5	45	Gunning to Burrowa ... ..	315
37	3	67	Queanbeyan to Cooma ... ..	1,005
38	5	57	Cooma to Bombala ... ..	399
39	3	43	Cathcart, <i>via</i> Tantawangalo, to Merimbula ... ..	645
40	2	59	Bombala, <i>via</i> Wyndham and Panbula, to Eden and Merimbula... ..	1,475
41	2	6	Panbula to Wolumla ... ..	150
42	5	12	Eden to Sturt ... ..	84
43	2	15	Braidwood, <i>via</i> Dirty Butter Creek, to Araluen ... ..	375
44	4	12	Monga to Major's Creek, "Elrington" ... ..	120
45	4	4	Monga and Major's Creek Road, at Reidsdale, to Bell's River ... ..	40
46	5	80	Wagga Wagga to Young, <i>via</i> Cootamundry and Wallandoon ... ..	560
47	4	18	Wallandoon to Murrumburrah ... ..	180
48	3	47	Bowning to Young, <i>via</i> Binalong ... ..	705
49	2	20	Gundagai to Tumut ... ..	500
50	4	12	Tumut to Adelong ... ..	120
51	5	40	Gundagai to Wagga Wagga, "North side of River" ... ..	280
52	5	28	Middle Adelong to Tumberumba ... ..	196
53	2	9	Town of Adelong to Middle Adelong ... ..	225
54	3	15	Main Southern Road to Adelong ... ..	225
55	4	12	Downing's Inn, at Gilmore Creek, to Reily's Crossing at Adelong Creek ... ..	120
56	2	25	Main Southern Road, at Tarcutta, to Wagga Wagga ... ..	625
57	5	55	Wagga Wagga to Narandera ... ..	385
58	5	180	Wagga Wagga to Deniliquin ... ..	1,260
59	2	34	Albury Municipality to Corowa ... ..	850
60	5	77	Do. Wagga Wagga ... ..	539
61	5	50	Deniliquin to Moama ... ..	350
				£ 18,352
GRAND TOTAL ... ..				£ 36,968

NOTE.—The amount per mile proposed to be expended on each class of Roads is as follows:—1st class, £50; 2nd class, £25; 3rd class, £15; 4th class, £10; 5th class, £7.



1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN  
AND FIVE DOCK.

(CORRESPONDENCE, &c., RESPECTING OPENING OF.)

*Ordered by the Legislative Assembly to be Printed, 22 January, 1869.*

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 17 March, 1868, That there be laid upon the Table of this House,—

“ A Copy of the Correspondence having reference to the  
“ opening of the proposed Road to Gladesville *via* Balmain  
“ and Five Dock, together with a statement of the amount  
“ and particulars of public money expended in connection  
“ with the same road.”

(*Mr. Tunks.*)

SCHEDULE.

NO.	PAGE.
1. W. Bland, and others, to Secretary for Lands, for surveyor to mark line of road from Abattoir Road to Gladesville. 31 August, 1860	3
2. Surveyor General to Licensed Surveyor Langley, to survey. 2 October, 1860	3
3. Same to same. 6 December, 1860	3
4. Licensed Surveyor Langley to Surveyor General, transmitting plan. 20 December, 1860	3
5. Same to same, transmitting sketch and report. 4 February, 1861	5
6. Surveyor General to Under Secretary for Lands, report on Langley's survey. 26 March, 1861	5
7. Minute of the Executive Council. 28 May, 1861	6
8a. Under Secretary for Lands to Central Police Bench, Sydney. 7 June, 1861	6
8b. Notification in <i>Government Gazette</i> . 15 June, 1861	7
9. J. G. Lennon to Under Secretary for Lands, objecting to line, but making proposals for alteration. 24 June, 1861	7
10a. Under Secretary for Lands to Clerk of Executive Council. 25 June, 1861	7
10b. Clerk of Executive Council to Secretary for Lands, enclosing certain objections to road. 22 July, 1861	7
11. Surveyor Langley to Surveyor General, reporting on sites for bridges. 4 September, 1861	9
12. Surveyor General to Under Secretary for Lands. Report on objections. 18 November, 1861	9
13. Saml. Lyons to Secretary for Lands, to have road proclaimed. 30 April, 1863	10
14. Extract from Memorial of Field of Mars Commoners	10
15. Under Secretary for Lands to Memorialists. 30 September, 1863	10
16. Under Secretary for Lands to Secretary to Crown Law Officers. 7 October, 1863	11
17. J. Ryan Brennan to Surveyor General, to formally open road. 15 April, 1864	11
18. Surveyor General to Under Secretary for Lands, for return of papers. 26 April, 1864	11
19. Same to same, respecting the opening of the road. 28 May, 1864	11
20. Memorandum of Surveyor General on papers returned from Crown Solicitor. 16 June, 1864	12
21. W. Bland, and others, to Secretary for Lands, urging repair of road. 31 August, 1864	12
22. Surveyor General to Under Secretary for Lands. Report on road (enclosure). 1 September, 1864	12
23. E. Millett, and others, to Under Secretary for Lands, proposing trustees. 16 September, 1864	13
24. Crown Solicitor to Under Secretary for Lands, returning papers. 22 September, 1864	14
25. Surveyor Debenham to Surveyor General, proposing re-survey. 30 September, 1864	14
26. Under Secretary for Lands to E. Millett, and others, in reply to No. 23. 24 October, 1864	14
27. Surveyor Debenham to Surveyor General, forwarding plan of deviations. 4 November, 1864	15

NO.	PAGE.
28. Surveyor General to Under Secretary for Lands. Estimate of compensation. 8 November, 1864 ...	15
29. Indorsements on letter from W. Bland, and others, No. 21. 10 October, 1864 ...	16
30. Minute of Executive Council. 19 November, 1864 ...	16
31. Notification in <i>Government Gazette</i> . 1 December, 1864 ...	17
32a. Under Secretary for Lands to Principal Under Secretary, referring to above. 5 December, 1864 ...	17
32b. Same to Bench, Central Police Office. 5 December, 1864 ...	17
33. Daintrey & Chapman to Secretary for Lands, on part of Mr. Lyons. 19 December, 1864 ...	19
34. Under Secretary for Lands to W. Bland, and others, in reply to No. 21. 21 December, 1864 ...	19
35. H. Isler to Colonial Secretary, for allowance for fencing. 4 January, 1865 ...	19
36. H. Gaden to same, for compensation for land resumed. 5 January, 1865 ...	19
37. C. Abercrombie to same, do. do. 5 January, 1865 ...	20
38. A. Chape to same, do. do. 9 January, 1865 ...	20
39. Principal Under Secretary to Under Secretary for Lands, respecting claims Nos. 35, 36, 37, 38. 18 January, 1865 ...	20
40. Minute of Surveyor General on No. 33. 18 January, 1865 ...	20
41. Mr. Surveyor Debenham's estimate of land resumed for road. 20 January, 1865 ...	21
42. Report from Surveyor General on claims for compensation. 20 January, 1865 ...	21
43. Minutes of Under Secretary for Lands, and Minister's decision. 24 January, 1865 ...	21
44. Surveyor Rowland to Surveyor General, forwarding sections of approaches. 30 March, 1865 ...	22
45. C. Abercrombie to Secretary for Lands, relative to trustees of road. 4 April, 1865 ...	22
46. Surveyor General to Under Secretary for Lands. Report on Surveyor Rowland's letter. 9 April, 1865 ...	23
47. Arrangements in reference to appraisements ...	23
48. Surveyor General to J. V. Gorman, to proceed with appraisements. 14 August, 1865 ...	24
49. Same to Thacker, Daniell, & Co., in reply to enclosure with No. 10. 14 August, 1865 ...	24
50. Same to W. H. Gaden, do. do. do. do. ...	25
51. Same to Daintrey & Chapman, do. do. do. do. ...	25
52. Surveyor Armstrong to Surveyor General. Report on work by trustees. 2 October, 1865 ...	25
53. E. T. Blacket to Surveyor General, for instructions. 27 December, 1865 ...	25
54. Surveyor General to E. T. Blacket, in reply. 5 January, 1866 ...	26
55. E. T. Blacket to Surveyor General, transmitting awards. 14 February, 1866 ...	26
56. Surveyor General to J. V. Gorman, to hasten award. 17 February, 1866 ...	29
57. J. V. Gorman to Surveyor General, forwarding award. 22 February, 1866 ...	29
58. Surveyor General to Under Secretary for Lands. Schedule of awards. 12 March, 1866 ...	30
59. Geo. King to Surveyor General, respecting award for compensation. 14 March, 1866 ...	31
60. Minute Paper for the Executive Council. 26 March, 1866 ...	31
61. Under Secretary for Lands to Under Secretary for Finance and Trade, to pay compensation. 6 April, 1866 ...	31
62. Daniell, King, & Co., to Surveyor General, for payment of award. 7 April, 1866 ...	31
63. Under Secretary for Lands to Under Secretary for Finance and Trade. Isler, for fencing. 22 May, 1866 ...	32
64. J. G. Lennon to Under Secretary for Lands, offering land. 2 June, 1866 ...	32
65. Under Secretary for Lands to J. G. Lennon, in reply. 29 June, 1866 ...	33
66. Surveyor Huntley to Surveyor General, reporting formal opening of road. 15 August, 1866 ...	33
67. Notification in <i>Government Gazette</i> . 17 August, 1866 ...	33
68. Caird, Paterson, & Co., to Secretary for Lands, to shift line of road. 15 January, 1867 ...	33
69. Surveyor Huntley to Surveyor General. Report on above. 15 February, 1867 ...	34
70. Under Secretary for Lands to Caird, Paterson, & Co., in reply to No. 68. 4 March, 1867 ...	34
71. Caird, Paterson, & Co., to Secretary for Lands. 14 March, 1867 ...	34
72. Under Secretary for Lands to Trustees. 21 March, 1867 ...	34
73. Same to same. 13 July, 1867 ...	35
74. Surveyor Huntley to Under Secretary for Lands. 25 July, 1867 ...	35
75. Surveyor Knapp, Junr., to Surveyor General. 16 September, 1867 ...	35
76. Surveyor General to Under Secretary for Lands, recommending deviation be proclaimed. 17 October, 1867 ...	36
77. Under Secretary for Lands to Central Police Office Bench, with plans, &c. 14 November, 1867 ...	36
78. Notification in <i>Government Gazette</i> of deviation. 15 November, 1867 ...	36
79. Under Secretary for Lands to Clerk, Executive Council. 19 November, 1867 ...	37
80. Clerk, Executive Council, to Under Secretary for Lands (enclosing objections). 3 January, 1868 ...	37
81. Saml. Lyons to Secretary for Lands, claiming further compensation. 13 January, 1868 ...	37
82. Notification in <i>Government Gazette</i> , confirming deviation. 14 February, 1868 ...	38
83. Under Secretary for Lands to Under Colonial Secretary, drawing attention to Notice. 18 February, 1868 ...	38
84a. Surveyor General's indorsement on No. 81. 21 February, 1868 ...	38
84b. Under Secretary for Lands to Saml. Lyons, in reply to No. 81. 5 March, 1868 ...	39
85. Saml. Lyons to Secretary for Lands. 23 March, 1868 ...	39
86. Under Colonial Secretary to Under Secretary for Lands, referring to No. 83. 30 March, 1868 ...	39
87. Indorsement by Surveyor General on No. 85. 20 May, 1868 ...	39
88. Balmain Municipal Council to Secretary for Lands. (Resolution of Council.) 1 June, 1868 ...	39
89. Licensed Surveyor Huntley to Surveyor General. Report. 1 June, 1868 ...	40
90. Under Secretary for Lands to Saml. Lyons. 3 July, 1868 ...	40
91. Surveyor General to Licensed Surveyor Knapp. Road, formally open. 26 August, 1868 ...	41
92. Licensed Surveyor Knapp to Surveyor General, in reply. 3 September, 1868 ...	41
93. Same to same, applying for legal assistance. 8 September, 1868 ...	41
94. Crown Solicitor to Under Secretary for Lands. Attendance at Police Court. 11 September, 1868 ...	42

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

No. 1.

W. BLAND, Esq., AND OTHERS, to THE SECRETARY FOR LANDS.

Sydney, 31 August, 1860.

SIR,

We have the honor to request that you will appoint a surveyor to mark out a line of public road through a part of the Balmain Estate (or through land reputed to belong to that estate), from the New Abattoir Road on the west side of Glebe Island to Fig Tree Point on Long Cove Creek, where it is intended to have a bridge across to the Five Dock Estate; and further to survey and mark out a line for a public road through lands on the Five Dock Estate, belonging to some of the undersigned, to a point near the Five Dock Heads on the Parramatta River, from which point it is intended to erect a bridge across to Tarban as soon as Legislative enactment can be obtained.

We have, &c.,

W. BLAND.

D. N. JOUBERT.

F. W. PERRY.

WALTER BEAMES.

CHARLES ABERCROMBIE.

SAMUEL LYONS.

W. WRIGHT, J.P.,

(By authority, CHARLES ABERCROMBIE.)

W. H. GADEN, J.P.

Surveyor General.—M.F.—B.C., 13 September.

No. 2.

THE SURVEYOR GENERAL to MR. LICENSED SURVEYOR LANGLEY.

Surveyor General's Office,

Sydney, 2 October, 1860.

SIR,

In submitting for your perusal an extract from a letter which has been received from Messrs. Bland, C. Abercrombie, and others, I have to request that you will be good enough to make a survey of the best line of road from Glebe Island to the point at which it is proposed to cross Long Cove, interfering as little as is compatible with the selection of the best line with the design for subdivision of the Balmain Estate.

2. For the performance of this duty, you will be allowed to make a charge of three guineas for field work and two guineas for office work, conditionally that the time consumed does not exceed three days in the field and two days in the office.

3. You will be good enough to draw your plan in accordance with the enclosed directions, and furnish a book of reference on the accompanying form.

I have, &c.,

A. G. McLEAN, S.G.

No. 3.

THE SURVEYOR GENERAL to MR. LICENSED SURVEYOR LANGLEY.

Surveyor General's Office,

Sydney, 6 December, 1860.

SIR,

With reference to my letter of the 2nd October last, whereby you were instructed to mark out the best line of road from Glebe Island to the point at which it is proposed to cross Long Cove, I have to request that you will be good enough to inform me when you anticipate completing the survey.

I have, &c.,

A. G. McLEAN, S.G.

No. 4.

MR. LICENSED SURVEYOR LANGLEY to THE SURVEYOR GENERAL.

Sydney, 20 December, 1860.

SIR,

I have the honor to transmit a Plan\* of road leading from Glebe Island, \* Appendix. through the Balmain Estate, over Long Cove, through Five Dock Estate, across the Parramatta River, thence through the Lunatic Asylum Reserve, to meet the Great North Road opposite Gladesville, in accordance with your instructions received in October last. I also enclose † Book of Reference, together with my account of expenses for survey, plan, sections, &c.

I have, &c.,

CHAS. E. LANGLEY, L.S.

† NOTE.—Book of Reference cancelled, 5 Dec., 1864.

[Enclosure

## [Enclosure 1 in No. 4.]

BOOK of Reference of Road from the Abattoir Road near the Glebe Island to the Great North Road opposite Gladesville, to be opened as a Parish Road, under the Act of Council 4 William IV., No. 11.

No.	Portion of Road.	Reputed Owner.	Occupier.	Character of Land.	Bearings.	Length in Chains.	Enclosures.	Character and State of Preservation of Fencing.	Cultivation.	Breadth of Road.	Area.	Remarks.
1	Balmain Estate—from East Abattoir Road to south-east side of Long Cove.	Trustees of Gilchrist.	Unoccupied ...	Principally rocky ...	North-westerly	chs. lks. 74 71	Fenced ...	.....	None .....	1 chain ...	a. r. p. 7 1 34	
1a	Crossing that Cove to its north-west side.	.....	.....	Long Cove .....	do							
2	Birkenhead—from the north-west side of Long Cove to the south side of a road 33 feet wide, called Lyons' Road.	Charles Abercrombie.	C. Abercrombie Esq.	Good agricultural land	W. 42° 30' N.	40 40	Fenced ...	.....	None .....	1 chain ...	4 0 6	
3	Crossing Lyons' Road .....	.....	.....	.....	W. 42° 30' N.	0 50						
4	South Hythe—from the north side of Lyons' Road to south side of the Parramatta River	Samuel Lyons, Esq.	Unoccupied ...	Portion of this is tolerably good land; but remainder to Parramatta River is rocky.	Westerly	65 90	Fenced ...	.....	None .....	1 chain ...	5 1 0	For 25 chs. 13 lks. there is a road between Lyons' property and Wright's of 33 feet wide, which is deducted.
5	Crossing that river.....	.....	.....	River.								
6	Parish of Hunter's Hill—from north side of the Parramatta River to the south-east side of Isler's fence.	Crown .....	Unoccupied ...	Rocky, but mixed with good land.	Westerly	65 33	Fenced ...	.....	None .....	1 chain ...	6 2 0	
7	Parish of Hunter's Hill—from the south-east boundary of Isler's fence to the Great North Road.	Isler .....	Isler .....	Good cultivation land.	do. ...	7 60	Fenced ...	.....	None .....	1 chain		

NOTE 1.—Each number will represent one block of property through which the road may pass, whether of the Crown, of an individual, or devoted to the public as a reserve or road.

„ 2.—Each portion of road will be within the property to which the No. applies, and should be described, as “from the south boundary of John Smith's 600 acres to the boundary line between that land and Thomas Jones' 50 acres.”—“From the last-mentioned boundary to, &c., &c.”

„ 3.—The name of the reputed owner may be filled in from information obtained on the spot; or, failing such information, with the name of the grantee from the Crown.

NOTE 4.—The name of the occupier, should there be one, can of course be ascertained on the spot.

„ 5.—The bearings should be stated from the nearest cardinal point, as “E. 10° N.”; but where they are numerous, and shown in a table on the plan; the general bearing need only be stated as “north-easterly.”

„ 6.—In the column of remarks may be introduced any information which cannot conveniently be inserted in any of the other columns; such as the dedication of the portion of the road to the public, in the subdivision of surrounding land; the reputed free use of road by the public for any specific period, &c.

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK. 5

[Enclosure 2 in No. 4.]

4 February 1861.

The Surveyor General,  
To Chas. E. Langley.

To tracing out a line of road leading from the Abattoirs (Glebe Island) to Bedlam Ferry, passing through the Balmain and Garryowen Estates, across Long Cove, through Bourke Town and the Five Dock Estate, to Bedlam Ferry, and across the Parramatta River, taking sections, breadth of river, &c., 3 days ...	£9 9 0
To plotting sections and making tracing showing the proposed road, also showing the road already surveyed, making out report, &c., 3 days ...	6 6 0
	<u>£15 15 0</u>

## No. 5.

MR. LICENSED SURVEYOR LANGLEY to THE SURVEYOR GENERAL.

Sydney, 4 February, 1861.

SIR,

I have the honor to transmit herewith, for your information, a sketch and report upon a line of road leading from the Abattoirs (Glebe Island) to meet the Great North Road at Bedlam Ferry.

I have, &amp;c.

CHARLES E. LANGLEY, L.S.

[Enclosure in No. 5.]

Mr. Licensed Surveyor Langley's Report.

REPORT upon a line of road, leading from the Abattoirs at Glebe Island, through the Balmain and Garryowen Estates, across Long Cove, through Bourke Town and the Five Dock Estate, to the Great North Road leading to Bedlam Ferry, across Bedlam Ferry in continuation of the said road:—

After having inspected this line of road, and taken sections of the two crossings as shown upon the tracing as sent herewith, I find a great many difficulties which render this line of road more difficult of construction than the one previously surveyed and laid out by me and edged green on the said tracing. The portion of the road in the Balmain and Garryowen Estates would be very expensive, in consequence of the great declivity and the many gullies to pass.

The crossing over Long Cove to Bourke Town is eight chains longer than the crossing from the Balmain Estate to the Sisters Rocks—the depth of water is about the same.

The ascent through Bourke Town is very great, and the only portion which is available is Thompson Street, it being only 50 feet wide; the township being laid out in small allotments, and a great portion of them sold, there would be a difficulty in making the road the proper width, in consequence of parties requiring compensation.

After leaving Bourke Town, the road would pass through several blocks of land belonging to Dr. Bland, Murray, and Abercrombie. From the diagonal way in which it severs these blocks, I am afraid the proprietors would require large compensation. The remaining portion of the road will have to pass through narrow roads varying from 16-24 and 33 feet wide, and very tortuous in its course. The greater portion of the land adjoining these roads are all divided into small allotments of 20 feet frontage and upwards, fenced in and improved as gardens, &c., thus rendering it very difficult in making the road of the proper width.

The Parramatta River at Bedlam Ferry will have to be crossed by a suspension bridge, as the bottom is very irregular as shown by the section on the accompanying sketch.

The difference in distance of the two roads is more than  $\frac{1}{2}$  of a mile; and the road edged green, already surveyed, would be several thousand pounds less expensive than the other. The enclosed tracing is taken from Reuss & Brown's Plan, which, I am sorry to say, is not very accurate, but, I trust, will answer the purpose required.

I have, &amp;c.,

CHARLES E. LANGLEY, L.S.,

Sydney, 4 February, 1861.

The Surveyor General.

## No. 6.

THE SURVEYOR GENERAL'S REPORT ON FOREGOING.

THE accompanying is a Plan, with a Book of Reference, of a road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, which has been laid out in compliance with the within petition, signed by W. Bland, S. Lyons, W. Wright, and others. It is intended as the way of access to the proposed bridge across the Parramatta River, for the erection of which, with one across Long Cove, and the construction of the road, certain of the commoners of the Field of Mars Common desire, as stated in the petition referred to me on the 20th ultimo, to surrender their commonage rights, with a view to the Government, under Legislative enactment, selling the Common land and erecting the bridge with the proceeds. The line of road proposed is, as will be seen from the plan, a most direct one to the old Great North Road near the Lunatic Asylum and the district in which the majority of the commoners reside, and the distance from the Market Wharf to the Old North Road would be only 5 miles. A line to meet the Old Great North Road on the south side of the river, and across the river at Bedlam Ferry where the river is somewhat narrower, has been examined; but it is considerably longer, and inequalities of the ground, as well as existence of improvements with which it would interfere, form obstacles to its adoption—while the river is very much deeper, which would form either an obstacle to, or a source of vastly increased expense in, the erection of a bridge on piers or piles.

See Return in  
reference to Field  
of Mars Com-  
mon. Printed  
29 Oct., 1861.

Notwithstanding

## 6 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

Notwithstanding these considerations, I am not in a position to say that the termination of this road is the best site for a bridge; and I think that it would be premature to proclaim the road in the present uncertainty, not only on this point but on that of the erection of a bridge or bridges at all, were it not—

- 1st—That Government may proclaim the road without in any way pledging themselves to the erection of bridges in the construction of the road.
- 2nd—That all the proprietors through whose land it passes, with the exception of the representatives of the Balmain Estate, have petitioned for its opening, on the ground that it is intended to erect a bridge across to Tarban, “as soon as Legislative enactment can be obtained,” thus without seeking any pledge at the hands of the Government.
- 3rd—That the Balmain Estate is now being alienated rapidly, by a design in which this road or any direct road westerly is not provided for; and that when the lands so being sold come to be occupied and improved, it would become impossible without a special Act to carry so good a line as this is across the estate.
- 4th—That by proclamation of now existing roads, in lieu or under the new Land Bill, it will be practicable to practically rescind the opening of this road should it not be required.

The proclamation of this road then would be only a preliminary or provisional step, and as such I would recommend its early adoption.

A. G. M'LEAN.

Surveyor General's Office,  
Sydney, 26 March, 1861.

The Under Secretary for Lands.

Approved.—JOHN R., 9 May.

Clerk of the Executive Council.—M.F.—B.C., 10 May, 1861.

## No. 7.

### MINUTE OF THE EXECUTIVE COUNCIL.

Minute 6-21, 14 May, 1861.—Confirmed, 28 May, 1861.

THE Executive Council advise that the intended formation, as a parish road, of the proposed line of road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, be notified in the manner prescribed by the Act 4 Will. IV., No. 11.

EDWARD C. MEREWETHER,  
Clerk of the Council.

Approved—J.Y.  
23 May, 1861.

Forwarded to the Acting Surveyor General, in order that a copy of the Plan and Book of Reference may be lodged with the nearest Bench.—M.F.—B. Cover, 31 May, 1861.

Copies of the Plan and Book of Reference have been sent to the Central Police Office.—A. G. M'LEAN.—B.C., 7 June, 1861.

## No. 8a.

THE UNDER SECRETARY FOR LANDS to THE BENCH OF MAGISTRATES, CENTRAL POLICE OFFICE, SYDNEY.

Department of Lands,  
Sydney, 7 June, 1861.

GENTLEMEN,

I have the honor to forward, for deposit in the Police Office, Sydney, for public inspection and information, copies of a Plan and Book of Reference of a road which is about to be opened as a parish road, under the Act of Council 4th William IV., No. 11, from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, the receipt of which documents you will be good enough to acknowledge.

I have, &c.,  
MICHL. FITZPATRICK.

No. 8b.

## No. 8b.

NOTIFICATION IN *Government Gazette*.Department of Lands,  
Sydney, 15 June, 1861.

HIS Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make a parish road (to be maintained at the expense of the parishes through which it passes), from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, running through the lands granted to, or now occupied by, the Trustees of — Gilchrist, Messrs. Chas. Abercrombie, S. Lyons, and — Isler: Notice is hereby given, that in conformity with the provisions of the Act of the Governor and Council, 4th Will. IV., No. 11, a Plan and Book of Reference, showing the intended line of the road above named are now deposited at the Office of the Surveyor General in Sydney, and at the Central Police Office in Sydney; and all persons interested therein are requested to transmit in writing to the Clerk of the Executive Council, within one month from this date, any well-grounded objections which may exist to the formation of the Road in question.

By His Excellency's Command,  
JOHN ROBERTSON.

## No. 9.

J. G. LENNON, Esq., to THE UNDER SECRETARY FOR LANDS.

The Treasury,  
Sydney, 24 June, 1861.

SIR,

With reference to an advertisement in the *Government Gazette* dated 15th instant, relative to a Parish Road running through the lands of Mr. C. Abercrombie and others, I beg leave to inform you that, as a holder of land situate at Five Dock, I do object to the present line as laid down on plan now exhibited at the Survey Office, for this reason,—that if the road was carried along the fence which separates my land from that of C. Abercrombie, I would give one half the area gratis; or, in the event of Mr. Abercrombie objecting, I would be willing to give the whole area. And further, the road would be in my opinion more direct and the space of the intended bridge of less dimensions.

I need hardly point out that if this line be adopted, the expense would be materially less.

I have, &c.,  
JOHN G. LENNON.

Acting Surveyor General.—M.F.—B.C., 27 June.

## No. 10a.

THE UNDER SECRETARY FOR LANDS to THE CLERK OF THE EXECUTIVE COUNCIL.

Department of Lands,  
Sydney, 25 June, 1861.

SIR,

In drawing your attention to the notice in the *Government Gazette* of the 15th instant, respecting the intended formation of a parish road from the Abattoir Road near Glebe Island to the Great North Road near Gladesville, I am directed to request that you will have the goodness, at the end of one month from the date thereof, to inform me whether any objections have been received by you in respect of the said road, in pursuance of the notice alluded to.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 10b.

THE CLERK OF THE EXECUTIVE COUNCIL to THE SECRETARY FOR LANDS.

Executive Council Office,  
22 July, 1861.

SIR,

In compliance with the request contained in Mr. Under Secretary Fitzpatrick's letter of the 25th ultimo, I have the honor to forward three letters which have been received by me, containing objections to the proposed new line of road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville.

One

44  
8 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

One of these—that from Mr. Isaac Shepherd—though bearing the date of the 12th July, did not reach me until this morning, which is after the period within which it should have been lodged.

I have, &c.,

EDWARD C. MEREWETHER,  
Clerk of the Council.

Acting Surveyor General.—M.F.—B.C., 31 July, 1861.

[Enclosures in No. 106.]

The Agents for the Trustees of the Balmain Estate to The Clerk of the Executive Council.

Sydney, 3 July, 1861.

Sir,

Referring to the advertisement in the *Government Gazette*, dated 15 June, notifying that His Excellency the Governor, with the advice of the Executive Council, had deemed it expedient to make a parish road from the Abattoir Road near Glebe Island to the Great North Road, running through the land granted to, and occupied by, the Trustees of the late Dr. Gilchrist, and calling upon persons interested to transmit, in writing, within one month from that date, any well-grounded objection which may exist to the formation of the road in question,—we beg to submit the following:—

1. That the Balmain Estate has been surveyed at considerable expense to the Trustees of the late Dr. Gilchrist, and divided into allotments, some of which have been sold, and others are still unsold.
2. That the contemplated line of road, running through numbers of these allotments, will involve the necessity of a re-survey of all that portion of the estate, and a considerable amount of expense in consequence.

The Trustees would therefore require to be compensated, not only for the quantity of land which will be taken up by making this road, but also for the unavoidable expenses to which they will be put.

We are, &c.,

THACKER, DANIELL, & CO.

The Agents for the Trustees of the Balmain Estate to The Clerk of the Executive Council.

*Balmain Estate.*

Sydney, 4 July, 1861.

Sir,

With enclosures  
from Executive  
Council Office.

Referring to our letter of yesterday, on the subject of the contemplated road about to be proclaimed, we have now to inform you that we have received a surveyor's report thereon, by which we observe that the quantity of land which will be abstracted by this road is 7 acres, more or less, worth, according to the result of the last auction sales, £700, and that the expense of re-survey and making new plans is £50.

We therefore claim £750 compensation for the unsold portion of the land which will be taken away, and for the expenses the Trustees will be put to.

We have, &c.,

THACKER, DANIELL, & CO.

Forwarded to the Colonial Secretary, to whom it ought to have been addressed in the first instance.—E.C.M.—4 July, 1861.

For the Secretary for Lands.—C.C.—B.C., 9 July.

Acting Surveyor General.—M.F.—B.C., 12 July.

Mr. Henry Isler to The Clerk of the Executive Council.

Gladesville, 10 July, 1861.

Sir,

On observing in the *Government Gazette* of the 15th June, 1861, the proclamation for forming a road from the Abattoirs, Glebe Island, to Gladesville, joining the Great Northern Road,—I, Henry Isler, object to the formation of a road passing through my land, which is cleared and fenced in, which leaves only a small corner on one side. On the other hand, I am willing, if paid for my land, and the road fenced off.

I am, &c.,

HENRY ISLER.

Isaac Shepherd, Esq., to The Clerk of the Executive Council.

Ryde, 12 July, 1861.

Sir,

I have to request that you will lay before the Honorable the Executive Council my objections to proclaiming as a Parish Road, the line laid down and described by Mr. Langley as crossing from the Abattoirs over Iron Cove, continuing in a line to the Parramatta River and crossing at Five Dock, and meeting the great North Road on the north-west side of the Asylum.

1. That the present proposed road is impracticable, there being no means of crossing either Iron Cove or the Parramatta River.
2. That the present line of road, crossing by the Bedlam Ferry, is perfectly practicable, and the crossing place more central and attended with less expense than would attend the crossing of two rivers.
3. That the site of the proposed bridge is falsely described. It is represented as crossing the Parramatta River opposite Gladesville, whereas it is a very considerable distance from that place on the Sydney side, and not at the most desirable crossing-place.

I have, &c.,

ISAAC SHEPHERD.

This is dated the 12th July, but was not received in the Executive Council Office until the 22nd; see envelope herewith.—E.C.M., July 22/61.



## No. 11

MR. SURVEYOR LANGLEY to THE SURVEYOR GENERAL.

Sydney, 4 September, 1861.

SIR,

In pursuance with your instructions, I have inspected the site for the proposed bridge across Iron Cove from Balmain to Five Dock at the Sisters' Rocks, also the road leading therefrom through the Five Dock Estate to Lyons' Road,—and requesting to be informed whether a better or more advantageous position for carrying out the works above mentioned might not be procured further up the cove, somewhere about the termination of the eastern boundary of Mr. Lennon's property, and along that boundary northward to Lyons' Road aforesaid.

In answer, I beg leave to inform you that the Sisters Rock is decidedly the most eligible site for the proposed bridge. It possesses many advantages, both in direction and shortness, as it would cross the cove at right angles, and the rocks projecting a very considerable distance into the water would form an excellent foundation for the abutments, embankments, &c. To cross the cove higher up near Mr. Lennon's boundary would increase the length of the bridge at least 200 feet, besides giving it a diagonal direction. To carry the road along Mr. Lennon's property would not be so favourable as the road already laid out, as to gradients, &c., it would also cause two sharp turnings, besides increasing the length in this short distance by nearly 100 yards.

Taking everything into consideration, I am of opinion that the position laid out has every advantage in its favour.

I have, &amp;c.,

CHAS. E. LANGLEY, L.S.

## No. 12.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

The three objections enclosed, are—(1st) that of Mr. King, as representative of the owner of the Balmain Estate; (2nd) that of Mr. Lennon, as owner of land on the west side of Long Cove; and (3rd) by Mr. Isler, a proprietor near the Lunatic Asylum.

I shall report on these objections on the assumption that the Legislature will determine on the sale of the Field of Mars Common, and the construction of the bridges and roads as proposed; as, should this not be the case, the proposal for opening the road will of course fall to the ground.

The first objection is less an objection than a claim for compensation. There is not in the grant of the Balmain Estate any general reservation for ways; and though there is *another reservation* it is specific in character, and has already been acted on, and therefore I am of opinion that the claim to compensation would be tenable under the Act. The claim made is for the value of the land and the cost of resurvey of the allotments affected by the new road. The latter is, I think, a fair and reasonable claim, and one which might be recognized by the Government. The former should not in my opinion, be conceded, for the following reasons:—

1st. The new road will occupy little if any more land than the roads previously designed, and which may, on the readjustment of allotments, be set aside to a great extent.

2nd. Should the bridges be constructed by Government, and the road opened, the traffic resulting through the Balmain Estate will, doubtless, tend materially to enhance the value of the estate; and although other land will no doubt, be brought by the bridges into competition with that estate, the balance of advantage will, I believe, be so much in favour of the estate, as to fully compensate for any additional area of land which may be taken up by the new road. The proper time to bring forward such a claim for compensation is after the confirmation of the road; and its legal settlement is by arbitration, but it may be more convenient to arrange with the agent, should he be disposed to accept the terms recommended, than to refer the matter to arbitration. I would therefore advise, that these terms be communicated to Mr. King, but that in any case, so far as his objection forms an impediment, the confirmation and opening of the road should proceed.

The second objection is by a proprietor whose land does not touch the proposed road, and who desires that the road should be diverted to pass along his boundary, and alleges that such a line would be more direct and less expensive. The report of Mr. Langley who surveyed the road, and has since re-examined this portion and the plan of the road, shows that the deviation would make the road longer, would cause two rectangular bends in the line which as proposed is straight, and would make the gradients less easy. Mr. Lennon's desire is of course to obtain a frontage for his property to the road; and although, other things being equal, it would be desirable to carry the road along his boundary as is the practice in such cases, I cannot recommend that the proposed deviation should be adopted.

The third objection is like the first—a claim for compensation rather than an objection. The claim to have the road fenced where it passes through enclosed land is fair, and the expense would be very trifling. The claim for the value of the land may be left to arbitration under the Act, after the confirmation; and, so far as the objection goes, the road may be confirmed.

A. G. M'LEAN.

Surveyor General's Office—B.C., 18 November, 1861.

The Legislature not having determined its course in the matter, the case must stand over.—JOHN R., 2 Dec.

10 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

## No. 13.

SAMUEL LYONS, Esq., to THE SECRETARY FOR LANDS.

Lyons' Buildings,  
30 April, 1863.

SIR,

A number of gentlemen residing on the Parramatta River, and others interested in that district, have requested me to write to your Department, and to beg that immediate steps may be taken to have the line of road *viâ* Pyrmont, Glebe Island, Five Dock, to Hunter's Hill, as surveyed by Mr. Langley, proclaimed forthwith, in order that they may take steps to have this new line of road cleared and fenced.

I have, &c.,  
SAMUEL LYONS.

The Surveyor General.—M.F.—B.C., 8 May, 1863.

The road has been already proclaimed, and its confirmation, without either bridges or ferries, might be involving the Government in the construction of them, and which might not be desirable.—(For the Surveyor General.)—P. F. ADAMS, 16 June.

Consultation, with Memorial presented yesterday.—J.R., 17 July.

## No. 14.

## EXTRACT FROM MEMORIAL OF FIELD OF MARS COMMONERS.

\* \* \* \* \*

"That your petitioners verily believe that the best interests and the future advancement of the said district, as also of the country around and far beyond it, would be greatly promoted by the formation of roads and the construction of bridges over the Parramatta River at Five Dock, and across Iron Cove, so as to obtain more direct communication than at present exists between the lands on the northern side of the Parramatta River and the City of Sydney."

"That your petitioners are entitled to the use and benefit of the said Common as aforesaid, and are anxious and willing (as indeed they believe are others whose names are not subscribed hereto, but who are similarly entitled to your petitioners) to relinquish the commonage rights now enjoyed by them under the said grant, whatever they may be; provided that the lands comprised in the said grant are resumed by the Crown, and that roads are made, and bridges over the Parramatta River at Five Dock and across Iron Cove, at some convenient place, are constructed, so as to obtain that which does not at this time exist, namely, a direct line of communication between the lands on the northern side of the Parramatta River and the City of Sydney, *viâ* Balmain, Glebe Island, and Pyrmont."

\* \* \* \* \*

JOHN BLAXLAND, J.P.,  
E. DARVALL,  
T. C. MAKINSON,  
G. DE MILHAU,  
E. G. ELLIS,  
W. W. BILLYARD,  
And others.

## No. 15.

THE UNDER SECRETARY FOR LANDS to THE ABOVE MEMORIALISTS.

Department of Lands,  
Sydney, 30 September, 1863.

GENTLEMEN,

Referring to your petition in favour of the resumption of the Field of Mars Common, and the construction of bridges over the Parramatta River at Five Dock and across Iron Cove, with a view to obtain a direct line of communication between the lands on the northern side of the Parramatta River and Sydney, *viâ* Balmain, Glebe Island, and Pyrmont, I am directed to inform you that the Secretary for Lands will introduce a Bill in Parliament providing for the sale of the Common, and for providing the payment of an equal amount to that thus realized from the General Revenue, for the purpose of carrying out your wishes as far as that amount of money thus raised will do so.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 16.

## No. 16.

THE UNDER SECRETARY FOR LANDS to THE SECRETARY TO CROWN LAW OFFICERS.

Department of Lands,  
Sydney, 7 October, 1863.

SIR,

In forwarding to you the accompanying papers, together with a petition from commoners of the Field of Mars Common, I am directed by the Secretary for Lands to request that you will have the goodness to move the Parliamentary Draftsman to prepare a Bill to provide for the sale of the abovenamed Common, and for the payment of an amount out of the Revenue equal to the proceeds of such sale, for the purpose of constructing bridges over the Parramatta River, at Five Dock, and across Iron Cove, with a view to obtain a direct line of communication between the lands on the northern side of the Parramatta River and Sydney, *via* Balmain, Glebe Island, and Pyrmont.

I have, &amp;c.,

MICHL. FITZPATRICK.

## No. 17.

MR. J. RYAN BRENNAN, ESQ., to THE SURVEYOR GENERAL.

Garryowen House,  
Balmain, 15 April, 1864.

SIR,

I have the honor to draw your attention to a road that the late Government had laid out, and caused to be surveyed by Mr. Langley, through the Balmain Estate, and proclaimed in *Gazette* of 15th and 18th June, 1861, commencing at the south side of the Abattoirs, and intended to connect the proposed bridge to Five Dock with the Balmain Estate. I believe this road has not been opened by order of the Government. I have the honor to request the same may be now formally opened, as the Glebe and Abattoir Road is being repaired, and I am willing to put the new road in repair fit for use.

I have, &amp;c.,

J. RYAN BRENNAN.

## No. 18.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

Surveyor General's Office,  
Sydney, 26 April, 1864.

SIR,

The road from the Abattoir Road near Glebe Island, through the Balmain Estate, to the Great North Road near Gladesville, not having been confirmed, I have the honor to request that, in order that this step may be taken, I may be favoured with the return of the papers which, with others, were sent to the Crown Law Officers on the 7th October, for the preparation of a Bill for the alienation of the Field of Mars Common.

I have, &amp;c.,

P. F. ADAMS.

(For the S.G.)

Request return of papers.—Crown Solicitor.—B.C., 29 April.—M.F.

THESE papers have been handed to me by the Crown Solicitor, in reference to previous papers and letter of 7th October last—they are now returned as requested.—W. E. PLUNKETT.

Under Secretary for Lands.—B.C., 19th May, 1864.

Surveyor General.—M.F.—B.C., 20th May, 1864.

## No. 19.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

Surveyor General's Office,  
Sydney, 28 May, 1864.

SIR,

The sums of £700 in each case having been voted in Additional Estimates for 1864, for Punts and Approaches at Five Dock and Iron Cove, I have the honor to invite attention to the fact that the road upon which these works are required has not been confirmed, and to point out that, as regards one portion of land, the deed of grant does not contain the usual reservation of a right of way or ways.

I have, &amp;c.,

W. R. DAVIDSON, A.S.G.

Can

12 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

Can the road not be formed, and this particular grant avoided.—J.B.W., 31 May.  
Surveyor General.—M.F.—B.C., 31 May, 1864.

THERE is no other approach to the site for the punt, except by making use of the 100 feet reservation of water frontage to the Parramatta River, involving considerable expense, and forming a very inconvenient and crooked road—it would be better to wait for further legislation in this case, perhaps, than take further steps in the matter.

P. F. ADAMS,  
(For the S.G.),  
10 June.

## No. 20.

## MEMORANDUM OF THE SURVEYOR GENERAL.

MEMORANDUM of Surveyor General, on papers returned from the Crown Law Office, connected with road from Abattoir Road to Great Northern Road opposite Gladesville—sent by Under Secretary for Lands under B.C., 20 May, 1864:—

THE Plans of this road have been prepared with a view to the erection of bridges, and some amendment will be required before the confirmation can take place (should such course be determined on by the Government).

The selection of sites for the punt approaches is with the Department of Works, and it is necessary that plans shewing the position of the sites selected, should be furnished to this office, in order that the amendment in the plan may be made prior to confirmation.

P. F. ADAMS,  
(For the S.G.),  
16 June.

Refer to Under Secretary for Works.—M.F.—B.C., 21 June.  
Mr. Bennett.—J.R.—B.C., 22/6/64.

I think this matter has been hitherto dealt with by Mr. Moriarty, both in reference to bridges and punts.—W.C.B., 22/6/64.

Mr. Moriarty for report.—J.R.—B.C., 23/6/64.

Plans and specifications for this work having been prepared, notice inviting tenders is now submitted for the approval of the Honorable the Secretary for Public Works.—E.O.M.—B.C., 1/8/64.

Approved.—A.T.H.—1/8/64.

Plans of road approaches transmitted herewith for the information of the Surveyor General.—E.O.M.—B.C., 5/8/64.

## No. 21.

## W. BLAND ESQ., AND OTHERS to THE SECRETARY FOR LANDS.

Sydney, 31 August, 1864.

SIR,

We have the honor to state that the contracts have been taken by the Honorable the Secretary for Public Works for the building of two punts and the making of four approaches for them on Iron Cove and the Parramatta River, to connect the districts of Ryde and Five Dock by a new and shorter route to Sydney, for the sum of £1,150, which will leave a surplus of £250 for the making of the road.

We, therefore, respectfully request that you will order that sum to be appropriated for the clearing and formation of the road leading through the Five Dock Estate, as neither of the punts can be of any service until this is done, and that the works may be under the supervision of the Trustees of the Five Dock Estate Roads Trust.

We have, &c.,

WILLIAM BLAND.  
S. WATSON.  
WALTER BEAMES.  
CHARLES ABERCROMBIE.  
B. C. RODD.  
ROBERT WATSON.  
THOS. MAHER.

## No. 22.

## THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

*Road from the Abattoir Road to Great North Road at Gladesville:*

THIS road, which has not been confirmed, passes through the grants to Balmain and Harris (Five Dock Estate), in the deeds of which the usual right of making roads has not been reserved.

With that portion of the road which passes through the former it is not now proposed to deal.

In

In the deed to Harris, a copy of which is enclosed, a road 66 feet wide has been reserved around the shore; but from the nature of the ground it could not be made practicable without considerable expense, and it is moreover so circuitous that it could not be adopted as part of the line.

By the 15th section of the Act 4 William IV., No. 11, the Governor, with the advice of the Executive Council, has the power to divert, shorten, alter, and improve the the course of any public road or way already made; and by the 16th section it is enacted that when any such road shall be altered, and the new road shall be made and completed, such new road shall be in lieu of the old road, which shall thereupon cease to be a public road, and the property in the ground shall vest in and be held by the proprietors of the immediately adjoining lands.

The road reserved through Harris's grant cannot, it appears to me, be considered to be a public way in the meaning of the Act, and the sections quoted are therefore inapplicable; but as those interested in the opening of the line are of a different opinion, and have suggested that the reserved road might be given in compensation for the land which will be occupied by the proper road, I submit the question for the consideration of the Honorable the Secretary for Lands.

W. R. DAVIDSON.

B.C., 1 September, 1864.

The question at issue requires legal advice. Refer, therefore, to the Crown Solicitor.—M.F.—B.C., 2 Sept., 1864.

[Enclosure.]

Copy of Deed.

John Harris—1,500 Acres.

1,500 ACRES of land lying and situate in the District of York Place bounded on the east by Iron Cove Creek commencing at the north corner of Townson's farm on the north by the main river on the west by Hen and Chicken Bay including Samuel Ash Clode's farm to the Parramatta Road on the south by that road and Townson's farm to the Iron Cove Creek.

To be known by the name of \_\_\_\_\_ and to be had and held by him the said John Harris his heirs and assigns free from all fees taxes quit-rents and other acknowledgments for the space of 5 years from the date hereof. Such timber as may now be growing or that may grow hereafter upon the said land which may be deemed fit for naval purposes to be reserved for the use of the Crown and paying an annual quit rent of 30 shillings after the term or time of 5 years before mentioned.

This grant including that of Edward Field Seager Jones William Strong George Benyon Samuel Ash Clode and John Aitkins which are all legally cancelled also including the farm of 100 acres granted to William Jamieson reserving the claim of the heir-at-law to William Jamieson deceased when he comes of age for the said farm lately occupied by the said William Jamieson in case the said heir-at-law to William Jamieson should not be satisfied with the grant of 100 acres given to him as an equivalent for the said 100 acres granted to his father dated 12 November 1799. Then the 100 acres so granted as an equivalent shall revert to the Crown as expressed in the body of the equivalent grant made out to Thomas Trotter his father-in-law also reserving the right of any claims to the proprietary of grants heretofore given in York Place where the said William Jamieson deceased farm is situate.

A road 1 chain wide is also to be reserved round the shores of the Harbour surrounding the said farm and in case His Majesty's Government should hereafter find it necessary to erect fortifications or barracks on any of the including points of land (not exceeding twenty acres of land in all) so as not to destroy any building erected thereon by the grantee without his being remunerated for the expense the Governor or Officer in Command for the time being is to erect hold and maintain such fortifications or barracks at no expense to the Crown for the hire or rent thereof.

In testimony of this, &c.

PHILIP GIDLEY KING.

1st January, 1806.

## No. 23.

E. MILLETT, ESQ., AND OTHERS *to* THE UNDER SECRETARY FOR LANDS.

Sydney, 16 September, 1864.

SIR,

Having been informed that it is the intention of the Government to open the road from the Abattoir Road to the Great North Road at Gladesville which was some since duly proclaimed, and that the Government purpose at an early period appointing persons to act as Trustees thereof, we, the undersigned, bearing in mind the great importance of having thoroughly competent and proper persons appointed to act in such capacity, would take the liberty of stating that George Robinson Elliott of Fig-tree Point, Balmain, William Wright of Drummoyne, and Alfred Reynolds Huntley of Hunter's Hill, Esquires, are, as far as we believe, in every respect fit and proper persons to be Trustees for the road, and that their appointment as such Trustees would meet with the approbation of by far the greater number of freeholders and residents in the district that will be benefitted by the opening of such road.

Under these circumstances, we have the honor to suggest that the above-named gentlemen should be appointed as Trustees of the road in question.

We have, &c.,

E. MILLETT,  
JOHN B. ADNAM,  
WILLIAM S. FRIEND,  
S. W. BROWN,  
And 16 others.

No. 24.

14 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

No. 24.

THE CROWN SOLICITOR to THE UNDER SECRETARY FOR LANDS.

Crown Solicitor's Office,  
Sydney, 22 September, 1864.

SIR,

I have the honor to return to you herewith the papers that I received from your Department, relative to the road from the Abattoir Road to the Great North Road at Gladesville; and to state that I have laid them before Mr. Solicitor General Faucett, who has been pleased to write an Opinion upon the question raised by the Surveyor General in his Minute of the 1st instant, a copy of which I send to you on the annexed half-sheet.

I have, &amp;c.,

JOHN WILLIAMS, C.S.

Surveyor General.—M.F.—B.C., 23 Sept., 1864.

[Enclosure in No. 24.]

In this case I am of opinion that the proposed road is not such a diversion or alteration of, or substitution for, a public road already made as to deprive the owner of the land through which the new road is intended to pass of the right to compensation.

The owner of the land, however, might be induced to accept the cancellation of the reservation in his grant of a road round the shores of the harbour surrounding the land, in lieu, or as part, of the compensation for the proposed new road.

P. FAUCETT,  
21 Sept., 1864.

No. 25.

MR. SURVEYOR DEBENHAM to THE SURVEYOR GENERAL.

30 September, 1864.

SIR,

In accordance with your verbal instructions to examine and report upon proposed deviations in the Gladesville Road, leading from the Abattoir Road to the Great Northern Road, suggested by Mr. Beames.

I have the honor to report that I accompanied Mr. Beames over the above-mentioned road, and beg to recommend that his suggestions be carried out.

The alteration suggested is at the north-west extremity of the Gladesville Road, at its junction with the Abattoir Road, from which a much easier gradient will be obtained.

I would beg to suggest that the portion of the Gladesville Road extending from the Abattoir Road to Long Cove be resurveyed and marked. The ground is cleared and perfectly bare, and marks of the previous survey cannot be found.

I have, &amp;c.,

JOHN DEBENHAM,  
Surveyor.

Mr. Surveyor Debenham may be instructed to survey and mark the deviation recommended by him, viz., from the Abattoir Road to Long Cove; and forward plan, and report through whose land the proposed deviation passess.—W.R.D., 3 Oct.

Also to survey a deviation passing through Mr. Abercrombie's Birkenhead Estate, at the Sisters' Rocks, Long Cove.—W.R.D., 4 Oct.

No. 26.

THE UNDER SECRETARY FOR LANDS to E. MILLETT, ESQ., AND OTHERS.

Department of Lands,  
Sydney, 24 October, 1864.

GENTLEMEN,

I am directed to inform you that, in compliance with the request contained in your letter of the 16th ultimo, the Secretary for Lands has approved of Messrs. G. R. Elliott, W. Wright, and A. R. Huntley being entrusted with the expenditure of any funds which may be appropriated for the repair of the road from the Abattoir Road to the Great North Road at Gladesville, or for the formation of approaches to the Punts on the line in question.

I have, &amp;c.,

MICHL. FITZPATRICK.

No. 27.

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK. 15

No. 27.

MR. SURVEYOR DEBENHAM to THE SURVEYOR GENERAL.

4 November, 1864.

SIR,

In compliance with your instructions, dated 4th October, 1864, to survey some deviations in the Gladesville Road, I have now the honor to forward herewith a plan of the Gladesville Road, shewing proposed deviation at the south-east end of its junction with the Abattoir Road, also, deviation on the west side of Long Cove through C. Abercrombie's land.

I have also surveyed the approaches to Long Cove, and the Parramatta River, in accordance with previous verbal instructions.

The deviation from Abattoir Road avoids a sharp rise in the line surveyed by C. E. Langley, and also avoids passing through the private lands of T. Beames. The line I have selected is a more expensive one, but presents an easier gradient, and is decidedly a better approach to the Abattoir Road.

I enclose herewith Book of Reference of proposed deviation at the Abattoir Road.

I have, &amp;c.,

JOHN DEBENHAM.

[Enclosure in No 27.]

Book of Reference of proposed deviation in Road from the Abattoir Road near Glebe Island, to the Great North Road near Bedlam Asylum, to be opened as a parish Road, under the Act of Council, 4 William IV., No. 11.

No.	Portion of Road.	Reputed Owner.	Occupier.	Character of Land.	Bearings.	Length in chains.	Enclosures.	Character and state of preservation of Fencing.	Cultivation.	Breadth of Road.	Area.	Remarks.
1	From junction of Crescent-street with the Abattoir Road, following Crescent-street, to the north-west corner of J. Beame's land	.....	.....	.....	WNW	840	.....	.....	.....	1 chain.	.....	.....
2	Balmain Estate—From Crescent-street to junction with road surveyed by C. E. Langley, and already proclaimed	Trustees of Gilchrist.	None.	Rocky.	WNW	1,400	None.	None.	None.	1 chain.	a. r. p. 1 3 8	.....

- NOTE 1.—Each number will represent one block of property through which the road may pass, whether of the Crown, of an individual, or devoted to the public as a reserve or road.
- 2.—Each portion of road will be within the property to which the No. applies, and should be described as "from the south boundary of John Smith's 600 acres to the boundary line between that land and Thomas Jones' 50 acres." "From the last-mentioned boundary to, &c., &c."
- 3.—The name of the reputed owner may be filled in from information obtained on the spot, or, failing such information, with the name of the grantee from the Crown.
- 4.—The name of the occupier, should there be one, can of course be ascertained on the spot.
- 5.—The bearings should be stated from the nearest cardinal point, as "E. 10° N.," but where they are numerous and shown in a table on the plan, the general bearing need only be stated, as "north-easterly."
- 6.—In the column of remarks may be introduced any information which cannot conveniently be inserted in any of the other columns; such as the dedication of the portion of the road to the public, in the sub-division of surrounding land; the reputed free use of road by the public for any specific period, &c.

No. 28.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

*Road from Great North Road near Gladesville to Abattoir Road at Glebe Island:*

THE approaches to Punts on this road are nearly complete, and parties interested are pressing the opening of the road.

The confirmation has been delayed in consequence of liability to claims for compensation, arising from the absence of a general right to make roads in the deeds of grant.

The question of confirming the road, and thereby admitting such claims, is submitted for the consideration of the Honorable the Secretary for Lands.

The amount of compensation and fencing required to open the road throughout its length, is estimated as follows, viz. :—

Compensation in Balmain Estate	...	...	...	£750	0	0
Do. Harris	...	...	...	300	0	0
Cost of Fencing, to Isler and Roman Catholic Mission	...	...	...	27	0	0
				£1,077	0	0

A

16 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

A considerable saving, probably of £650, might be effected (at least for the present) by not confirming that part of the road which passes through the unsold portion of the Balmain Estate. The Trustees have stated that they will claim compensation if the road is confirmed, being bound to do so under their trust; but, at the same time, as the opening of the road would enhance the value of the property to a certain extent, there does not appear to be any probability of their offering any obstruction to the formation of the road even without confirmation.

It is probable that an understanding might be arrived at with the Balmain Trustees, and also with Mr. C. Abercrombie, as to a reduced valuation in consequence of the advantages of the passage of the road through their properties.

(For the Surveyor General),  
P. F. ADAMS,  
8th Nov., 1864.

THE road, as per preliminary notification, may be confirmed, with the following deviations, viz:—

1st. From the Abattoir Road, following Crescent-street for about 6 chains; thence through the Balmain Estate, north-westerly, about 20 chains.

2nd. At the Punt Approach on the Balmain Estate, through land now occupied by Chape.

3rd. At the Punt Approach on the Birkenhead Estate, through land occupied by C. Abercrombie.

4th. At the Punt Approach on the Five Dock Estate, through land occupied by S. Lyons.

5th. At the Punt Approach at Hunter's Hill, through Crown land occupied by the Lunatic Asylum.

(For the Surveyor General),  
P. F. ADAMS,  
14 Novr.

## No. 29.

INDORSEMENTS ON LETTER, No. 21, *from* W. BLAND, ESQ., AND OTHERS.

Refer, as to the suggested balance, to Under Secretary for Works.—M.F.—B.C., 10th October, 1864.

The sum of £1,400 was voted on Lands Estimate for Punts and Approaches at Five Dock and Ironbark Creek. Tenders have been accepted by this department for £1,125, leaving an available balance of £275. Mr. Moriarty might probably be asked to report.—J.R.—B.C., 14/10/64.

We shall probably require about £100 for metalling the approaches with ironstone or blue metal; cost of ropes and moorings will be about £75—leaving £100, which might, I think, be applied to the purposes of clearing and fencing the road, as far as it will go.—E.O.M., 16/11/64.

## No. 30.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Department of Lands,  
Sydney, 19 November, 1864.

For the reasons stated in the enclosed communication from the Surveyor General, it is recommended to His Excellency the Governor and the Executive Council, that the proposed line of road from the Great North Road near Gladesville to the Abattoir Road at Glebe Island, as notified in the *Gazette* of the 18th June, 1861, be confirmed under the Act 4th William IV., No. 11, with the deviations suggested by that officer.

J. BOWIE WILSON.

Clerk of the Executive Council.—M.F.—B.C., 19 November, 1864.

Minute 64-49, 21 November, 1864.—Confirmed, 28 Novr., 1864.

THE Executive Council advise that the line of road herein referred to, with the deviations suggested by the Surveyor General, be now confirmed as a parish road, in terms of the Act 4 William IV., No. 11.

ALEX. C. BUDGE,  
Clerk of the Council.

Approved—J.Y.,  
1 December, 1864.

## No. 31.



## No. 31.

NOTIFICATION IN THE *Government Gazette*.Department of Lands,  
Sydney, 1 December, 1864.

WITH reference to the Government notice, dated 15th June, 1861, relative to the opening and making of a parish road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville: Notice is hereby given, in accordance with the Act of Council, 4th William, No. 11, that, notwithstanding the objections which have been made to the proposed road in conformity with the said Act, His Excellency the Governor, with the advice of Executive Council, has been pleased to confirm the said road with the following deviations, namely,—(1st) from the Abattoir Road following Crescent-street about 6 chains, thence through the Balmain Estate north-westerly about 20 chains; (2nd) at the punt approach on the Balmain Estate through land occupied by Chape; (3rd) at the punt approach on the Birkenhead Estate through land occupied by C. Abercrombie; (4th) at the punt approach of the Five Dock Estate through land occupied by S. Lyons; (5th) at the punt approach at Hunter's Hill through Crown Lands occupied by the Lunatic Asylum—and, it is therefore hereby declared expedient to open and make the road referred to according to the amended Plan and Book of Reference to be seen at the office of the Surveyor General, at Sydney, and at the Central Police Office, Sydney; and all persons intending to claim compensation in respect of the said line, are hereby reminded that notice must be served upon the Colonial Secretary, within 40 days hereof, in such manner and form as are provided by the 6th section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,  
J. BOWIE WILSON.

## No. 32a.

THE UNDER SECRETARY FOR LANDS to THE PRINCIPAL UNDER SECRETARY.

Department of Lands,  
Sydney, 5 December, 1864.

SIR,

In drawing your attention to the notice in the *Government Gazette* of the 2nd instant, respecting the confirmation of the line of road from Abattoir Road near Glebe Island, to the Great North Road opposite Gladesville, I am directed to request that you will have the goodness, at the end of 40 days from the date thereof, to state whether any claims to compensation have been made in respect of the said road, in pursuance of the notice referred to.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 32b.

THE UNDER SECRETARY FOR LANDS to THE BENCH OF MAGISTRATES, CENTRAL POLICE OFFICE, SYDNEY.

Department of Lands,  
Sydney, 5 December, 1864.

GENTLEMEN,

I have the honor to forward, for deposit in the Police Office, Sydney, for public inspection and information, copies of a Plan and Book of Reference of a Road which is about to be opened as a Parish Road under the Act of Council 4th William IV., No. 11, from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, the receipt of which documents you will be good enough to acknowledge.

I have, &c.,  
MICHL. FITZPATRICK.

## [Enclosure in No. 32 b.]

BOOK of Reference of Road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, to be opened as a Parish Road under the Act of Council 4 William IV., No. 11.

No.	Portion of Road.	Reputed Owner.	Occupier.	Character of Land.	Bearings.	Length in Chains.	Enclosures.	Character and State of Preservation of Fencing.	Cultivation.	Breadth of Road.	Area.	Remarks.
1	Balmmain Estate .....	Crescent-street ...	Crescent-street	.....	North-westerly	chs. lks. 62 0	.....	.....	.....	75 links ...	Crescent-st	
	From Abattoir Road, <i>via</i> Crescent-street, to the south-east side of Long Cove.	Gilchrist ..... Messrs. Hall and M'Lean. Chape .....	Unoccupied. Part of the sub-division of the Balmmain Estate.	Principally rocky ...	do. {	250 0 (450 extreme length.)	Fenced...	{	None ..... Garden ..... None .....	1 chain.. do. .... do. ....	a. r. p. 6 0 32 0 0 28 0 1 32	
2	Crossing that Cove to its north-west side.	.....	.....	Long Cove .....	North-westerly							
3	Birkenhead—from the north-west side of Long Cove to the south-east side of a road 33 feet wide called Lyons' Road	C. Abercrombie, Esq.	C. Abercrombie, Esq.	Good agricultural land	West 42° 30' North.	47 53	Fenced ...	.....	None .....	1 chain..	4 3 0	
4	Crossing Lyons' Road .....	.....	.....	.....	do. ...	0 50						
5	South Hythe—from the north-west side of Lyons' Road to south side of Parramatta River.	Samuel Lyons ...	Unoccupied ...	Portion of this is tolerably good land, but the remaining portion to Parramatta River is rocky.	Westerly..	67 15	Fenced ...	.....	None .....	1 chain..	5 1 34	For 25ch. 13lks. there is a road between Lyons' property & Wright's of 33 feet wide, which is deducted.
6	Crossing that River .....	.....	.....	River.								
7	Parish of Hunter's Hill—from the north-west side of the Parramatta River to the south-east side of Isler's fence.	Crown .....	Unoccupied ...	Rocky, but mixed with good land.	Westerly	73 61	Fenced ...	.....	None .....	1 chain..	7 1 17	
	From the south-east boundary of Isler's fence to the Great North Road.	Isler .....	Isler .....	Good cultivation land	do. ...	9 0 (extreme length.)	do. ...	.....	.....	do ...	0 3 16	

- NOTE 1.—Each number will represent one block of property through which the land may pass, whether of the Crown of an individual, or devoted to the public as a reserve or road.
- " 2.—Each portion of road will be within the property to which the No. applies, and should be described, as "from the south boundary of John Smith's 600 acres to the boundary line between that land and Thomas Jones' 50 acres."—"From the last-mentioned boundary to, &c. &c."
- " 3.—The name of the reputed owner may be filled in from information obtained on the spot, or, failing such information, with the name of the grantee from the Crown.

- NOTE 4.—The name of the occupier, should there be one, can of course be ascertained on the spot.
- " 5.—The bearings should be stated from the nearest cardinal point, as "E. 10° N."; but where they are numerous, and shown in a table on the plan, the general bearing need only be stated, as "north-easterly."
- " 6.—In the column of remarks may be introduced any information which cannot conveniently be inserted in any of the other columns; such as the dedication of the portion of the road to the public, in the subdivision of surrounding land; the reputed free use of road by the public for any specific period, &c.

## No. 33.

MESSRS. DAINTRY &amp; CHAPMAN to THE SECRETARY FOR LANDS.

Sydney, 19 December, 1864.

SIR,

We are requested by Mr. Samuel Lyons to claim compensation from the Government for land taken, or to be taken, from his estate at Five Dock, for the purposes of a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, proclaimed by Notice dated 1st instant. There being no reservation of roads in the original grant, except along the shore of the Harbour, Mr. Lyons considers himself clearly entitled to such compensation; and we shall be obliged if you will favour us, on his behalf, with the views of the Government on the subject of the same.

We are, &amp;c.,

DAINTREY &amp; CHAPMAN.

Surveyor General.—M.F.—B.C., 22 Dec., 1864.

## No. 34.

THE UNDER SECRETARY FOR LANDS to W. BLAND, ESQ., AND OTHERS, IN REPLY TO No. 21.

Department of Lands,  
Sydney, 21 December, 1864.

GENTLEMEN,

Referring to your letter of the 31st August last, applying for the appropriation, towards the repair of the road leading through the Five Dock Estate, of any surplus funds remaining from the money voted for the formation of the punts and approaches in connection with that road, I am directed by the Secretary for Lands to apprise you that it had already been determined to hand over to the parties named in the margin any funds which may be available for the repair of the road in question.

MESSRS. G. B.  
ELLIOTT, WM.  
WRIGHT, ALFRED  
R. HUNTLEY.

I have, &amp;c.,

MICHAEL FITZPATRICK.

## No. 35.

MR. H. ISLER to THE COLONIAL SECRETARY.

Woodbine Villa,  
*viâ* Gladesville, 4 January, 1865.

SIR,

With reference to a notice which appeared in the *Government Gazette* of the 18th June, 1861, and to a subsequent notice published in said *Gazette* on the 2nd December, 1864, respecting a parish road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, I do myself the honor to state, for the information of the Honorable the Colonial Secretary, that I am a claimant for compensation in the following form, namely, that the Government shall be at the expense of fencing in both sides of the proposed line of road, so far as the same shall extend through my land near the Lunatic Asylum, with a paling fence not less substantial than that already placed around the paddock through which it is proposed to carry the road referred to.

I have, &amp;c.,

HENRY ISLER, SENR.,

(FOR HENRY ISLER, JUNR.)

For the Secretary for Lands.—W.F., 6 June.

Surveyor General.—M.F.—B.C., 10 January, 1865.

The cost of enclosing the road through Mr. Isler's land with a fence similar to that fencing the enclosure will be £74, which amount is recommended to be granted.—P. F. ADAMS.—(For the Surveyor General.)

## No. 36.

MR. W. H. GADEN to THE COLONIAL SECRETARY.

Five Dock, 5 January, 1865.

SIR,

Referring to the notice in the *Government Gazette* of the 6th December, 1864, respecting a road to be made from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, I beg to give you notice that I shall claim compensation for the land taken from me, according to the original proclamation, in accordance with the survey made by the late Mr. Langley; and that I object to the deviation, No. 3, as is now proposed, on my land in the plan exhibited at the Surveyor General's Office.

I have, &amp;c.,

W. HENRY GADEN,

(By his Attorney),

CHAS. ABERCROMBIE.

For the Secretary for Lands.—W.F., 12 Jany.

No. 37.

## No. 37.

MR. C. ABERCROMBIE to THE COLONIAL SECRETARY.

Five Dock, 5 January, 1865.

SIR,

Referring to the notice in the *Government Gazette* of the 6th December, 1864, respecting a road to be made from the Abattoir Road near Glebe Island to the Great North Road near Gladesville, I beg to give you notice that I shall claim compensation for the land taken from me, according to the original proclamation, in accordance with the survey made by the late Mr. Langley; and that I object in toto to the deviation No. 3, as now proposed, on my land in the plan exhibited at the Surveyor General's Office.

I have, &amp;c.,

CHAS. ABERCROMBIE.

For the Secretary for Lands.—W.F.—12 Jany.

Surveyor General.—M.F.—B.C., 17 Jan., 1865.

This is identical with H. Gaden's claim, who is said to be the holder of the land.—

P.F.A.

## No. 38.

MR. A. CHAPE to THE COLONIAL SECRETARY.

Balmain, 9 January, 1865.

SIR,

Referring to the notice in *Government Gazette* of 6 December, 1864, relative to the road to be made from the Abattoir Road near Glebe Island to the Great North Road near Gladesville, I beg to give you notice that I shall demand compensation for the land taken from me on the Balmain Estate, and that I object to the proposed deviation No. 2, as shown on the plan at the Surveyor General's Office.

I have, &amp;c.,

A. CHAPE.

For the Secretary for Lands.—W.F.—12 Jan.

Surveyor General.—M.F.—B.C., 17 Jan., 1865.

This land forms part of the Balmain Estate, and has apparently been sold to Mr. Chape. The injury to it is estimated at £100.—P. F. ADAMS, 18 Jan.

## No. 39.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS.

Colonial Secretary's Office,

Sydney, 18 January, 1865.

SIR,

In reply to your letter of the 5th December, No. 93, I am directed to state, for the information of the Secretary for Lands, that no applications have been received in this office for compensation in respect to the line of road from Abattoir Road near Glebe Island to the Great North Road, excepting those from Henry Isler, sen., Charles Abercrombie, W. H. Gaden (*per* Charles Abercrombie), and A. Chape, which have already been forwarded under blank cover.

I have, &amp;c.,

W. ELYARD.

Surveyor General.—M.F.—B.C., 27 January, 1865.

## No. 40.

MINUTE OF THE SURVEYOR GENERAL ON NO. 33.

THE deed of grant does not contain the general right to make roads. The land taken by the road from Mr. Lyons is 5 acres 1 rood 34 perches. I estimate its value at £30 per acre. The benefit derived from the opening of the road to this land will not be more than the injury caused by severance.

(For the Surveyor General),

P. F. ADAMS,

18 Jan., 1865.

## No. 41.

## MR. SURVEYOR DEBENHAM'S ESTIMATE OF LAND RESUMED FOR ROAD.

1. Mr. Surveyor Debenham will be good enough to report the estimated value of the 1 rood 32 perches of land taken from Chape for the passage of the Balmain and Gladesville Road, taking into consideration the injury in deviating from the course first proclaimed and any benefit that may accrue to him.

2. Also, the estimated value of the land not dedicated to the public as road in the sale of property taken from the Five Dock Estate, and area of portions claimed by Mr. Chas. Abercrombie and Mr. Henry Gaden, and its position on the map—this subdivision being hitherto unknown.

3. Also, to ascertain the number of rods of fencing to enclose the road through Isler's land; and of the Mission land, if the latter is enclosed by a fence of greater value than an ordinary post and rail fence.

P. F. A.,  
18 Jany., 1865.

Mr. Debenham, waiting for your report.—P. F. ADAMS, 20 Jany.

1. Value of land taken from — Chape, originally part of the Balmain Estate, I estimate at £100.

2. The surveyed line of roads passes through Henry Gaden's land, and not at all through C. Abercrombie's land.

3. There are 75 rods of fencing required through Isler's, at £1 per rod—£75.

JOHN DEBENHAM,  
Surveyor.

## No. 42.

## REPORT OF THE SURVEYOR GENERAL ON CLAIMS FOR COMPENSATION.

*Road from the Great North Road at Gladesville to the Abattoir Road at Glebe Island:*

THE period for lodging applications for compensation in the case of the above-mentioned road having expired, the applications noted in the margin are submitted.

In the case of Messrs. Thacker, Daniell, and Co., for the Balmain Estate, I beg to say, that although the land taken by the road may be valued at £650, still the increased value of the property will almost, if not quite, equal that amount, and the appraised value should be very low, say £100.

In the case of A. Chape, a purchase of a portion of the Balmain Estate, the case is different, the deviation in the road necessary to form the approaches does, to a certain extent, injure him, and the amount is estimated at £100.

Two claimants appear for the Birkenhead Estate, viz., Messrs. Abercrombie and Gaden; but it appears that the latter is the actual claimant. The value of the land is estimated at £30 per acre, and considerable benefit will be derived by him, perhaps equal to the value of the land taken.

In the case of Mr. S. Lyons the damage done by severance will equal the advantage derived. The value of the land is about £30 per acre.

In Mr. Isler's case, it appears that the fence forming the enclosure is of much more value than an ordinary enclosure, being a paling fence valued at £1 per rod. Isler claims no compensation for land taken, but asks to have the road enclosed with a similar fence to that forming the enclosure; the sum of £75 is recommended.

It is suggested that the course taken in the case of the Reverend W. M'Kee (as directed by Mr. Secretary Robertson, in December, 1862,) should be adopted, to ascertain the amount of compensation in each individual case therein (excepting that of Mr. Isler), viz., by appraisalment under the existing law.

(For the Surveyor General),  
P. F. ADAMS,  
20 January, 1865.

Messrs. Thacker,  
Daniell, & Co.,  
A. Chape, Aber-  
crombie and  
Gaden, S. Lyons,  
Isler.

5a. 2r. taken  
from Balmain  
Estate.

1r. 32p. taken  
from Balmain  
Estate.

4a. 3r.

5a. 1r. 34p.

## No. 43.

## MINUTE OF THE UNDER SECRETARY FOR LANDS AND MINISTER'S DECISION.

I UNDERSTAND from the Deputy Surveyor General that, in recommending the reference of these claims to arbitration, he was under the impression that the Government were entitled to set up a *set off* by reason of the additional value conferred on the land through which the road passes. I am under the impression that this cannot be claimed as a matter of right, although it may be admitted by the appraisers as a matter of conscience. If my view be right, the Government in consenting to an arbitration may be committing itself to the payment of the full value of the land taken, probably not less than £1,000; and I gather from the Deputy Surveyor General that, in his opinion, this would be paying very dearly for the benefit to be derived from the opening of the road.—M.F.—  
24 Jany., 1865.

The

22 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

The Assembly having voted the money for punts, &c., the road must be opened, and the valuation may go on.—J.B.W.—25 Jany.

Surveyor General.—M.F.—B.C., 27 Jany., 1865.

The Government Appraiser for Sydney and Suburbs may be instructed to carry out the appraisement.

(For the Surveyor General),  
P. F. ADAMS.

## No. 44.

MR. SURVEYOR ROWLAND *to* THE SURVEYOR GENERAL.

Sydney, 30 March, 1865.

SIR,

Verbal  
instructions.

I have the honor to transmit, for your information and approval, the sections you ordered of the approaches from the Balmain and Five Dock Estates to the proposed punt or bridge at Long Cove :—

1. The road as sectioned by me from the Balmain Estate I consider far preferable to that marked by Mr. Surveyor Debenham, as, in the first plan, it does not interfere with private property, is straight, and considerably shorter. The only objection is the cutting through the sandstone rock, marked in brown on section; but its length is only 180 feet, average depth of cutting  $2\frac{1}{2}$  feet, and width 20 feet, making 333 cubic yards, which can be made for 3s. the cubic yard, at a total cost £49 19s., a sum much below what would have to be paid by Mr. Debenham's route for purchased property. I therefore recommend it not only on its merits as a road, but as a saving to the Government.

2. The section on the Five Dock side is of an alternative road, which only requires a clearing of 280 or 300 feet 50 links wide, and the rubble stones removed, for which purpose I consider £15 would be ample remuneration.

I have, &c.,  
ISAIAH ROWLAND.

## No. 45.

MR. C. ABERCROMBIE *to* THE SECRETARY FOR LANDS.

Sydney, 4 April, 1865.

SIR,

Some time in August last year, I sent in an application, signed by several, to your predecessor, about the appointment of trustees for the new road from the Abattoir Road to Gladesville, to which I have never received any reply. But I am told that Wm. Wright, Esq., of Five Dock, Alfred Huntley, Esq., of Hunter's Hill, and Geo. R. Elliott, Esq., of Balmain, have been made the Trustees; and against the appointment of the two last-named gentlemen I beg to enter my protest, because neither of them have anything to do with Five Dock property. Indeed, I doubt much if they know even where the line of road is to be; and it is notorious that, within a municipality, trustees cannot interfere in any way in the management of roads—and, in this instance, it is on record in your Office that the municipality of Hunter's Hill refused to proceed with the making of the road from the punt on the Parramatta River to Gladesville, until a letter was sent from your office stating that the trustees named by me were to have no control whatever of that part of the road; and, no doubt, the same must be the case with that part of the road which runs through the Balmain Municipality.

I therefore, on behalf of B. C. Rodd, Esq., and myself, beg to inquire of you the cause of our names not being inserted as Trustees of the Five Dock part of the road, seeing that we have been so many years in the Trust on the Great North Road running through that Estate, and that a memorial was sent into your Office, signed by the large landholders of Five Dock in our favour.

I have, &c.,  
CHAS. ABERCROMBIE.

Surveyor General.—M.F.—B.C., 6 April, 1865.

## No. 46.

REPORT OF THE SURVEYOR GENERAL ON NO. 44.

FROM the report of Mr. Surveyor Rowland it appears that the cost of the cutting proposed by him to avoid Chape's land would be less than the estimated cost of compensation for going through it; and I would, therefore, recommend the abandonment of the intended passage through Chape's land, and the adoption of Mr. Rowland's proposal in taking the reserved road in the subdivision of the Balmain Estate. The required work being within that municipality, the expenditure of the amount, estimated at £50, cannot be recommended to be placed in the hands of other trustees, unless the Municipality will not undertake it, when I would recommend it being done under the supervision of the Department of Works, as in the case of the approaches to the punt, and the expense might be met by a grant from the Vote for Unclassified Roads.

The

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK. 23

The correspondence in reference to the appointment of the trustees objected to by Mr. Abercrombie is not in the Office; but, from recollection, I believe that the unexpended balance of the vote for the punts was promised to the gentlemen objected to by Mr. Abercrombie, and I see no reason why they should not be entrusted with it. Messrs. Abercrombie and Rodd have not been previously trustees for this road.

W. R. DAVIDSON.

Surveyor General's Office,  
Sydney, 9 April, 1865.

N.B.—Amount voted for punts and approaches	...	...	£1,400
Cost of punts	...	£890	
Cost of approaches	...	235	
			1,125
Non-expended balance	...	...	£275

The Under Secretary for Lands.

For the information of the Engineer of Harbours.—M.F.—B.C., 22 April.

I presume, under the Surveyor General's Report, the matter will be left with the Municipality of Balmain.—E.O.M.—25/4/65.

## No. 47.

## ARRANGEMENTS IN REFERENCE TO APPRAISEMENTS.

MR. THOMAS,

The Deputy Surveyor General desires that the appraisements (excepting in Chape's case) should be again sent to Mr. Gorman, without reference to the Alienation Act, 25 Vict., No. 1, and that gentleman informed that it is desirable that he should make the appraisement, if he is willing, as far as the Crown is concerned to do so, at the customary rate. Should this, however, be demurred to, he is to be requested to return the papers.—H.H.—2 May, /65.

As the land cannot be valued under the Alienation Act, the reference to arbitration (if this is the course to be pursued) should, I think, be preceded by an agreement to be entered into by the Secretary for Lands on the one hand and the parties interested on the other. There would otherwise be nothing binding on either side.—W.T., 3 May.

THAT, I am aware, is the course in private transactions, and is, no doubt, essential in this; but the obtaining from the interested parties the customary engagement may fall within the action to be taken by Mr. Gorman, if he be willing to appraise at the rate named.—H.H., 3 May.

*Manner of Arbitrations.*

COMPENSATION for Land required for the Road from the Abattoir Road to Gladesville:

The mode of procedure in this case should, as regards the preliminary steps, be the same as that in determining the amount of compensation to be paid for land required for railway purposes. The persons interested having made their applications for compensation, it is now for the Government to appoint a valuator, who, after an inspection, will state what he believes to be the value of each portion required for the road, taking into consideration the amount of damage done to the remainder by severance, and adding 10 per cent. for compulsory sale. A formal offer will then be made by the Government to each of the parties, who, it is probable, will not accept. The amount of compensation should, in this event, properly be determined in the manner provided by the Act 4 Will. IV., No. 11; but as this course will be very expensive and tedious, the Crown Solicitor thinks that it might be waived, and that the matter might be determined by the ordinary way.—W.T., 8 May.

Proceed accordingly.—W.R.D., 10 May.

It is submitted, for the approval of the Honorable the Secretary for Lands, that the course indicated herein should be followed, and that Mr. Gorman, the Appraiser for the Metropolitan District, should be instructed to make the preliminary valuation suggested.—W.R.D.—Under Secretary for Lands.—B.C., 27 June.

Follow the precedent set in M'Kee's case.—JOHN R.—B.C.—Surveyor General.

## No. 48.

THE SURVEYOR GENERAL to J. V. GORMAN, Esq.

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

SIR,

I have the honor to subjoin a Schedule, containing the names of certain parties who have respectively claimed compensation from the Government for the portions of land set opposite to their names, which have been resumed by the Crown for the purpose of forming the road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, as more particularly shown upon the tracing which accompanies these instructions.

2. I have addressed letters to the various claimants, informing them of your appointment as arbitrator, and requesting that their replies may be sent to you. I have also supplied them with forms for concurring in your appointment as sole arbitrator, as also forms for appointing arbitrators for themselves, if they so desire. If any of them adopt the latter course, you will supply them with the forms herewith marked "C."

3. I enclose the necessary forms for making awards, which you will use as the occasion may require.

4. It may be observed that, as in some instances the value of these properties has been much enhanced by the formation of the road in question, the amount of such value should, in fairness, be deducted from the value of the land actually resumed by the Government, the balance being the amount of compensation payable to the claimants.

I have, &amp;c.,

W. R. DAVIDSON, S.G.

## THE SCHEDULE REFERRED TO.

Claimant.	Area.	Situation of Land.
Messrs. Thacker, Daniell, & Co., Trustees for the Balmain Estate.	a. r. p. 6 0 0	For that portion of the Gladesville Road passing through part of the Balmain Estate, under trust.
Samuel Lyons, by his Attorneys, Daintrey & Chapman.	5 1 34	For that portion of the Gladesville Road passing through Mr. S. Lyons' property, part of the Five Dock Estate.
Henry Gaden, by his Agent, C. Abercrombie.	4 3 0	For that portion of the Gladesville Road passing through Mr. Gaden's property, part of the Five Dock Estate.

## No. 49.

THE SURVEYOR GENERAL to MESSRS. THACKER, DANIELL, &amp; Co.

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

GENTLEMEN,

With reference to your letter of the 4th July, 1861, seeking compensation from the Government for 6 acres of land—part of the Balmain Estate—resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, I have to inform you, that the Secretary for Lands having authorized me in that respect, I have appointed Mr. John Valentine Gorman, of Pitt-street, Sydney, arbitrator on behalf of the Government. If you are satisfied that the amount of compensation to be paid to you, as Trustees of the Balmain Estate, shall be determined by Mr. Gorman alone, you will please sign the form sent herewith—marked A. If, however, you wish to appoint an arbitrator to act on your behalf, you will be required to pay the costs of such arbitrator, and of the umpire who will then have to be appointed, and upon your signing an undertaking to that effect—in form B, also sent herewith—and forwarding same to Mr. Gorman, of Pitt-street, Sydney, he will proceed to act herein on behalf of the Government. You will, of course, understand that unless either form A or B is signed and forwarded to Mr. Gorman within sixty days from this date, the appointment of an arbitrator will be void, and your claim for compensation will be considered to be abandoned.

I am, &amp;c.,

W. R. DAVIDSON.

Surveyor General.



## No. 50.

THE SURVEYOR GENERAL to MR. W. H. GADEN.

[Per Mr. C. Abercrombie.]

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

SIMILAR letter to foregoing, answering letter of the 5th January last, on behalf of Mr. William Henry Gaden, respecting 4 acres 3 roods, part of the Five Dock Estate.

W. R. DAVIDSON, S.G.

## No. 51.

THE SURVEYOR GENERAL to SAMUEL LYONS, Esq.

[Per Messrs. Daintrey &amp; Chapman.]

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

SIMILAR letter to foregoing, answering letter of the 19th December last, on behalf of Mr. Samuel Lyons, respecting 5a. 1r. 34p., part of the Five Dock Estate.

W. R. DAVIDSON, S.G.

## No. 52.

MR. SURVEYOR ARMSTRONG to THE SURVEYOR GENERAL.

Sydney, 2 October, 1865.

SIR,

According to your verbal instructions requiring me to inquire into the alleged departure from the line of road proclaimed and confirmed, from Glebe Island towards Gladesville, where it passes through Mr. Abercrombie's Birkenhead Estate, by the trustees for the expenditure of the money voted for its formation, I have the honor to inform you that I examined the road, and the clearing which was done under the direction of Mr. W. Wright, one of the trustees.

During my inspection of it, Mr. Abercrombie still insisted that Mr. Langley's line of road was departed from, and that the clearing was actually on his land.

Finding a survey was necessary to prove it, and having your sanction, I fortified myself by reference to Mr. Langley's and Mr. Debenham's surveys. By my plan, now transmitted, I have clearly shewn that Mr. Wright had not extended too far; therefore, Mr. Abercrombie was in error.

2. The deviation extending beyond Mr. Debenham's, as agreed to by you on the ground, is shown by blue lines. Mr. Abercrombie's present proposal, now submitted, to remove the road further from his fence, is shown by yellow lines. This latter line would pass over similar land, but most part of that already cleared would then be useless for the road and would have to be accounted for.

With these facts now laid before you for your decision, I will wait for your reply before working any more.

I have, &c.,  
JOHN ARMSTRONG.

To make any deviation from the line suggested by Mr. Debenham would virtually be commencing the whole affair *de novo*; the appraisement is now being made, and I scarcely think it advisable to stop it.—P.F.A., 12.

## No. 53.

E. T. BLACKET, Esq., to THE SURVEYOR GENERAL.

Sydney, 27 December, 1865.

SIR,

Messrs. J. V. Gorman and Walter Beames, the Arbitrators to determine the sum of money to be paid to Mr. Abercrombie for land resumed by the Government at Five Dock, for the New Road to Hunter's Hill, have appointed me the Umpire.

As these gentlemen are unable to agree as to their award, the matter has been referred for my decision; but at the outset a difficulty occurs upon which I am desirous to have your opinion.

In estimating the sum thus to be paid, am I to take into consideration the increase of value given to the remaining land belonging to the same owner by the road itself, or am I to consider that the spirit of the 45th clause of the Railway Act of 1858 applies in this case?

I have, &c.,  
EDMUND T. BLACKET.

## No. 54.

THE SURVEYOR GENERAL to E. T. BLACKET, Esq.

Surveyor General's Office,  
Sydney, 5 January, 1866.

SIR,

In reply to your letter of the 27th ult., I have the honor to inform you, that the arbitration to determine the value to be paid to Mr. Abercrombie for that portion of his land required for the Gladesville Road is by consent, and it will consequently not be carried out under any particular Act.

2. As Umpire it rests with you fairly to balance the interests on both sides.

I have, &c.,  
W. R. DAVIDSON, S.G.

## No. 55.

E. T. BLACKET, Esq., to THE SURVEYOR GENERAL.

Sydney, 14 February, 1866.

SIR,

I do myself the honor to transmit my awards, as Umpire in the arbitrations of Messrs. Samuel Lyons and Mr. Henry Gaden, for lands resumed by the Crown at Five Dock.

I have, &c.,  
EDMUND T. BLACKET.

## [Enclosures in No. 55.]

*Appointment of Arbitrator by the Government.*

WHEREAS Messrs. Daintrey and Chapman, of Sydney, in the Colony of New South Wales, have applied, on behalf of Mr. Samuel Lyons, for compensation by the Government for 5a. 1r. 34p. of land, part of the Five Dock Estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, as more particularly shown upon the tracing accompanying these presents; and whereas the Government have taken into consideration the above claim. Now I, the Surveyor General of the Colony aforesaid, having been duly authorized by the Minister for Lands, do hereby appoint J. V. Gorman of Pitt Street, Sydney, aforesaid, to be the Arbitrator on behalf of the Crown to determine the amount of compensation to be paid to the said Samuel Lyons for the land so resumed as aforesaid.

In witness whereof I have hereunto set my hand, this 14th day of August, A.D. 1865,—

W. R. DAVIDSON,  
Surveyor General.

I, the within named J. V. Gorman, do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me, and that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matters referred to me.

J. V. GORMAN.

Subscribed and declared this 1st day of }  
November, A.D. 1865, before me,— }

HENRY PRINCE, J.P.

## C.

*Applicant appointing Arbitrator on his own behalf.*

WHEREAS I, Samuel Lyons, by my attorneys, Messrs. Daintrey and Chapman of Sydney, in the Colony of New South Wales, have applied for compensation by the Government for 5a. 1r. 34p. of land at Five Dock, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas the Minister for Lands has duly appointed J. V. Gorman to be the person to fix and determine the amount of compensation to be paid to the said Samuel Lyons; whereas, I am desirous of appointing an arbitrator on my behalf, in the matter aforesaid, now I, the said Samuel Lyons, do hereby, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, appoint F. H. Reuss of 134 Pitt Street, in the Colony aforesaid, to arbitrate on my behalf to determine the amount of compensation to be paid to me by the said Government.

In witness whereof I have hereunto set my hand, this 25th day of October, A.D. 1865,—

SAMUEL LYONS,  
(DAINTREY & CHAPMAN.)

I, the within named F. H. Reuss do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me, and that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matters referred to me under the Crown Lands Alienation Act of 1861.

F. H. REUSS.

Subscribed and declared, this 25th day of }  
October, A.D. 1865, before me,— }

W. CHURCH, J.P.

*Appointment*

PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK. 27*Appointment of Umpire by two Arbitrators.*

WE, J. V. Gorman, of the City of Sydney, in the Colony of New South Wales, appointed by the Minister for Lands, and F. H. Reuss, appointed by Samuel Lyons, to determine the amount of compensation to be paid to the said Samuel Lyons for 5a. 1r. 34p. of land at Five Dock, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road near Gladesville, do hereby appoint E. T. Blacket, of Pitt-street, Sydney, in the Colony aforesaid, to be Umpire in the matter of the said arbitration.

In witness whereof we have hereunto set our hands, this 1st day of November, A.D. 1865,—

J. V. GORMAN,  
F. H. REUSS.

I, the within named E. T. Blacket, 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 matters referred to me under the Crown Lands Alienation Act of 1861.

E. T. BLACKET.

Subscribed and declared this 2nd day of }  
November, A.D. 1865,— }

W. CHURCH, J.P.

## B.

WHEREAS Samuel Lyons, by his attorneys, Messrs. Daintrey and Chapman, of Sydney, in the Colony of New South Wales, has applied to the Government of the said Colony for compensation for 5a. 1r. 34p. of land, part of the Five Dock Estate resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas the Surveyor General of New South Wales has intimated that he has appointed John V. Gorman, of Pitt-street, Sydney aforesaid, to fix and determine the amount of compensation to be paid to the said Samuel Lyons for the land so resumed as aforesaid, on condition that if the said Samuel Lyons do not agree that the said J. V. Gorman shall be sole arbitrator to act in the matter of the said arbitration on behalf of the said Samuel Lyons as well as on the behalf of the Government, he shall pay all costs charged by or payable to the person he may appoint as arbitrator on his behalf, and also the costs of and payable to any umpire that may be appointed in the matters aforesaid: Now, the said Samuel Lyons, in consideration of the Minister for Lands appointing the said J. V. Gorman to be the arbitrator on behalf of the Government in the matters aforesaid, doth hereby undertake and promise to the Honorable John Robertson, Minister for Lands, that he will pay to the person hereinafter appointed as arbitrator on behalf of the said Samuel Lyons, and to any umpire who may be appointed in the matters aforesaid, all costs, charges, and expenses which shall or may become payable to the said arbitrator who may be appointed herein, and that the said Samuel Lyons will hold the Government of the said Colony indemnified from being called upon to pay the said cost and charges and expenses, or any part thereof.

In witness whereof, the said Samuel Lyons, by his Attorneys Messrs. Daintrey and Chapman, has hereunto set his hand, this 13th day of October, 1865,—

SAMUEL LYONS.  
(DAINTREY & CHAPMAN.)

To all to whom these presents shall come, E. T. Blacket, of Sydney, in the Colony of New South Wales, sends greeting:

WHEREAS, on 14th day of August, 1865, J. V. Gorman was duly appointed by the Minister for Lands to determine the amount of compensation to be paid to Samuel Lyons, for lands resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas, on the 25th day of October, 1865, F. H. Reuss, of Sydney, was duly appointed by the said Samuel Lyons to determine the amount aforesaid; and whereas the said J. V. Gorman and the said F. H. Reuss, before proceeding to enter upon the said arbitration, duly appointed the said E. T. Blacket as umpire in the matter of the said arbitration; and whereas it hath become necessary that the said E. T. Blacket should act as umpire in the premises, and he hath, before entering upon the said arbitration, duly made the declaration required by law:

Now, know ye, that the said E. T. Blacket, having heard and considered the allegations and witnesses on behalf of the Minister for Lands, and of the said Samuel Lyons, respectively, doth hereby declare the sum of £160 16s. 6d. to be the amount of compensation to be paid to the said Samuel Lyons for the land resumed as aforesaid, and doth further fix the costs to be paid to the said J. V. Gorman as such arbitrator at the sum of £5 5s., which sum the said E. T. Blacket doth direct shall be paid by the Minister for Lands—and the costs to be paid to the said F. H. Reuss as such arbitrator at the sum of £5 5s., and of the said E. T. Blacket as umpire herein at the sum of £5 5s., which last-mentioned sums the said E. T. Blacket doth hereby order and direct shall be paid by the said Samuel Lyons.

In witness whereof the said E. T. Blacket hath hereto set his hand, this 8th February, 1866,—

EDMUND T. BLACKET.

Witness—WILLIAM SLADE.

## B.

WHEREAS W. H. Gaden, by his attorney Charles Abercrombie, of Five Dock in the Colony of New South Wales, has applied for compensation by the Government for 4 acres 3 roods of land, part of the Five Dock Estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas the Surveyor General of New South Wales has intimated that he has appointed John V. Gorman, of Pitt-street, Sydney, aforesaid, to fix and determine the amount of compensation to be paid to the said W. H. Gaden for the said land so resumed as aforesaid—on condition, that if the said W. H. Gaden does not agree that the said John V. Gorman shall be the sole arbitrator to act in the matter of the said arbitration, on behalf of the said W. H. Gaden as well as on behalf of the Government, he shall pay all costs charged by or payable to the person he may appoint as arbitrator on his behalf, and also the costs of and payable to any umpire that may be appointed in the matters aforesaid: Now, the said W. H. Gaden, in consideration of the Minister for Lands appointing the said J. V. Gorman to be the arbitrator on behalf of the Government, in the matters aforesaid, does hereby undertake and promise to the Honorable John Robertson, Minister for Lands

28 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

Lands, that he will pay to the person hereinafter appointed as arbitrator on behalf of the said W. H. Gaden, and to any umpire who may be appointed in the matters aforesaid, all costs, charges, and expenses which shall or may become payable to the said arbitrator who may be appointed herein; and that the said W. H. Gaden will hold the Government of the said Colony indemnified from being called upon to pay the said costs, charges, and expenses, or any part thereof.

In witness whereof the said W. H. Gaden hath hereunto set his hand, this 11th October, A.D. 1865,—

WILLIAM H. GADEN.  
(By his Attorney),  
CHARLES ABERCROMBIE.

*Appointment of Arbitrator by Government.*

WHEREAS Charles Abercrombie, of Five Dock, near Sydney, in the Colony of New South Wales, has applied, on behalf of Henry Gaden, for compensation by the Government for 4 acres 3 roods of land, part of the Five Dock Estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, as more particularly shown upon the tracing accompanying these presents; and whereas the Government have taken into consideration the above claim: Now I, the Surveyor General of the Colony aforesaid, having been duly authorized by the Minister for Lands, do hereby appoint John Vale Gorman, of Pitt-street, Sydney, aforesaid, to be the arbitrator on behalf of the Crown, to determine the amount of compensation to be paid to the said Henry Gaden for the land so resumed as aforesaid.

In witness whereof I have hereunto set my hand, this 14th day of August, 1865,—

W. R. DAVIDSON,  
Surveyor General.

I, the within-named John Valentine Gorman, do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me; and that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matter referred to me.

J. V. GORMAN.

Subscribed and declared this 1st day of }  
November, A.D. 1865, before me,— }  
HENRY PRINCE, J.P.

*Applicant appointing Arbitrator on his own behalf.*

WHEREAS I, W. H. Gaden, by my agent Charles Abercrombie of Five Dock, near Sydney, in the Colony of New South Wales, have applied for compensation by the Government for 4 acres 3 roods of land at Five Dock, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas the Minister for Lands has duly appointed J. V. Gorman, of Pitt-street, Sydney, to be the person to fix and determine the amount of compensation to be paid to the same Henry Gaden; and whereas I am desirous of appointing an arbitrator on my behalf in the matter aforesaid: Now I, the said W. H. Gaden, do hereby, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, appoint W. Beames, of Leichhardt, in the Colony aforesaid, to arbitrate on my behalf, to determine the amount of compensation to be paid to me by the said Government.

In witness whereof I have hereunto set my hand, this 11th day of October, A.D. 1865,—

CHARLES ABERCROMBIE.

I, the within-named Walter Beames, 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 knowledge, skill, and ability, determine the matters referred to me under the Crown Lands Alienation Act of 1861.

WALTER BEAMES.

Subscribed and declared this 11th day of }  
October, A.D. 1865, before me,— }  
W. CHURCH, J.P.

*Appointment of Umpire by two Arbitrators.*

WE, J. V. Gorman of the City of Sydney, in the Colony of New South Wales, appointed by the Minister for Lands, and W. Beames of Leichhardt, near Sydney, appointed by W. H. Gaden, to determine the amount of compensation to be paid to the said Henry Gaden for 4 acres 3 roods of land at Five Dock, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road near Gladesville, do hereby appoint E. T. Blacket, of Pitt-street, Sydney, in the Colony aforesaid, to be umpire in the matter of the said arbitration.

In witness whereof we have hereunto set our hands, this 1st November, 1865,—

J. V. GORMAN,  
WALTER BEAMES.

I, the within named Edmund Thomas Blacket, 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 matter referred to be under the Crown Lands Alienation Act of 1861.

E. T. BLACKET.

Subscribed and declared this 2nd day of }  
November, A.D. 1865, before me,— }  
W. CHURCH, J.P.

To all to whom these presents shall come, Edmund Thomas Blacket, of Sydney, in the Colony of New South Wales, sends greeting:

WHEREAS, on the 14th August, 1865, John Valentine Gorman was duly appointed by the Minister for Lands to determine the amount of compensation to be paid to W. H. Gaden, by his attorney Charles Abercrombie, for land resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas on the 11th October, 1865,

1865, Walter Beames of Leichhardt, was duly appointed by the said W. H. Gaden, by his attorney Charles Abercrombie, to determine the amount aforesaid; and whereas the said J. V. Gorman and the said Walter Beames, before proceeding to enter upon the said arbitration, duly appointed the said E. T. Blacket as umpire in the matter of the said arbitration: And whereas it hath become necessary that the said E. T. Blacket should act as umpire in the premises, and he hath before entering upon the said arbitration duly made the declaration required by law:

Now know ye, that the said E. T. Blacket, having heard and considered the allegations and witnesses on behalf of the Minister for Lands and of the said W. H. Gaden, by his attorney Charles Abercrombie, respectively, doth hereby declare the sum of £141 2s. 6d. to be the amount of compensation to be paid to the said Samuel Lyons for the land resumed as aforesaid; and doth further fix the costs to be paid to the said J. V. Gorman as such arbitrator at the sum of £5 5s., which sum the said E. T. Blacket doth direct shall be paid by the Minister for Lands; and the costs to be paid to the said W. Beames as such arbitrator at the sum of £5 5s., and of the said E. T. Blacket as umpire herein at the sum of £5 5s.—which last-mentioned sums the said E. T. Blacket doth hereby order and direct shall be paid by the said W. H. Gaden, by his attorney Charles Abercrombie.

In witness whereof the said E. T. Blacket hath hereto set his hand, this 8th February, 1866,—

EDMUND T. BLACKET.

Witness.—WM. SLADE.

No. 56.

THE SURVEYOR GENERAL to MR. J. V. GORMAN.

Surveyor General's Office,  
Sydney, 17 February, 1866.

SIR,

With reference to my instructions of the 14th August, 1865, relative to the valuation of certain land resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, I have the honor to inform you that Mr. Blacket the umpire has forwarded his awards in Messrs. Lyons' and Gaden's cases, and that, as the delay has been considerable, it is hoped you will use every exertion to hasten the award in the case of the Trustee of the Balmain Estate.

I have, &c.,  
W. R. DAVIDSON, S.G.

No. 57.

MR. J. V. GORMAN to THE SURVEYOR GENERAL

Tara, near Sydney,  
22 February, 1866.

SIR,

I beg herewith to transmit my award of £510 made in the matter of arbitration between the Crown and Messrs. Thacker, Daniell, and Co., in a claim for compensation made by the latter for 6 acres of land, part of the Balmain Estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, being at the lowest current rate at which that estate is now being sold.

As both the other claims for compensation for lands similarly resumed were referred to the umpire, the arbitrators being unable to agree upon one particular point, I was desirous of availing myself of the opinion of the umpire in those cases, in order, if possible, to fortify my own view; and hence the delay in making my award, the other awards having only been made a few days since.

I may remark, that, as this arbitration does not in any way come within the provisions of the Crown Lands Aliation Act of 1861, I am not, in my capacity of Appraiser to the Government under that Act, bound to arbitrate for Messrs. Thacker, Daniell, and Co., without payment for my services in the usual way; I have therefore included in my award the fee to which I am entitled from them, but in regard to which the Government is not in any way responsible.

I have, &c.,  
J. V. GORMAN.

[Enclosures in No. 57.]

*Appointment of Arbitrator by Government.*

WHEREAS Messrs. Thacker, Daniell, & Co. of Sydney, in the Colony of New South Wales, have applied, on behalf of the Trustees of the Balmain Estate, for compensation by the Government of New South Wales for 6 acres of land (part of the above estate) resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, as more particularly shown upon the tracing accompanying these presents; and whereas the Government have taken into consideration the above claim: Now I, the Surveyor General of the Colony aforesaid, having been authorized by the Minister for Lands, do hereby appoint J. V. Gorman, of Pitt-street, Sydney, aforesaid, to be the arbitrator on behalf of the Crown to determine the amount of compensation to be paid to the said trustees for the land so resumed as aforesaid.

In witness whereof I have hereunto set my hand, this 14th day of August, A.D. 1865,—

W. R. DAVIDSON,  
Surveyor General.

30 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

I, the within-named J. V. Gorman, do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me; and that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matters referred to me.

J. V. GORMAN.

Subscribed and declared this 1st day of }  
November, A.D. 1865— }  
HENRY PRINCE, J.P.

A.

WHEREAS Messrs. Thacker, Daniell, & Co. of Sydney, in the Colony of New South Wales, as Trustees of the Balmain Estate, have applied to the Government of the said Colony for compensation from the Government for 6 acres of land, part of the Balmain Estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas the Surveyor General of the said Colony has, by the authority of the Minister for Lands, appointed J. V. Gorman, of Pitt-street, Sydney, aforesaid, to fix and determine the amount of compensation to be paid to the said Messrs. Thacker, Daniell, & Co. for the land so resumed as aforesaid; and whereas the said Messrs. Thacker, Daniell, & Co. are desirous of concurring in the appointment of the said J. V. Gorman as such arbitrator as aforesaid: Now, therefore, the said Messrs. Thacker, Daniell, & Co. do hereby nominate and appoint the said J. V. Gorman to be arbitrator on behalf of the said Thacker, Daniell, & Co. as such trustees as aforesaid, to the intent that upon his being appointed by the Minister for Lands as arbitrator on behalf of the Government, he may as sole arbitrator determine the matters aforesaid.

In witness whereof the said Trustees have hereunto set their hands, this 19th day of August, A.D. 1865,—

CHARLES HOLLOND.  
(By his Attorney, G. KING.)  
JOHN BOWNING.  
(By his Attorney, G. KING.)  
ROBERT VANTY.  
(By his Attorney, G. KING.)

To all to whom these presents shall come, I, J. V. Gorman of Sydney, in the Colony of New South Wales, send greeting:

WHEREAS, on the 14th day of August, A.D. 1865, I was duly appointed arbitrator by the Minister for Lands, and on the 19th day of August, A.D. 1865, also appointed as sole arbitrator by Messrs. Thacker, Daniell, & Co., Trustees for the Balmain Estate, to fix and determine the amount to be paid to the said Messrs. Thacker, Daniell, & Co. as such Trustees, for 6 acres of land, part of the above estate, resumed by the Crown for the purpose of forming a road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville; and whereas I have entered upon the consideration of the matter, and have heard and considered the evidence produced before me by or on behalf of the Minister for Lands and the said Messrs. Thacker, Daniell, & Co., as such trustees aforesaid: Now I, the said J. V. Gorman, do hereby declare that the sum of £510 be the amount of compensation to be paid to the said Messrs. Thacker, Daniell, & Co., as trustees aforesaid for the Balmain Estate, for the land so resumed by the Government as aforesaid; and I assess and fix the costs of this arbitration payable to me at the sum of £7 10s.—of which said sum I hereby direct that £2 10s. shall be paid to me by the Minister for Lands, and £5 shall be paid to me by the said Messrs. Thacker, Daniell, & Co.

In witness whereof I have hereunto set my hand, this 22nd day of February, A.D. 1866,—  
J. V. GORMAN.

No. 58.

THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

THE valuation of the portions required for the Gladesville Road having been received, a Schedule is forwarded showing the amount to be paid in compensation to those persons from whose lands the portions have been taken.

As the late Minister for Lands decided that, in dealing with this matter, M'Kee's case should be taken as a precedent, it is presumed that, subject to the approval of the Executive Council, the respective amounts will be paid to the persons interested, in anticipation of a vote of Parliament.

W.R.D.—B.C., 12 March, 1866.

Prepare Minute for Executive.—J.B.W., 14 March.

SCHEDULE showing the Amount of Compensation to be paid by Government, for the resumption of certain Land, at Balmain, for Road purposes.

Names.	Situation.	Area.	Amount.
		a. r. p.	£ s. d.
Thacker, Daniell, & Co., Trustees for the Balmain Estate .....	Balmain .....	6 0 0	510 0 0
Samuel Lyons.....	Five Dock.....	5 1 34	160 16 6
Henry Gaden.....	Do. ....	4 3 0	141 2 6
			811 19 0

No. 59.

GEORGE KING, Esq., to THE SURVEYOR GENERAL.

Sydney, 14 March, 1866.

*Balmain Estate.*

SIR,

Having been informed that an award had been made by the arbitrator as to the value of the land taken by the Government from the above estate for the new road recently made, I request that I may be informed of the result of the award, as to the amount of compensation and the line of road taken, in order that I may have the alteration made in the plan of the estate.

I have, &c.,

GEO. KING,

Attorney for the Trustees of the Balmain Estate.

No. 60.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Department of Lands,  
Sydney, 26 March, 1866.

It having been found necessary, in forming the line of road from the Abattoir Road through the Balmain Estate to the Great North Road opposite Gladesville, to appropriate the several portions of land specified hereunder, it is now recommended, for the approval of His Excellency the Governor and the Executive Council, that the following sums of money be paid, in anticipation of Legislative sanction, to holders of said lands, by way of compensation for their loss, viz. :—

The Trustees of the Balmain Estate	...	...	...	...	£510	0	0
Samuel Lyons	...	...	...	...	160	16	6
Henry Gaden	...	...	...	...	141	2	6
					£811	19	0

J. BOWIE WILSON.

This has now, I think, been voted.—M.F.

No. 61.

THE UNDER SECRETARY FOR LANDS to THE UNDER SECRETARY FOR FINANCE AND TRADE.

Department of Lands,  
Sydney, 6 April, 1866.

SIR,

Referring to the Vote recently taken on Additional Estimates, for the £512 purpose of compensating the owners of land appropriated for the Road from Balmain to the Great North Road opposite Gladesville for their loss, I am now directed to request that the following sums may be paid, in full compensation, to the parties named in each case, viz. :—

To Thacker, Daniell, & Co., Trustees for the Balmain Estate	...	...	...	...	£510	0	0
Samuel Lyons	...	...	...	...	160	16	6
Henry Gaden	...	...	...	...	141	2	6
					£811	19	0

I have, &c.,

MICHL. FITZPATRICK.

No. 62.

MESSRS. DANIELL, KING, & Co. to THE SURVEYOR GENERAL.

Sydney, 7 April, 1866.

SIR,

We have a letter from Mr. J. V. Gorman, informing us that he had sent in his award in the matter of the land resumed by Government from the Balmain Estate in February last, and that he had awarded the trustees £510 compensation.

We will feel obliged by the Government paying us the amount of the award, and sending us a tracing of the road now proclaimed, that we may know what land to except from future sales.

We have, &c.,

DANIELL, KING, & CO.

The

32 PROPOSED ROAD TO GLADESVILLE *vid* BALMAIN & FIVE DOCK.

The awards are at present with the Under Secretary for Lands. A tracing is exhibited at all times at the Surveyor General's Office.—P. F. ADAMS, 11 April.  
Under Secretary for Lands.

These papers may now, it is presumed, be returned to the Surveyor General, in order that steps may be taken for the formal opening of the line, should no objection exist.—M.F.—B.C., 21 April, 1866.

Will it not be better in the first instance to deal with Isler's case of cost of fencing, or shall the remainder of the road be opened forthwith?—(For the Surveyor General)—P. F. ADAMS, 2 May.

The former.—M.F., 7 May.

The sum of £74 should now be given to Mr. Isler for fencing, as recommended by my B.C. of the 20 January, 1865.—W.R.D.—B.C., 11 May, 1866.

Approved.—J.B.W., 17 May.

## No. 63.

THE UNDER SECRETARY FOR LANDS to THE UNDER SECRETARY FOR FINANCE & TRADE.

Department of Lands,  
Sydney, 22 May, 1866.

SIR,

I am directed by the Secretary for Lands to request that you will have the goodness to cause the sum of £74 to be paid to Mr. Isler, or his order, for fencing that portion of the road from the Abattoir Road, through the Balmain Estate, to the Great North Road opposite Gladesville, which passes through his enclosed land.

2. This sum will be charged against the Vote for Fencing roads through enclosed land for the present year.

I have, &c.,

MICHL. FITZPATRICK.

## No. 64.

MR. J. G. LENNON to THE UNDER SECRETARY FOR LANDS.

Leicester Place,  
Paddington, 2 June, 1866.

SIR,

With reference to the new line of road running through the Five Dock Estate, I am informed that, in consequence of some disagreement as to compensation with Mr. Abercrombie, through whose land the said road is to pass, a fresh proclamation will have to be issued. If such is the case, I beg to state that I am willing to give all the land required for the road without any compensation other than that of frontage; and I have little doubt that, on a re-survey of the line through my land, it will be found quite as good as that of the present. In conclusion, I have to remark that the above proposition was made by me some years back.

I have, &c.,

JOHN G. LENNON.

Surveyor General.—M.F.—B.C., 4 June, 1866.

THE delay already in opening this line of road has been so great, that, notwithstanding the inducement to adopt Mr. Lennon's offer, I prefer recommending the opening of the road as proclaimed. To take the line offered by Mr. Lennon, it would be necessary to pass through a portion of Mr. S. Lyons' property through which no right to make roads is reserved; also through a portion of Mr. Gaden's (Abercrombie's). But, as there is a reservation of "a road one chain wide round the shores of the Harbour surrounding the same" in the deed of grant, it is probable that the interference with this property would be trifling.—(For the Surveyor General)—P. F. ADAMS, 19 June.

The Under Secretary for Lands.

Approved.—J.B.W., 23 June.

For the Surveyor General, in order that the road may be formally opened.—M.F. B.C., 29 June, 1866.

Mr. Licensed Surveyor Huntley to formally open the road.—P.F.A., 5 July.



## No. 65.

THE UNDER SECRETARY FOR LANDS to J. G. LENNON, Esq.

Department of Lands,  
Sydney, 29 June, 1866.

SIR,

Referring to your letter of the 2nd instant, suggesting that the line of the proposed road from the Abattoir Road through the Balmain Estate should be altered so as to pass through your land, I am directed by the Secretary for Lands to inform you that it has been determined to adopt the line of road already proclaimed, and that instructions have been given for its formal opening to public use.

I have, &amp;c.,

MICHL. FITZPATRICK.

## No. 66.

MR. SURVEYOR HUNTLEY to THE SURVEYOR GENERAL.

No. 5, Exchange, Sydney,  
15 August, 1866.

SIR,

I have the honor to report that in pursuance of instructions received by Deputy Surveyor General's B. Cover, dated 5 July, 1866, I have formally opened the abovenamed road.

The marking of the road is plain, and the greater portion, that from the Great North Road to Mr. Abercrombie's north fence, is formed, and above half the length through his property is cleared and stumped.

In Mr. Abercrombie's fence, at the crossing of the road, there are slip-rails, so I saw no necessity for removing his fence, and I may, therefore, declare that no obstruction now exists on this line of road.

I have, &amp;c.,

A. S. HUNTLEY, C.E.

THE customary notice of the formal opening of the road may appear. The traffic on the road is not disturbed; and if any complaint is made, the removal of the slip-rails can be carried out.

(For the Surveyor General),

P. F. ADAMS,  
16 Aug., 1866.

The Under Secretary for Lands.

## No. 67.

NOTIFICATION IN THE *Government Gazette*.Department of Lands,  
Sydney, 17 August, 1866.

## ROAD.

NOTICE is hereby given that the line of parish road, from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, mentioned in the *Government Gazette* of the 29th November, 1864, (No. 232,) has been formally marked and opened by the proper officer, and that the same is now open for public use.

J. BOWIE WILSON.

## No. 68.

MESSRS. CAIRD, PATERSON, &amp; Co., to THE SECRETARY FOR LANDS.

Sydney, 15 January, 1867.

SIR,

Referring to a conversation which the writer had with you some time ago, in which it was agreed that the road through our property at Five Dock (formerly Mr. Abercrombie's) should be shifted its own width to the north of its present position, we are informed that no steps have been taken to carry this out, in consequence of our having omitted to send the Government an undertaking to the effect that we would claim no further compensation than that which has already been received.

In consideration of the improvement to our property which will be made by shifting the road as above, we hereby absolve the Government from all further claims in respect of same, and will be greatly obliged if you will cause the necessary steps to be taken for having the road so altered and reproclaimed.

We have, &amp;c.,

CAIRD, PATERSON, &amp; Co.

Surveyor General.—M.F.—B.C., 19 January, 1867.

Mr. Licensed Surveyor Huntley for report as to any objection to the slight deviation sought; and if not, to prepare a plan and book of reference.—P.F.A., 22 Jan.

34 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

## No. 69.

MR. SURVEYOR HUNTLEY *to* THE SURVEYOR GENERAL.Bell's Chambers, 171, Pitt-street,  
Sydney, 15 February, 1867.

SIR,

In reply to Deputy Surveyor General's blank cover dated 22 January, 1867, I have the honor to state that the sum of £35 has been expended by the trustees of the above road on the line as proclaimed, and on that portion passing through the late property of Mr. Abercrombie, and that there is no physical difficulty in deviating the road as applied for.

I have, &c.,  
A. S. HUNTLEY.

From this report, I could scarcely recommend the deviation, unless Mr. Caird was willing to pay the £35 expended on the road. His application is too late; and it must be borne in mind that he has received the award of compensation for injury, in full, done to his property by the road in taking its original course.—(For the Surveyor General)—P. F. ADAMS, 25 Feby., '67.

## No. 70.

THE UNDER SECRETARY FOR LANDS *to* MESSRS. CAIRD, PATERSON, & Co.Department of Lands,  
Sydney, 4 March, 1867.

GENTLEMEN,

In reference to your letter of the 15th ultimo, in which you propose a deviation from the portion of the New Gladesville Road passing through your property, I am directed by the Secretary for Lands to inform you that there will be no objection to the alteration suggested by you, provided you repay to the trustees of the road the amount of £35 expended by them in the formation of the portion proposed to be cancelled.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 71.

MESSRS. CAIRD, PATERSON, & Co. *to* THE SECRETARY FOR LANDS.

Sydney, 14 March, 1867.

SIR,

In reply to your favour of the 4th instant, regarding New Gladesville Road, we will be glad to repay the £35 expended by trustees in formation of the portion of the road we wish cancelled, if the alteration we wish is carried out.

We have, &c.,  
CAIRD, PATERSON, & Co.

Inform Trustees. Is it necessary to take any other steps on account of deviation? —J.B.W., 15 March.

The Surveyor General.—M.F.—B.C., 23 March, 1867.

The road as marked by Mr. Armstrong may be proclaimed.—(For the Surveyor General)—P. F. ADAMS, 17 April.

The Deputy Surveyor General has authorized the delay in the proclamation of this line until the deviation is formed.

The road is open and the works are being carried out upon the line at the request of the trustees; the proclamation has been delayed pending some work that was incomplete; it is now desirable that they should reply as to whether the proclamation shall issue according to the survey, or if any amendment is required to facilitate their operations.—(For the Surveyor General)—P.F.A., 7 June.

## No. 72.

THE UNDER SECRETARY FOR LANDS *to* THE TRUSTEES OF NEW GLADESVILLE ROAD.Department of Lands,  
Sydney, 21 March, 1867.

GENTLEMEN,

I am directed to inform that application having been made by Messrs. Caird, Paterson, & Co. for the proclamation of a deviation from the New Gladesville Road, where it passes through their lands (formerly C. Abercrombie's property) at Five Dock, in lieu of the portion of that road which passes through that land, it has been determined to effect such alteration on the understanding that the applicants repay the trustees whatever expense the latter may have incurred in the formation of the portion of the present line referred to.

2. Messrs. Caird, Paterson, & Co. having agreed to this course, I am to inform you that steps will be at once taken for the proclamation of the deviation in question.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 73.

## No. 73.

THE UNDER SECRETARY FOR LANDS *to* THE TRUSTEES OF NEW GLADESVILLE ROAD.Department of Lands,  
Sydney, 13 July, 1867.

GENTLEMEN,

Referring to my letter of the 21st March last, on the subject of Messrs. Caird, Paterson, and Co.'s consent to repay to your trust the sum of £35 expended on the new line to Gladesville where it passes through their land, provided a deviation were effected at that spot, by which means the land would be relieved of the intersection by the road as originally intended, I am now directed to inquire whether the proclamation of the line, which has been delayed at your instance, and pending the completion of certain works in progress, shall now be proceeded with in accordance with the survey, or whether any further amendment is required to facilitate your operations.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 74.

MR. SURVEYOR HUNTLEY *to* THE UNDER SECRETARY FOR LANDS.Bell's Chambers, Pitt-street,  
Sydney, 25 July, 1867.

SIR,

In reply to your letter of the 13th instant, inquiring whether the proclamation of the New Gladesville Road through the land belonging to Messrs. Caird, Paterson, and Co., may now be proceeded with, I have the honor, on behalf of myself and co-trustees, to inform you that the road is now formed in accordance with the deviation required by Messrs. Caird, Paterson, and Co.; but I am not aware whether another survey will be required previous to proclamation.

I have, &c.,  
A. R. HUNTLEY.

The Trustees say they are not aware of any necessity for a further survey of the line, but the attention of the Surveyor General may be drawn to this letter.—M.F.—B.C., 31 July, 1867.

Mr. Surveyor Knapp to inspect the work done by Trustees, and see if any further proclamation is necessary to include the works.—P. F. ADAMS.—B.C., 27 Aug., /67.

## No. 75.

MR. SURVEYOR KNAPP, JUNR., *to* THE SURVEYOR GENERAL.No. 131, Pitt-street, Sydney,  
16 September, 1867.

SIR,

Acting on your blank cover of 27th August last, I have inspected that portion of the New Gladesville Road passing through land (forming part of the Five Dock Estate) lately belonging to Mr. Charles Abercrombie, and do myself the honor to report that the work done by the trustees stands on the line of road Mr. Caird informed me he is willing should pass through the property; a strip, about 20 links wide, extending from the elbow to about the second culvert from the waters of Long Cove, remains to be cleared.

There being a considerable deviation from Mr. Licensed Surveyor Armstrong's line and the one proposed by Mr. Caird, I have, to save time, made a survey to include all the work done by the trustees, without waiting for further instructions from you. I trust this course will meet with your approval.

This survey will include a fine bluff rock on the waters of Long Cove, which will hereafter answer for a buttress for a bridge, should it be thought requisite to erect one.

Herewith I transmit book of reference, and return the papers.

I have, &c.,  
EDWARD J. H. KNAPP, JUNR.

[Enclosure]

[Enclosure in No. 75.]

BOOK of Reference of Road from Long Cove to Lyons' Road, being a deviation in the road from the Abattoir Road near Glebe Island to the Great Northern Road opposite Gladesville, to be opened as a Parish Road, under the Act of Council 4 William IV., No. 11, in lieu of a portion of that road which was confirmed by *Government Gazette* Notice of the 1st December, 1864, fol. 2752.

No.	Portion of Road.	Reputed Owner.	Occupier.	Character of Land.	Bearings.	Length in chains.	Enclosures.	Character and State of Preservation of Fencing.	Cultivation.	Breadth of Road.	Area.	Remarks.
1	From the Punt Wharf, at the Sisters' Rocks, Long Cove, to fence on the N.E. side of Lyons' Road, opposite the gates of Drummoyne, the property of William Wright.	Caird & Paterson.	C. Abercrombie	Principally sandy soil.	Northerly, westerly, and north-westerly.	48.60	3-rail fence.	Good.....	None	1 chain	a. r. p. 4 3 0	

NOTE 1.—Each number will represent one block of property through which the road may pass, whether of the Crown, of an individual, or devoted to the public as a reserve or road.

" 2.—Each portion of road will be within the property to which the No. applies, and should be described, as "from the south boundary of John Smith's 600 acres to the boundary line between that land and Thomas Jones' 50 acres."—"From the last-mentioned boundary to, &c., &c."

" 3.—The name of the reputed owner may be filled in from information obtained on the spot, or, failing such information, with the name of the grantee from the Crown.

" 4.—The name of the occupier, should there be one, can of course be ascertained on the spot.

" 5.—The bearings should be stated from the nearest cardinal point, as "E. 10° N.," but where they are numerous, and shown in a table on the plan, the general bearing need only be stated, as "north-easterly."

" 6.—In the column of remarks may be introduced any information which cannot conveniently be inserted in any of the other columns; such as the dedication of the portion of the road to the public in the subdivision of surrounding land, the reputed free use of road by the public for any specific period, &c.

## No. 76.

## THE SURVEYOR GENERAL to THE UNDER SECRETARY FOR LANDS.

THE accompanying Plan and Book of Reference of a road from Long Cove to Lyons' Road, being a deviation in the road from the Abattoir Road near Glebe Island to the Great Northern Road opposite Gladesville, are forwarded, with the view to the opening of the line as a parish road, under the Act of Council 4 William IV., No. 11, in lieu of a portion of that road confirmed by *Gazette* Notice of the 1st December, 1864.

(For the Surveyor General),

P. F. ADAMS,

B.C., 17 October, 1867.

## No. 77.

## THE UNDER SECRETARY FOR LANDS to THE BENCH OF MAGISTRATES, CENTRAL POLICE OFFICE, SYDNEY.

Department of Lands,  
Sydney, 14 November, 1867.

GENTLEMEN,

I have the honor to forward, for deposit in the Police Office, Sydney, for public inspection and information, copies of a Plan and Book of Reference of a road which is about to be opened as a parish road, under the Act of Council 4th William IV., No. 11, from Long Cove to Lyons' Road, being a deviation in the road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, the receipt of which documents you will be good enough to acknowledge.

I have, &amp;c.,

MICHL. FITZPATRICK.

## No. 78.

NOTIFICATION IN THE *Government Gazette*.

Department of Lands,  
Sydney, 15 November, 1867.

## ROAD.

HIS Excellency the Governor, with the advice of the Executive Council, having deemed it expedient to open and make a parish road (to be maintained at the expense of the parishes through which it passes), from Long Cove to Lyons' Road, being a deviation from the road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, in lieu of a portion of that road confirmed by *Government Gazette* Notice of 1st December, 1864, running through the lands supposed to be the property of Messrs. Caird, Paterson, & Co.: Notice is hereby given, that in conformity with the provisions of the Act of the Governor and Council 4th William IV., No. 11, a plan and book of reference showing the intended line of the road abovenamed are now deposited in the office of the Surveyor General in Sydney, and at the Central Police Office, Sydney; and

PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK. 37

and all persons interested therein are requested to transmit, in writing, to the Clerk of the Executive Council, within one month from this date, any well-grounded objections which may exist to the formation of the road in question.

By His Excellency's Command,  
J. BOWIE WILSON.

No. 79.

THE UNDER SECRETARY FOR LANDS to THE CLERK OF THE EXECUTIVE COUNCIL.

Department of Lands,  
Sydney, 19 November, 1867.

SIR,

In drawing your attention to the notice in the *Government Gazette* of the 2nd December, 1864, respecting the intended formation of a parish road from Long Cove to Lyons' Road, being a deviation from the road from the Abattoir Road near Glebe Island to the Great Northern Road opposite Gladesville, I am directed to request that you will have the goodness, at the end of one month from the date thereof, to inform me whether any objections have been received by you in respect of the said road, in pursuance of the notice alluded to.

I have, &c.,  
MICHL. FITZPATRICK.

No. 80.

THE CLERK OF THE EXECUTIVE COUNCIL to THE UNDER SECRETARY FOR LANDS.

Executive Council Office,  
3 January, 1868.

SIR,

From Long Cove to Lyons' Road, being a deviation from the road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, in lieu of a portion of that road confirmed by *Gazette* Notice of 1 Dec., 1864.—*Abercrombie's*.

In compliance with the request contained in Mr. Under Secretary Fitzpatrick's letter of the 19th November, 1867, No. 123, I do myself the honor to forward to you the objection lodged with me to the formation of the proposed parish road noted in the margin.

I have, &c.,  
ALEX. C. BUDGE,  
Clerk of the Council.

Cost of fencing cannot be recommended in this case, as the Government have already paid for all damage to the property through the opening of the road.—(For the Surveyor General)—P. F. ADAMS.

The confirmation of the road is recommended.—P.F.A., 9 Jany.

[Enclosures in No. 80.]

Mr. Chas. Abercrombie to The Clerk of the Executive Council.

Five Dock, 13 December, 1867.

Sir,

With reference to the notice issued by the Secretary for Lands on the 15th November last, relative to a deviation made in the road from Long Cove to Lyons' Road, running through the middle of my paddock which is substantially enclosed with a three-railed fence, and in which paddock I have been in the habit of taking in horses and cattle on agistment since 1852, and still continue to do so,—I beg to give you notice that I shall object to the said road being opened for public traffic until the Government erect a strong three-railed fence on each side of the said road, which, I estimate, will cost about £180, say 9s. per rod, and the compensation paid by the Government for the land (5 acres) is only £130.

I have, &c.,  
CHAS. ABERCROMBIE.

P.S.—To save repetition, I may just state that the within notice is from me as lessee of the ground; and I beg to give the Government the same notice, and state that the owner of the land (Mr. W. H. Gaden) has the same objections to make to the opening of the road, until it is properly fenced in, and at the expense of the Government.

CHAS. ABERCROMBIE,  
Attorney for W. H. GADEN.

No. 81.

SAMUEL LYONS, Esq., to THE SECRETARY FOR LANDS.

No. 227, George-street,  
13 January, 1868.

SIR,

I have the honor to lay before you the following facts, with the view of obtaining compensation for land taken by the Government, in addition to that I have already been paid for. In April, 1866, I received a notification from the Department of Lands that compensation had been awarded to me, to the extent of £160 16s. 6d., for 5 acres 1 rood and 34 perches, for loss of land appropriated for the formation of the road from Balmain to the Great North Road. Since then I have ascertained by surveys (especially by one made by Mr. Reuss) that the quantity of land taken for the above was 6 acres 2 roods and 34 perches, being 1 acre 1 rood more than I have received payment

38 PROPOSED ROAD TO GLADESVILLE *viâ* BALMAIN & FIVE DOCK.

payment for ; in other words, that the whole of the road was taken from my property. This error arises from an impression that the new line of road runs into a private road, laid out by my brother and myself. Mr. Wright, the purchaser of my brother's property, has recently, by payment to me, acknowledged that the road referred to, running between the two properties, was by mistake enclosed in his boundary wall.

I have, &c.,  
SAMUEL LYONS.

Mr. Lyons states that the road in question cuts off a larger area of his land than that for which he has been paid, viz., 5a. 1r. 34p., and he claims further compensation to be calculated for the 1 acre 1 rood overlooked.

This is a matter requiring the report of the Surveyor General.—M.F.—B.C., 24 January, 1868.

## No. 82.

NOTIFICATION IN THE *Government Gazette*.

Department of Lands,  
Sydney, 14 February, 1868.

WITH reference to the notice in the *Government Gazette* of the 15th November, 1867, relative to the opening and making of a parish road from Long Cove to Lyons' Road, being a deviation from the road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, in lieu of a portion of that road confirmed by *Gazette* Notice of the 1st December, 1864,—notice is hereby given, in accordance with the Act of Council 4 Will. IV., No. 11, that no objections having been made to the proposed road, in conformity with the said Act, His Excellency the Governor, with the advice of the Executive Council, has been pleased to confirm the said road ; and it is therefore hereby declared expedient to open and make the road referred to, according to the plan and book of reference, to be seen at the Office of the Surveyor General at Sydney, and at the Central Police Office, Sydney ; and all persons intending to claim compensation, in respect of the said line, are hereby reminded, that notice must be served upon the Colonial Secretary within forty days from the date hereof, in such manner and form as are provided by the 6th section of the Act above referred to, or they will be for ever foreclosed from such claim.

By His Excellency's Command,  
J. BOWIE WILSON.

## No. 83.

## THE UNDER SECRETARY FOR LANDS to THE PRINCIPAL UNDER SECRETARY.

Department of Lands,  
Sydney, 18 February, 1868.

SIR,

In drawing your attention to the notice in the *Government Gazette* of the 14th instant, respecting the confirmation of the line of road from Long Cove to Lyons' Road, being a deviation from the road from the Abattoir Road near Glebe Island to the Great Northern Road near Gladesville, in lieu of a portion of the road confirmed by *Gazette* Notice of 1 December, 1864,—I am directed to request that you will have the goodness, at the end of forty days from the date thereof, to state whether any claims to compensation have been made in respect of the said road, in pursuance of the notice referred to.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 84a.

## INDORSEMENT BY THE SURVEYOR GENERAL ON No. 81.

I CANNOT recommend any further compensation ; the road was laid out in accordance with the existing occupation, by Mr. Wright on one side and Mr. Lyons on the other, of a reserved road 50 links wide, which road was widened to one chain, and compensation paid to Mr. Lyons. Mr. Lyons now claims that Mr. Wright had enclosed the reserved road, and that the whole width is taken from his property. This I am not prepared to admit ; but, even if it should prove to be the case, Mr. Lyons can have no claim on the Crown for compensation, although he might succeed in opening the road enclosed by Mr. Wright. But, having accepted compensation from Mr. Wright already, I do not think he could press the matter.

The public interest would not be affected or advanced by the change ; in fact, as the road has been cleared, it would be better to let the matter stand as it is.

(For the Surveyor General),  
P. F. ADAMS,  
21 Feby.

Approved.—J.B.W., 22 Feby.

No. 84b.

## No. 84b.

THE UNDER SECRETARY FOR LANDS to SAMUEL LYONS, Esq.

Department of Lands,  
Sydney, 5 March, 1868.

SIR,

Referring to your letter of the 15th January last, in which you apply for a further allowance for compensation for your loss sustained by the passage through your property of the road from the Balmain Road to the Great North road, I am directed by the Secretary for Lands to inform you, that beyond the allowance of the kind already made in your favour, it is considered that you are not entitled to further compensation in the matter.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 85.

SAMUEL LYONS, Esq., to THE SECRETARY FOR LANDS.

No. 227, George-street,  
23 March, 1868.

SIR,

In acknowledging the receipt of your letter of the 5th instant, I beg respectfully to place the following facts before you, in support of my claim contained in my letter to you under date 13 January last.

The road laid out by my brother and myself was not a public road. It was agreed upon solely for our joint benefit, and was intended to lead to a private wharf—each brother contributing half the land; my brother conveying to me by deed his contribution, and I in like manner conveying to him my half. This road Mr. Wright by error enclosed in his boundary wall and has since paid me for. I now ask for compensation for that portion of the road that I have not been paid for, having been paid for part, the whole of the road having been taken from my freehold.

I have, &c.,  
SAMUEL LYONS.

Surveyor General.—M.F.—B.C., 28 March.

## No. 86.

THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS.

Colonial Secretary's Office,  
Sydney, 30 March, 1868.

SIR,

In reply to your letter of the 18th ultimo, No. 18, I am directed to state, for the information of the Secretary for Lands, that no applications have been received in this office for compensation in respect to the line of road from Long Cove to Lyons' Road, being a deviation from the road from the Abattoir road near Glebe Island to the Great Northern Road near Gladesville, in lieu of a portion of the road confirmed by *Gazette* Notice of 1st December, 1864.

I have, &c.,  
HENRY HALLORAN.

## No. 87.

INDORSEMENT BY THE SURVEYOR GENERAL ON No. 85.

MR. L. S. HUNTLEY is requested to report on the facts in this case, with the view of determining whether Mr. Lyons has any right to claim a further portion of the road as his land.

P. F. ADAMS,  
B.C., 20 May.

## No. 88.

THE COUNCIL CLERK, BALMAIN MUNICIPAL COUNCIL, to THE SECRETARY FOR LANDS.

Balmain Municipal Council,  
1 June, 1868.

SIR,

I have the honor, by direction of this Council, to respectfully call your attention to the following resolution, passed at a general meeting of the Council on the 19th day of May last.

Resolution

40 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

Resolution, as per Minute Book :—

“ That, with a view to understand the cause of the delay in opening the road from Hunter's Hill to Sydney *via* Five Dock and Balmain, this Council appoint a Committee, consisting of the Mayor, Aldermen Booth, Elliott, and Robinson, to wait upon the Honorable the Secretary for Lands, to ascertain the wishes of the Government upon the subject, explain the position of the Municipality with respect to it, and report to this Council.”

The Honorable the Secretary for Lands will favour by appointing a day to receive the Committee named as in the foregoing.

I have, &c.,  
HENRY CATT,  
Council Clerk.

## No. 89.

MR. SURVEYOR HUNTLEY to THE SURVEYOR GENERAL.

Bell's Chambers, 171, Pitt-street,  
Sydney, 1 June, 1868.

SIR,

In reply to your blank cover dated 20th May, 1868, I have the honor to place the following facts before you for your consideration in this case :—

- 1.—The road in question passes through lot 104 of the original subdivision of Harris' acres.
- 2.—This lot 104 was left to two brothers—George Joseph, and Samuel, Lyons—and in deed of partition, and also in separate descriptions of the two brothers' properties, provision is made for the beforenamed road.
- 3.—G. J. Lyons being in England, S. Lyons acting for self and brothers, subdivided both properties, and on many lithographs still extant this and many other roads are shown. Mr. William Wright purchased the whole of G. J. Lyons' share of original lot, and erected a substantial stone wall along his boundary on the lines shown by the pegs then placed by the surveyor employed by Mr. Samuel Lyons to subdivide both properties.
- 5.—Some years after this, Mr. Lyons claimed compensation for the loss of the road said to be enclosed by Mr. Wright, which the latter gentleman resisted, and justly, as the verdict and judgment of the Supreme Court show.
- 6.—It was proved during the trial, which occupied the Court during the 18th, 20th, and 21st February, 1867, that each held, exclusive of road as at present existing, 10 acres more ground than described—the difference between the two areas being only 7 perches—and moreover, the very pegs indicating the road, and placed there by Mr. Lyons, or his agent the surveyor, were found and identified.
- 7.—A new trial being granted, Mr. Wright paid Mr. Lyons £120, and obtained from the Land Titles Office an amended title and description on the diagram, on which a road is shown throughout the entire length of Mr. Wright's southern wall.

I have, &c.,  
A. S. HUNTLEY.

I HAVE seen the copy of deed granted to Mr. Wright at Land Titles Office, and according to that deed there is a road 50 links wide outside Mr. Wright's land. It is for part of this road that Mr. Lyons claims compensation. As the question has been thus decided at the department referred to, where it was, I believe, thoroughly investigated, I cannot recommend any further compensation to Mr. Lyons.

ROBERT D. FITZGERALD,  
(For the Surveyor General),  
25 June, 1868.

## No. 90.

THE UNDER SECRETARY FOR LANDS to SAMUEL LYONS, Esq.

Department of Lands,  
Sydney, 3 July, 1868.

SIR,

Referring to your letter of the 23rd March last, in which you allude to your claim to compensation for half the area of the road to Gladesville passing between your lands and the property of Mr. Wright, I am directed by the Secretary for Lands, to inform you that, after a consideration of the circumstances of the case, and the fact that the deeds granted to Mr. Wright at the Titles to Lands Office show that a road 50 links wide exists outside that property, your claim cannot be entertained.

I have, &c.,  
MICHL. FITZPATRICK.

## No. 91.



PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK. 41

No. 91.

THE SURVEYOR GENERAL to MR. LICENSED SURVEYOR KNAPP.

Surveyor General's Office,  
Sydney, 26 August, 1868.

SIR,

The Road from Long Cove to Lyons' Road, being a deviation in the Road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, having been confirmed as a parish road by Notice dated 14th February, 1868, folios 448 and 474 in the *Government Gazette* of 14th February, 1868,—I have to request that you will, as early as may be convenient, proceed to formally open the road.

In carrying out this instruction you will give notice, either verbally or in writing, to the proprietors of any enclosed lands through which the road passes, and suggest to them the desirability of their removing any fences or other obstructions which may exist; and you will then proceed along the road for the purpose of re-marking it in those places where the previous marking may have become obliterated.

Should the parties to whom you may give notice not remove the fences or other obstructions, you will summarily remove them; and in doing so you will be guaranteed from loss by action by the Government.

You will be good enough to report the fulfilment of this instruction.

I have, &c.,

ROBT. D. FITZGERALD.  
(For Surveyor General.)

No. 92.

MR. LICENSED SURVEYOR KNAPP to THE SURVEYOR GENERAL.

No. 131, Pitt-street, Sydney,  
3 September, 1868.

SIR,

In conformity with your instructions, dated 26th August, 1868, (Roads, Bridges, and Ferries,) I have opened the Road from Long Cove to Lyons' Road, being a deviation in the Road from the Abattoir Road near Glebe Island to the Great North Road opposite Gladesville, which was confirmed as a parish road by a Notice dated 14th February, 1868, in *Government Gazette* of the 14th and 18th February, 1868.

I have, &c.,

EDWARD J. H. KNAPP.

No. 93.

MR. LICENSED SURVEYOR KNAPP to THE SURVEYOR GENERAL.

No. 131, Pitt-street, Sydney,  
8 September, 1868.

SIR,

Having received from Mr. Charles Abercrombie a summons to attend next Friday, the 11th September, at the Central Police Court, to answer a complaint laid against me for pulling down his fence on Lyons' Road, Five Dock, which I removed in conformity with your instructions of 26th August, 1868, (Roads, Streets, Bridges, and Ferries,) I respectfully request that legal assistance may be rendered me in this case.

I have, &c.,

EDWARD J. H. KNAPP.

It is recommended that in this case which is simply one of removal of fencing to open a road, this defence should be entrusted to the Crown Law Officers.

ROBERT D. FITZGERALD.

(For the Surveyor General.)  
8 Sept.

Approval.—J.B.W., 9 Sept.

Crown Solicitor.—M.F., B.C., 10 September, 1868.

42 PROPOSED ROAD TO GLADESVILLE *via* BALMAIN & FIVE DOCK.

No. 94.

THE CROWN SOLICITOR to THE UNDER SECRETARY FOR LANDS.

Crown Solicitor's Office,  
Sydney, 11 September, 1868.

SIR,

I have the honor to return to you the accompanying papers relative to the opening of the parish road (deviation), Long Cove to Lyons' Road, and to state that I attended at the Police Court this morning for the purpose of defending Mr. Knapp, who had been served with a summons, at the instance of Mr. Abercrombie, charging him with destroying fencing, when Mr. Abercrombie withdrew his charge, stating that he had arranged the matter with the Honorable the Minister for Lands.

With reference to the appointment of Mr. Knapp, I would beg to suggest that in future all letters deputing the power of the Surveyor General to open roads, &c., should be signed by the Surveyor General himself. The Roads Act authorizes the Surveyor General to appoint persons for such purposes, and I think he cannot delegate the power to make such appointment to another person.

I have, &c.,  
JOHN WILLIAMS.

At a private interview with Mr. Caird and Mr. Abercrombie, I stated that there was no wish on the part of the Government to interfere with the slip-rails on this road, until the traffic was of sufficient importance to demand its being cleared.

J.B.W.,  
24 Sept., 1868.

Surveyor General.—M.F.—B.C., 14 Sept., 1868.

[One plan.]

[Price, 2s.]

Sydney: Thomas Richards, Government Printer.—1869.

PLAN

OF

A Proposed Road leading from the  
ABATTOIRS GLEBE ISLAND

THROUGH THE

BALMAIN ESTATE

Over Long Cove to the Sisters Rocks thence through the

FIVE DOCK ESTATE

Across the Parramatta River opposite

GLADESVILLE

TO MEET THE

GREAT NORTH ROAD

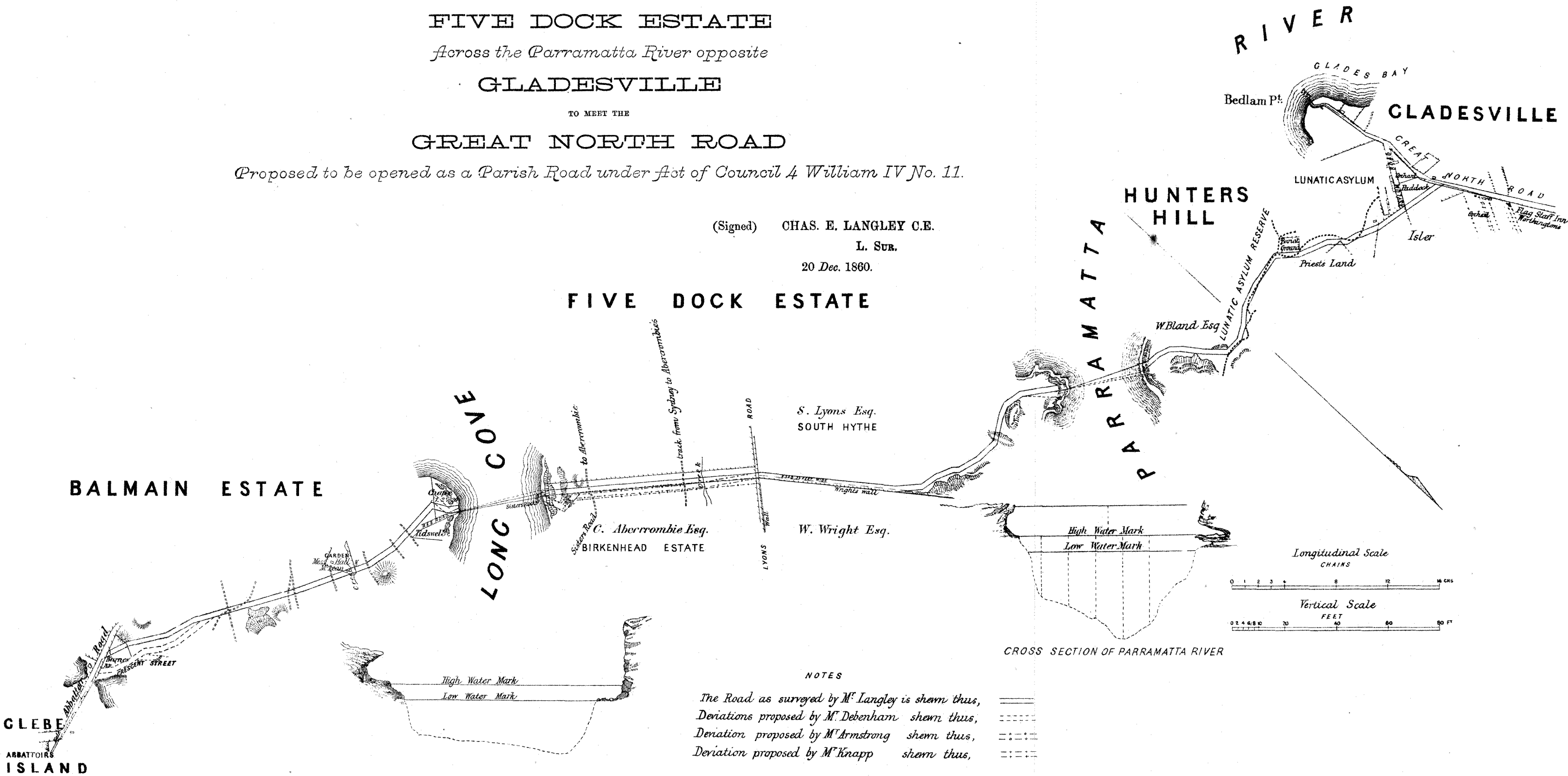
Proposed to be opened as a Parish Road under Act of Council 4 William IV No. 11.

(Signed) CHAS. E. LANGLEY C.E.

L. SUR.

20 Dec. 1860.

FIVE DOCK ESTATE



NOTES

The Road as surveyed by M<sup>r</sup> Langley is shewn thus,  
Deviations proposed by M<sup>r</sup> Debenham shewn thus,  
Deviation proposed by M<sup>r</sup> Armstrong shewn thus,  
Deviation proposed by M<sup>r</sup> Knapp shewn thus,

Scale of Plan

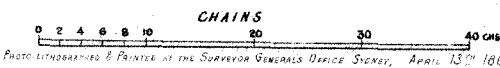


PHOTO LITHOGRAPHED & PRINTED AT THE SURVEYOR GENERAL'S OFFICE, SYDNEY, APRIL 13<sup>TH</sup> 1863

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

# WINDERMERE FORD.

(REPORT IN REFERENCE TO.)

---

*Ordered by the Legislative Assembly to be Printed, 6 January, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 15 December, 1868, That there be laid upon the Table of this House,—

“ A copy of the Report of Mr. Licensed Surveyor Maitland,  
“ on the proposed proclamation of Windermere Ford.”

(*Mr. Burns.*)

---

## WINDERMERE FORD.

---

MR. LICENSED SURVEYOR MAITLAND to THE SURVEYOR GENERAL.

Maitland, 3 June, 1868.

SIR,

Referring to your instructions herein, of the 13th September, 1867, of the 14th October, 1867, and 28th October, 1867, I do myself the honor to represent that, being well acquainted with the uncertainty of these crossing-places, I have delayed my report until in a position to do so with some degree of accuracy.

2. The flood of 1867 utterly destroyed the crossing between Windermere and Luskintyre, so completely indeed that the proprietor of both estates has been obliged to keep his communication open by a raft of casks. For many years past this ford was believed to be *permanent*.

3. In September, 1867, the crossing-place at the end of Farrell's Lane was difficult (not impossible), and after the flood I crossed it repeatedly when it was not more than 15 inches deep. After a subsequent freshet it again was reported to be impassable. I have crossed it with about 2 feet 9 inches of water on it thrice within these last ten days.

4. The crossing-place to and through the Boiling-down has always hitherto been good, but the cost of fencing, &c., through the premises of the Mill and Boiling-down, would, I think, very considerably exceed the cost of making a *permanent* ford at the proclaimed crossing-place, not forgetting that the Boiling-down crossing-place may any day be destroyed.

5. As the Works Department are now about to put a permanent causeway at the Kaleudah crossing-place, I am of opinion that further action as regards the lower crossing-place at Farrell's Lane may with advantage be suspended for a short time longer—there being, properly speaking, little or no through traffic—and I think but about six families supply all the *local*——about whose transit (on sufferance), in case of necessity, I believe no difficulty has ever been made by the proprietors or tenants of the Windermere Boiling-down.

I have, &c.,

D. M. MAITLAND,  
Licensed Surveyor.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## BRIDGE OVER THE NEPEAN, AT PENRITH.

(PETITION—CERTAIN INHABITANTS OF EMU PLAINS.)

---

*Ordered by the Legislative Assembly to be Printed, 3 February, 1869.*

---

To the Legislative Assembly.

We, the undersigned Inhabitants and Landholders of Emu Plains and Penrith, pray that your House will be pleased to take into consideration the heavy local tax imposed on us by the demanding of tolls for crossing the Nepean River, by the Victoria Bridge. On a previous occasion, when it was requested that a station house for goods might be erected on Emu Plains, it was objected to by the Minister of Works, that the making of a sidling to the railway could be done only at a very great expense ; and we therefore pray that you will make the Victoria Bridge a free bridge, abolish the tolls, and place the inhabitants of Emu Plains in an equal position with other colonists, and give them free access to the nearest railway station without toll or other demand, and that your House will take the above premises into your favourable consideration.

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

[*Here follow 121 Signatures.*]

---



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## BRIDGES CONSTRUCTED BY LOAN.

(SCHEDULE OF.)

*Ordered by the Legislative Assembly to be Printed, 9 February, 1869.**Laid on Table in reply to Question No. 1. See Votes and Proceedings, No. 35, of Tuesday, 9 February, 1869.*

Name.	Where situated.	Year.	Cost.			
			£	s.	d.	
Menangle Bridge.....	Over the Nepean River, on Road, Campbelltown to Picton.	1854	2,000	0	0	Traffic, since opening of Railway, too trifling to pay for a toll.
Denison „ .....	Over Macquarie River, at Bathurst.	1855	11,000	0	0	Carried away by floods. Toll close to, at Kelso, for bridge.
Carcoar „ .....	Over River Belubula, at Carcoar.	1854	2,300	0	0	In a town.
Paddy's River „ .....	Over Paddy's River, on Great South Road.	1854	3,000	0	0	Tolls on both sides, at Hanging Rock and Wingello (about 5 miles on each side).
Gunning „ .....	At Gunning .....	1854	1,776	3	3	In a town.
Queanbeyan „ .....	At Queanbeyan .....	1854	6,103	2	8	In a town.
Jugiong „ .....	At Jugiong .....	1854	4,009	13	4	Toll placed on this bridge, but removed, as it was not sufficiently remunerative.
Union „ .....	Over Murray River at Albury .....	1858	*10,000	0	0	†Tolls let for £700 per annum.
Approaches, N.S.W. side.	Albury .....	1858				(£3,486 18s. 6d. paid from Revenue.)
Tumut Bridge .....	At Tumut .....	1861	2,399	19	0	In a town.
Royal Alfred „ (Iron)	Over the Murrumbidgee.....	1862	20,000	0	0	} Tolls let for £547 per annum.
and Approaches ...	At Gundagai.....	1862	16,000	0	0	
Deniliquin Bridge ...	Over the River Edward, at Deniliquin.	1862	7,000	0	0	The placing a toll on this bridge, under consideration. Until lately there was a private bridge close to it, which would have rendered a toll unremunerative.
Narrabri „ .....	Over the Namoi, at Narrabri .....		2,950	12	10	River fordable greater part of the year.
Bendemeer „ .....	At Bendemeer .....		9,140	0	0	£6,000 from Loan Vote; £3,140 from General Revenue. River fordable greater part of the year.
Pitnacree „ .....	Over the Hunter, at Pitnacree .....		11,294	0	0	Toll on Dunmore Bridge, within 2½ miles; and also, at Campbell's Hill and Morpeth Road.
Dunmore „ .....	Over the Paterson, at Dunmore.		7,125	8	6	Tolls let for £179 per annum.
Penrith „ .....	Over the Nepean, at Penrith .....		33,000	0	0	Estimated collection, £400 per annum.
Singleton „ .....	Over the Hunter, at Singleton .....		15,500	0	0	River fordable much nearer to the town, for greater portion of year. Toll would not be remunerative.
Abattoir „ .....	At Glebe Island .....		20,186	5	11	Toll, £648.

\* Paid by Victorian Government, £4,508 17s. 6d.

† Half net tolls, after paying for repairs of Bridge, paid to Victorian Government.





1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## RAILWAY TRIAL SURVEY BETWEEN BATHURST AND ORANGE.

(PETITION—CERTAIN INHABITANTS OF ORANGE.)

*Ordered by the Legislative Assembly to be Printed, 10 December, 1868.*

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

The humble Petition of the undersigned Inhabitants of the Town and District of Orange and its neighbourhood,—

SHEWETH:—

That your Petitioners are deeply impressed with the vast importance to their district of railway communication with Bathurst and the metropolis, for the development of its rich mineral and agricultural resources, as well as to the trading and agricultural community resident in such district.

That your Petitioners accept the modern idea,—that the development of the prosperity of any country mainly depends on the formation of Railways through its length and breadth; and, whilst observing the fact that a trial survey is progressing from Goulburn towards the South, regret that no beginning has yet been made in the trial survey from Bathurst towards Orange and the West.

That Orange being one of the finest agricultural districts of the Colony, is capable of producing a very large quantity of wheat and flour for the metropolitan market, but the cost of carriage by the common roads renders it unprofitable, and retards production. Six copper mines have been opened, and other lodes are known to exist in the vicinity, with marble, slate, and stone quarries, and that nearly all the wool from the West passes through the town of Orange.

Your Petitioners, therefore, believe the prosperity of the country would be considerably improved by advancing the Railway to the West.

That at a meeting of the inhabitants of the town and district of Orange, held at the Court House, Orange, on Wednesday the 23rd of September, 1868, resolutions in support of the foregoing views upon the subject of a trial survey from Bathurst to Orange and the West, and the great necessity for its immediate prosecution, were passed; and it was resolved that a Petition, signed by the inhabitants, should be presented to your Honorable House.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take steps for the promotion and immediate prosecution of a trial survey between Bathurst and Orange, and the West, as to your Honorable House shall seem fit.

And your Petitioners will ever pray, &c.

[Here follow 280 Signatures.]



1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## DISEASE IN GRAPE VINES.

(REPORT FROM CHARLES MOORE, Esq., BOTANICAL GARDENS, ON "OIDIUM TUCKERI.")

*Ordered by the Legislative Assembly to be Printed, 16 December, 1868.*

THE DIRECTOR, BOTANIC GARDENS, to THE UNDER SECRETARY FOR LANDS.

Botanic Gardens,  
12 December, 1868.

Sir,

Having now acquired every possible information relative to the mildew which has this season so very seriously attacked the vines in many parts of the Colony, I do myself the honor to furnish the following report on the subject, for the information of the Government.

The mildew in question is, I regret to say, after the most careful examination which I have been able to give to it, that form of disease called *Oidium Tuckeri*, which, according to Professor Berkeley, is an immature state of the genus *Erysiphe*. This fungus was first observed in England about the year 1845, upon vines cultivated under glass, and proved most destructive, until a Mr. Tucker, a gardener near Margate, prevented its ravages by the application of sulphur, which previously had been applied with great success for the cure of mildew on peaches, &c. This simple remedy having proved very efficacious, Professor Berkeley named the fungus after the discoverer. The disease, some time after this, attacked the vines in the Gardens at Versailles, near Paris, and rapidly made its way through Spain, Portugal, Italy, Hungary, Switzerland, and the Rhine, where its effects were much slighter than elsewhere, due, no doubt, to the absence of great heat, and the dry situation of the vineyards. It afterwards extended to Algeria, Syria, Cape of Good Hope, and other countries. In Madeira, where it is said nothing was done to stop its progress, it destroyed vast numbers of the vineyards, and nearly put an end to the production of the celebrated Madeira wine. The disease is still very prevalent in many parts of the south of Europe, particularly in the sherry-producing districts of Spain (as I noticed last year), but in other places where it had been very general it is gradually disappearing. In Portugal, it appears by late accounts, the extensive vineyards in the Upper Dauro are this year entirely free from it, and this for the first time since 1851. Although it has only now been clearly determined that the disease affecting the vines in this Colony is the same as that which caused such havoc in Europe, yet there is no doubt it has existed in a slight form, in some vineyards on the eastern coast, for nearly three years past. So far as I can learn, Mr. Coxen of Queensland was the first to notice this pest in Australia. In the summer of 1866, that gentleman forwarded to me, through Dr. Bennett, specimens of some leaves from his vineyard, which were attacked by an unknown fungoid disease. As the fungus on these leaves was new to me, I took the specimens with me to Europe, but unfortunately, on the passage thither the leaves had become so dried and brittle that the fungus on them was scarcely apparent, and no distinct opinion could be pronounced concerning it. It is now known, however, that this was the first indication of *Oidium* in this quarter of the globe. In March last, I was requested to examine the vineyard of a Mr. Tourle, near Waratah, Hunter River, and in my report to the Government on that occasion I stated that the vines which I had examined were affected by a form of *Oidium*, and advised that they should be carefully watched during this season, so as to check the disease, should it again appear. This precaution, however, has not had the desired effect, as, with the approval of Mr. Secretary Forster, and at the request of Mr. John Wyndham, of Dalwood, I, in company with that gentleman, lately examined Mr. Tourle's and other Waratah vineyards, as well as that of Mr. Scobie, near Maitland, in all of which the disease prevailed to an alarming extent. Since that time, I have had specimens of vines affected with the disease sent to me from many other quarters. It is now known to have attacked the vines on the Clarence, to be very general on those about Sydney, Gladesville,

Ryde, Parramatta, Prospect, Nepean Towers, and in Illawarra, where it appeared last season, in the garden of Mr. Kirtain, of Keira Vale, whose vines are now almost destroyed by it. I have consulted every available authority relative to this matter, and the following extracts supply the best information which I have been able to discover on the subject. In a paper by J. H. L  veill  , D.M., translated from the French by the Rev. Professor Berkeley, it is said, that

"The plants on which the mould *Oidium Tuckeri* is developed present the same appearance as others, except that the shoots of the year, the leaves, bunches, berries, and stamens, in a word all the diseased parts, are covered with a very thin, white, pulverulent down, which is visible at some distance, and which diffuses a very perceptible mouldy smell. It forms on the leaves white circumscribed spots, which resemble those of *Erysiphe*. This down, when examined under the microscope, is formed of slender, branched, articulated threads, which creep over the surface of the leaves. From different points of this primitive mycelium spring little, erect, straight stems, which are transparent, simple, and articulated, and which bear at their extremity three, four, or five oval or elliptic simple hyaline spores, joined end to end like the beads of a necklace, and filled with extremely fine granules. These granules, when forced out by compression between two plates of glass, are spherical, transparent, and endowed with molecular motion.

"M. Decaisne and myself have made vain efforts to discover, under the epidermis, the least trace of mycelium upon the grapes, the vine-leaves, and on the branches, when beginning to be diseased. We have satisfied ourselves that all the phases of the vegetation of the *Oidium* take place on the surface. The tissues are first affected, and when a white spot begins to appear, however minute it may be, the mould is developed. If the finger is simply passed over it, it disappears; and if we examine the spot with a lens, we see at the point which it occupied, and around it, where no malady was suspected, extremely minute black or brown specks, upon which the mould is successively developed. The parenchym which corresponds with these specks is equally brown, and less filled with juice than that which surrounds it. If at this time it were covered with or traversed by mycelium, one ought to find it; but this is not the case.

"At a later period, the epidermis is frayed, the parenchym dries up, and, after having lived some time, the fungus disappears.

"When the stalk is diseased through its whole extent, the grapes entirely perish; when the malady attacks the berries in the first stage of their development, they dry up or fall; if, on the contrary, they have acquired a certain size, they are able to resist it; some crack, split, and expose their seeds; others are deformed and arrive at maturity, but they never acquire the size which they would have done had they not been diseased.

"Like fruits which have been punctured by insects, they appear to me to ripen before other grapes; but they are rather fleshy than succulent, and they are almost destitute of flavour.

"M. Duchartre, Professor of the Agronomie Institute of Versailles, in a report addressed to the Minister of Agriculture and Commerce, on the means of combating the effects of the fungus which attacks the vines, said:—'I am to-day happy in being able to announce to you that the treatment to which the diseased vines have been submitted has given excellent results, and that henceforth we may flatter ourselves with being able to combat it with success whenever it may appear.'

"The remedy employed by Duchartre consists in dashing over the diseased vines, by help of a garden syringe pierced with rather large holes, water in which flowers of sulphur are held in suspension. This simple, inexpensive means, by common consent, has been most successful. The employment of sulphur in this form had already been recommended by Mr. Kyle, an English agriculturist, who had discovered its properties. These advantages cannot be called in question.

"If we wish to prevent, not the ravages but the development of this fungus, we must not allow ourselves to be taken by surprise, but commence from the beginning at the moment of flowering, on the first symptoms of the disease, and not when it is generally dispersed, for then it has produced its effects, and it is difficult to appreciate the advantage of the means we have employed."

Referring to these views of L  veill  , the Rev. Professor Berkeley makes the following observations:—

"It is curious that, with respect to the vine disease, the majority are in favour of the fungal theory; and my friend Dr. L  veill   is almost alone on the other side. It is not to be denied that his arguments are extremely plausible, and that there is much in his observations that is worth attentive consideration, but I cannot always admit his data. It may be true that neither he nor M. Decaisne, of whom no botanist will speak without the greatest respect and self-distrust, have been able to detect mycelium within any part of the plant; but it is no less true that myself and Mr. G. Hoffman have seen it most distinctly, and that the figure given in the *Gardeners' Chronicle*, in November, 1847, was drawn from specimens lying on the field of the microscope, in which the growth through the stomata was as evident as that of *Botrytis infestans* through the stomata of the potato.

"I do not for a moment doubt the correctness of a single observation of Dr. L  veill  , so far as it goes; but the circumstances under which disease of all kinds is propagated are so extremely variable that it is impossible to come to any conclusions, from the simple fact of certain individuals escaping where others are attacked; and it is very easy to conceive that where the attack proceeded from within the tissues, as in this case, if I am correct in my observations, the injury would be greater than where the fungus was propagated secondarily on external surfaces from fallen spores.

"It is very possible that, while superficial, it may do no further harm than clogging

clogging up the superficial pores, and hindering the due access of light and air, and that it is only directly destructive where it enters the tissue through the stomata; but this, of course, is mere conjecture.

"As sulphur is the well-ascertained cure of the fungus to which peach mildew is due, it is only natural to conclude that the cause is somewhat similar in grape mildew, where the effect is equally beneficial.

"Salt was not found efficacious in England; and where sulphur is used, except in the form of vapour, it must be used in substance, as it is insoluble in water.

"How it acts upon the mould is not known, but doubtless some decomposition takes place, and, where used in combination with lime, the sulphate of lime may act as a stimulant to the vegetative powers. Possibly a combination of quick-lime and Glauber salts, as recommended with such great benefit in the case of Bunt, might be an improvement on the methods hitherto practised."

The next extracts are taken from a paper on Grape Mildew by Professor Von Mohl, a distinguished German botanist, whose views as to the cause and effect of the *Oidium* are in unison with those of Dr. Léveillé. Professor Von Mohl remarks:—

"With respect to *Oidium Tuckeri*, the difficult question arises whether the fungus is the cause or consequence of the disease. Were the fungus an entophyte—did it arise from a visible demonstrable alteration of the contents of the cells—did it break out from within the plant to its external surface—the latter position might be considered as proved. The contrary, however, of all these things is the case. Not the slightest trace can be discovered of any disease of the vine anterior to the appearance of the fungus, which creeps over the cuticle of the plant, does not protrude into its tissues, and much less arises within previous to bursting forth into the free air.

"These circumstances make it probable that the fungus first affects the plant on which it grows by decomposing the juices of the superficial cells, and impeding their growth, in the same way in which *Achlya prolifera* injures aquatic animals on which it grows, and as *Merulius destructor* produces decay in dead wood.

"Many experiments also seem to prove that the course of the disease is to be found in the fungus, according to which, the further diffusion of the evil is greatly repressed by the removal of the first affected shoots.

"The indisputably contagious character of the disease is also explained only by the fact that fungus causes the malady, for it is easily imagined how the slightest breeze may carry the innumerable quantity of spores it produces.

"The appearance which the diseased vines present is as follows:—The spots on the green bark of this year's shoots, on which the fungus has begun to vegetate, are discernible by a faint cloud in their green tint, before the fungus itself is visible to the naked eye. The fungus consists at this time of minute, extremely delicate threads, visible only through a good lens, resembling those of a spider, which creep on the cuticle, forming an irregular web. The bark has assumed, in the spots which are attacked, a somewhat deeper tint; those spots soon increase in diameter as the disease spreads, become confluent, and change, in consequence of the death of the superficial cells, into a chocolate brown. Microscopic observations show that the depravations of the juices which produce this change of colour, and the death of the diseased cells, is confined to the most superficial strata, while those which lie deeper, as well as the wood, remain perfectly sound. Under these circumstances, the malady, as far as it attacks the branches, seems a very unimportant evil, and there is no danger of the death of the vines which are attacked, inasmuch as the internal coats of the bark must, in the natural course of things, be dried up in the ensuing autumn and winter, and thrown off during the next year. The fungus exercises a still smaller influence on the leaves than on the branches; at least I could not remark, even in those vines which were thickly covered with the fungus to the very tips of the shoots, that vegetation of the leaves was really affected.

"As regards the fruit, the case is far otherwise. Here also only the extreme layer of cells at first suffers under the attack, while the inner parts of the fruit—as far, at least, as may be concluded from microscopic observation—remain perfect. The appearances which the affected berries exhibit differ much according to the time which has elapsed since they were infested, the greater or less vigour of the fungus, &c. When the fruit is sharply attacked, and at a time when it has arrived at about half its growth, or when it is scarcely so large, since the outer diseased skin cannot keep up with the expansion of the juicy parenchym, it splits longitudinally into many lobes, so that the seeds, which are more or less perfectly developed, are exposed, as in the ruptured capsule of an *Euonymus*. These fissured berries seem, under all circumstances, incapable of further development; they remain small, although they hang on the vine till late in the autumn, and seem at last to dry up or rot; at least, I saw in none any symptoms of becoming ripe. On the contrary, if the fruit is attacked towards autumn, when already it is much advanced in its development, the influence of the fungus is too weak to prevent the production of ripe, perfect, normal fruit, even when the stalks of the berries are thickly overrun with its threads. Between these two extreme cases, a number of intermediate conditions naturally occur, in which the berries do not crack, but are arrested in their growth, and never ripen or become profitable. It is a natural question,—what will be the condition of the disease in future; is it transitory, brought on and favoured only by accidental and temporary circumstances; or, is it a durable evil; and what remedy, in this case, can be administered for the warding off, or diminution of the malady? We are treading here on dangerous ground, for it is notorious how little, for the most part in epidemic diseases, science is in a condition to answer such questions; and the potato murrain affords a lamentable instance amongst vegetable epidemics, how little the numerous solutions of the difficulty—and these frequently given with no less confidence than imperfect knowledge—serve for the removal of the evil.

"The

"The question as to the future condition of the malady—whether it will extend step by step to the districts which at present are uninfected—is, from the very nature of the case, perfectly incapable of answer. The prospects afforded by its previous history are by no means comfortable. We have to contend with an enemy against which, as regards its diffusion, we are perfectly powerless, since every breeze may bring thousands of its microscopic germs from an infected district to one which is at present untainted. Nor less is any notion of the destruction of the fungus on the diseased vines, by washing, fumigation, &c., in places where vines are extensively cultivated, completely out of the question.

"Under these circumstances, there remains only the by no means powerful consolation that, as in analogous diseases produced by other fungi, even though it may not entirely vanish, it may be expected to be at all widely extended, and consequently, decidedly injurious, only in certain years."

From Chambers' Encyclopædia, vol. x, Supplement, in which there is a microscopic representation of the fungus, which has been copied, and is now being lithographed, by direction of P. F. Adams, Esq., Surveyor General:—

"*Oidium Tuckeri* makes its appearance at first in the form of a mycelium of webby, creeping, branching filaments, which send out upright or decumbent jointed stems. The bead-like joints at the stems become successively filled with spores, which are finally discharged in little clouds for the multiplication of the species. The disease is first perceived in the leaves, which become whitish, in consequence of a mycelium spreading over the upper surface of the leaf. The leaves sometimes curl up, or they become black at the centre, the blackness extending towards the circumference, and finally they drop off. The plant, through loss of its leaves, now becomes more unhealthy, the shoots are attacked by the disease, the stalks of the bunches of grapes, and the grapes themselves. The parasite penetrates into the young wood, the shoots are covered with spots and blotches of a reddish brown, or even black colour, and look as if a red-hot iron had been applied to them. Sometimes they secrete a clammy, inodorous fluid, all over their surface; and in many cases they wither from the top down half their length. The affected grapes very often first exhibit the disease in a single whitish spot on a single grape on a bunch, which enlarges by radiating irregularly. If in a bunch there is one abortive grape, it often shows signs of the disease, whilst the rest remain free. The creeping branches of the mycelium are fixed upon the skin of the grape by rootlets, which do not penetrate into the juicy pulp. The mycelium sends up vertical fertile branches of nearly equal height, densely aggregated, and forming a velvet-like mass. The extremities of these become beaded, and at last the uppermost cell or bead increases in volume, becomes detached, and is carried off by some slight breath of air, to multiply the species by the dispersion of its spores. The other bead-like cells follow in succession.

"Various means have been resorted to for the prevention and cure of the grape disease. The application of pulverized sulphur has been found useful, the fungus withering and drying up when brought into contact with a minute particle of sulphur. The application of sulphur must be frequent, as portions of the mycelium and some of the spores always escape. The use of sulphur has been the chief means of checking the spread of *Oidium* in French and other European vineyards; it is now general in the south of France and in Italy; and, in consequence of its national importance, the duty on sulphur has been reduced by the French Government. Hydrosulphide of lime has also been applied to vines with very beneficial effect. It is prepared by thoroughly mixing sixty-eight ounces of flowers of sulphur with the same quantity of slaked lime, adding three or four quarts of water, boiling for about ten minutes, allowing it to settle, and decanting the clear liquor. When it is to be used, one quart is mixed with 100 quarts of water, and it is poured over the vines."

These extracts from such eminent authorities, will suffice to show the nature and character of the *Oidium* disease in Europe; and, so far as my information and observations have extended, these descriptions agree in every respect with the form which the disease has assumed here. To the superficial observer this may be readily known by the parts subject to be attacked, the young ward-leaves and fruit showing a light grey, pulverulent or mealy appearance, which becomes in time floccose or cottony. In either condition it is easily rubbed off. The effect is, the outer tissue becomes decomposed, and the respiratory organs destroyed; the young wood appears as if it had been eaten by a grub; the leaves dry, curl up, and fall off; and the fruit ceases to enlarge, shrivels, and hardens, or splits and is rendered useless for any purpose. It does not follow, however, that these bad effects are general. In some cases the disease may attack vines without destroying either the leaves or the fruit. I observed vineyards in Spain with the fungus very noticeable upon the plants, yet from which the ripe fruit was being gathered. The remedies mentioned by the authorities quoted are all that can be relied on. The sulphur, when in a dry state, should be used by means of a bellows made for the purpose; but when employed in any condition in a fluid state, a common garden syringe is the only instrument necessary. I have a very strong impression that any application of sulphur, if adopted in time and properly used—not once, but frequently if necessary—will both save the plants from present further injury and prevent them from being again attacked.

I have the honor to be,

Sir,

Your most obedient servant,

CHARLES MOORE.

[Two diagrams.]

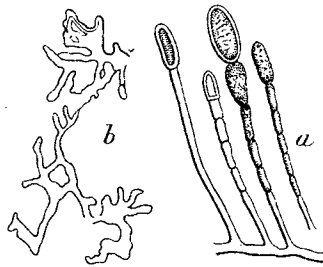


Fig. 4.—Grape Fungus (*Oidium Tuckeri*): early stage.

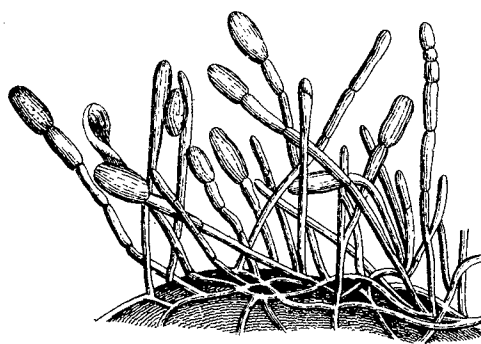


Fig. 5.—Fragment of surface of Grape, with oidium fully developed.

(From "Chambers " )





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, ILLAWARRA.)

---

*Ordered by the Legislative Assembly to be Printed, 20 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the Town and neighbourhood of Illawarra, and others interested in the production thereof,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 15 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, MERRIWA.)

---

*Ordered by the Legislative Assembly to be Printed, 20 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the Town and neighbourhood of Merriwa, and others interested in the productions thereof,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 35 Signatures.*]

---



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, PROSPECT AND FAIRFIELD.)

*Ordered by the Legislative Assembly to be Printed, 20 January, 1869.*

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

The Petition of the undersigned Proprietors of Vineyards in the District of Prospect and Fairfield, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as "Oïdium Tuckeri" has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 117 Signatures.]



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, YASS.)

---

*Ordered by the Legislative Assembly to be Printed, 20 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Yass, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 46 Signatures.]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, MAITLAND.)

---

*Ordered by the Legislative Assembly to be Printed, 20 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Maitland, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 93 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, GOULBURN.)

---

*Ordered by the Legislative Assembly to be Printed, 22 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Goulburn, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oidium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case at Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 89 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, WAGGA WAGGA.)

---

*Ordered by the Legislative Assembly to be Printed, 22 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Wagga Wagga, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 45 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, BATHURST.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Bathurst, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 33 Signatures.*]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, CENTRAL CUMBERLAND.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Central Cumberland, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 24 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, CLARENCE RIVER.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the Clarence River District, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case at Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 53 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, COROWA.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Corowa, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 30 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, APPIN.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Appin, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 19 Signatures.*]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, CAMPBELLTOWN.)

---

*Ordered by the Legislative Assembly to be Printed, 28 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Campbelltown, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 17 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, CLARENCE TOWN.)

---

*Ordered by the Legislative Assembly to be Printed, 28 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Clarence Town, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oidium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 43 Signatures.]

---



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, DUBBO.)

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

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

The Petition of the undersigned Proprietors of Vineyards in the District of Dubbo, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 45 Signatures.*]



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, CAMDEN, NARELLAN.)

---

*Ordered by the Legislative Assembly to be Printed, 29 January, 1869.*

---

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

The Memorial of the undersigned Proprietors of Vineyards in the District of Camden and Narellan, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other known remedies, to be made compulsory.

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

[Here follow 11 Signatures.]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, CARCOAR.)

---

*Ordered by the Legislative Assembly to be Printed, 27 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Carcoar, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, in New South Wales, have become of great social and commercial importance, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oidium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 12 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, EDEN.)

---

*Ordered by the Legislative Assembly to be Printed, 29 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Eden, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 16 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS, AND OTHERS, PORT MACQUARIE.)

---

*Ordered by the Legislative Assembly to be Printed, 28 January, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the District of Port Macquarie, and others interested in the cultivation of the Vine in New South Wales,—

RESPECTFULLY SHEWETH:—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet the imminent danger with the least possible delay, by passing an Act to cause the application of the Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[Here follow 9 Signatures.]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## GRAPE DISEASE (OÏDIUM TUCKERI).

(PETITION—PROPRIETORS OF VINEYARDS AND OTHERS, GUNDAGAI AND TUMUT.)

---

*Ordered by the Legislative Assembly to be Printed, 5 February, 1869.*

---

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

The Petition of the undersigned Proprietors of Vineyards in the Town and Neighbourhood of Gundagai and Tumut, and others interested in the production thereof,—

RESPECTFULLY SHEWETH :—

That the growth of the Vine, and the production of Wine, have become of great social and commercial importance to the Colony, as shewn by the last Statistical Returns. Upwards of 2,000 acres are now under cultivation, yielding 285,283 gallons of Wine, and 700 tons of table Grapes, of an annual value of £70,000.

Your Petitioners are aware that the disease known as “Oïdium Tuckeri” has made its appearance in this Colony ; and, through carelessness and negligence in applying the remedies to prevent its further spread, is daily increasing ; and likely, if not properly and speedily checked, to cause the utter destruction of their Vineyards, as was the case in Madeira, the Cape, and the South of France.

Your Petitioners, therefore, pray that your Honorable House will meet this imminent danger with the least possible delay, by passing an Act to cause the application of Sulphur, or other approved remedies, to be made compulsory, where the Vines are infected with the disease.

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

[*Here follow 32 Signatures.*]

---





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## DISEASES IN GRAPE-VINES PREVENTION BILL.

(PETITION--CERTAIN INHABITANTS OF ALBURY AND COROWA.)

*Ordered by the Legislative Assembly to be Printed, 4 February, 1869.*

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

The Petition of the undersigned Vineyard Proprietors and others of the Albury and Corowa Districts,—

HUMBLY SHEWETH:—

(1.) That your Petitioners, whilst acknowledging that some legislative action may be required to prevent the propagation of the Oidium, or Vine Disease, which appears to have manifested itself in the Coast Districts, have observed with surprise and alarm that the Bill brought before your Honorable House, with that object, by the Honorable Member for The Williams, is calculated, if passed into law, to inflict a serious injury upon the vine-growing interest.

(2.) That your Petitioners do not share in the exaggerated fears of Vignerons in the Metropolitan Districts, as to the effects to be anticipated in this locality from the said disease, should it even unfortunately happen to be introduced here. Firstly, the climate of the Upper Murray is too dry to favour the growth of fungoid parasites; secondly, the Oidium is seldom known to attack young vineyards; thirdly, the Vine-growers, as a body, in this portion of the Colony, are sufficiently watchful of their own interest to apply, immediately on the appearance of disease, those remedial measures now so well known, whilst they are also sufficiently experienced in vine culture to be able to detect the first symptoms of infection.

(3.) That no trace of Oidium Tuckeri having been yet discovered in the Upper Murray Districts, and very slight fears being entertained of its spreading to any great extent if introduced, your Petitioners submit that it would be unfair to compel them to pay for clearing diseased vineyards in other parts of the Colony.

(4.) That the scale of contributions and fees fixed by the Bill is exorbitantly high; that the penalties are unnecessarily heavy and numerous; that the Inspectors likely to be appointed to carry out the proposed law will in few cases be qualified by any experience to undertake their duties; that the restriction as to the number of days allowed for dressing a vineyard would operate harshly in Districts where labour is not always procurable, and where the materials and appliances for sulphuring are not immediately obtainable; that the proposal for placing vineyards in quarantine is both ridiculous and useless; that all these provisions, if enforced, would have but little or no effect in diminishing the risk of infection; but, on the other hand, would subject the Vine-growers to harassing and troublesome restrictions, and involve them in expenses which they could ill afford to pay from their present small profits.

(5.) Your Petitioners are of opinion that the Colony should be divided into Vine-growing Districts, and that the Vine-growers in each District should be permitted to elect their own Inspectors, and empowered to tax themselves by levying a small occasional rate during the existence of the disease. They can perceive no necessity for levying an annual contribution when the District is clean; and they consider that the sum to be raised in each District for providing proper inspection, &c., should be regulated according to the amount required for the purpose.

(6.) For the reasons set forth in the foregoing clauses, your Petitioners, therefore, humbly pray that your Honorable House will reject the Bill for preventing the propagation of the Vine Disease, now before Parliament; or will at least make such amendments and alterations therein as will fulfil the desires of your Petitioners.

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

*[Here follow 756 Signatures.]*

---

Sydney : Thomas Richards, Government Printer.—1869.

*[Price, 3d.]*

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## DISEASES IN GRAPE-VINES PREVENTION BILL.

(PETITION—PATRICK'S PLAINS.)

---

*Ordered by the Legislative Assembly to be Printed, 4 February, 1869.*

---

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

The Petition of the undersigned Vine-growers residing in the District of  
Patrick's Plains,—

RESPECTFULLY SHEWETH :—

That your Petitioners view with feelings of alarm and distrust the provisions of a Bill to prevent the Diseases in Vines, which is now before your Honorable House.

That your Petitioners are of opinion that the proposed enactment, if passed into law, would seriously interfere with the interests of your Petitioners and of the Vine-growers of the Colony generally, by imposing unnecessary fetters on the hitherto free and untrammelled development of one of the most important and rapidly extending industrial pursuits in the Colony.

Your Petitioners beg respectfully to submit that, an efficient remedy having been discovered to check the development of the Oidium, and as the same has been generally applied in all those vineyards in the Colony wherever the disease has made its appearance up to the present time, no legislation is required to compel the Vine-growers of using this remedy.

Your Petitioners respectfully request that your Honorable House will take the above premises into consideration, and as in duty bound, will ever pray, &c., &c.

Singleton, 23 January, 1869.

[*Here follow 67 Signatures.*]

---



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## DISEASES IN GRAPE-VINES PREVENTION BILL.

(PETITION—CERTAIN VINEYARD PROPRIETORS, COROWA.)

*Ordered by the Legislative Assembly to be Printed, 9 February, 1869.*

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

The Petition of the undersigned Vineyard Proprietors of Corowa, in Public Meeting assembled,—

HUMBLY SHEWETH:—

That your Petitioners, whilst acknowledging that some legislative action may be required to prevent the propagation of the Oidium or Vine Disease which appears to have manifested itself in the Coast Districts, have observed with surprise and alarm, that the Bill brought before your Honorable House with that object, by the Honorable Member for The Williams, is calculated, if passed into law, to inflict a serious injury on the vine-growing interest in this District.

That your Petitioners do not share in the exaggerated fears of Vignerons in the Northern Districts, as to the effect to be anticipated in this locality from the said disease, should it even unfortunately happen to be introduced here. The Vine-growers as a body, in this portion of the Colony, are sufficiently watchful of their own interests to apply, immediately on the appearance of disease, those remedial measures so well known, whilst they are also sufficiently experienced in vine culture to be able to detect the first symptoms of infection.

That no trace of "Oidium Tuckeri" having been yet discovered in the Upper Murray Districts, and very slight fears being entertained of its spreading to any great extent, if introduced, your Petitioners submit that it would be unfair to compel them to pay for cleaning diseased vineyards in other parts of the Colony.

That the scale of contributions and fees fixed by the Bill is exorbitantly high; that the penalties are unnecessarily heavy and numerous; that the Inspectors appointed to carry out the proposed law will in few cases be qualified by any experience to undertake their duties; that the restriction as to the number of days allowed for dressing a vineyard would operate harshly in Districts where labour is not always procurable, and where the materials and appliances for sulphuring are not immediately obtainable. That all these provisions, if enforced, would have little or no effect in diminishing the risk of infection, but on the other hand, would subject the Vine-growers to harassing and troublesome restrictions, and involve them in expenses which they could ill afford to pay from their present small profits.

## 2 DISEASES IN GRAPE-VINES PREVENTION BILL.—PETITION.

That your Petitioners would recommend that, in place of the proposed Bill, the following suggestions be adopted as a basis for legislation, for the prevention of the Vine Disease :—

- (1st.) That the Colony be divided into Vine Districts, and that the boundaries of the present existing Police Districts be adopted as boundaries of the Vine Districts.
- (2nd.) That in lieu of Inspectors, any three Vine-growers in such Districts shall, upon obtaining a Magistrate's order, be empowered to enter upon and inspect any vineyard in which the disease is supposed to exist; and if they are convinced that the disease is "Oidium," shall forthwith issue a written notice to the proprietor of such diseased vineyard, requiring him to adopt the recognized curative measures.
- (3rd.) That in the event of the proprietor of such vineyard refusing to comply with such order within fourteen days from the issue thereof, he shall be subjected to a penalty not exceeding ten pounds per acre, which penalty may be enforced by any Court of Petty Sessions.

That, for the reasons set forth in the foregoing clauses, your Petitioners therefore humbly pray that your Honorable House will reject the present proposed Bill for preventing the propagation of the Vine Disease, now before Parliament, or will at least make such amendments and alterations therein as will fulfil the desires of your Petitioners.

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

GEO. GRAY,  
Chairman of a Public Meeting of Vine-growers, held at  
Corowa, upon the 1st day of February, 1869.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## DISEASES IN GRAPE-VINES PREVENTION BILL.

(PETITION—JOHN WYNDHAM, AS CHAIRMAN OF THE HUNTER RIVER VINEYARD ASSOCIATION.

---

*Ordered by the Legislative Assembly to be Printed, 11 February, 1869.*

---

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the Members of the Hunter River Vineyard Association,—

HUMBLY SHEWETH :—

That your Petitioners, at a meeting of the body held at Maitland, on the 26th day of January, 1869, unanimously passed the following Resolution, viz. :—"That this Meeting is of opinion that the Bill which has been presented to the Legislative Assembly, for the prevention of the disease known as the *Oidium Tuckeri*, will be very prejudicial to the interests of the Vine-growers of the Colony, and respectfully requests that it be withdrawn."

That your Petitioners holding, as they do, about one-fifth of the whole of the vineyard, and represent a large proportion of the Vine-growers of the Colony.

Your Petitioners, therefore, humbly pray that your Honorable House would be pleased to take this Petition into your favourable consideration, and if the said Bill be not withdrawn, that your Honorable House will be pleased to reject the same; and your Petitioners will for ever pray.

Signed by order of the Meeting, on behalf of the members present.

JOHN WYNDHAM,  
Chairman.

---





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## DISEASES IN GRAPE-VINES PREVENTION BILL.

(PETITION—BATHURST.)

*Ordered by the Legislative Assembly to be Printed, 18 February, 1869.*

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

The Petition of the undersigned Vine-growers, Gardeners, and others interested in the cultivation of the Vine, resident in the District of Bathurst,—

HUMBLY SHEWETH:—

That your Petitioners have heard with alarm of the introduction into your Honorable House of a Bill intituled, "A Bill to prevent the propagation of the Disease in Vines known as Oidium and to make provision for the cure thereof."

Your Petitioners are of opinion that the Bill, should it be passed into law, through its restrictions and highly penal clauses, have the effect of deterring many persons engaged in the cultivation of the Grape-vine, and of causing many others to destroy vineyards already planted, thereby severely damaging an interest of growing importance containing elements of wealth and fast developing into a staple product.

That there are many other valuable products liable to diseases, for instance, the apple, the orange, the cabbage, wheat, lucerne, &c., &c., which, if neglected, will spread through whole districts, and to prevent which there has been no legislation yet. We know that, without such compulsion, growers find it to their interests to adopt curative or preventive means, and thus ensure a return for their labour; and we have not found, when Providence has favored the Colony with growing seasons, any scarcity of bread-stuffs, fodder, fruits, or vegetables, and we do not fear that the Vine-growers, if left to their own resources, will be less careful of their interests than the growers of any other products.

That many scientific and highly experienced persons, who know something of the nature of the disease, have expressed opinions that legislation for its prevention would be ineffectual, inasmuch as the disease is not confined to the Grape-vines, but attacks many other plants, even some growing wild in the bush, so that its eradication is simply a matter of impossibility; but to render the law effectual, even if the disease were confined to the Grape-vine, it would be necessary that every vine in the country should be frequently inspected, and such inspection would be impossible as vines are grown in nooks and corners unknown. Seeing, therefore, the uselessness and impracticability of the measure, we submit that it would be impolitic to encumber the statute book with a law the only effect of which would be to create offices, the occupants of which in endeavouring to do their duty would but render themselves troublesome and obnoxious without any good results.

## 2 DISEASES IN GRAPE-VINES PREVENTION BILL.—PETITION.

That your Petitioners cannot learn that any such law is in force in any of the large Vine-growing European countries, although the disease has been long known to exist in them. Considering that grapes and wine are staple products of those countries, and the people must, of necessity, have great experience in the cultivation of the Grape-vine, the absence of any legislation for the prevention of the disease is evidence of its uselessness.

That your Petitioners have heard that a Petition, purporting to be from the Vine-growers of this district, in favour of the Bill has been presented to your Honorable House ; that the principal and largest Vine-growers here were not informed that such a Petition was in course of signature ; and that several who signed it now admit that they did so in ignorance of the nature of the Bill, and would, if they could do so, erase their names.

That your Petitioners believe that any legislation such as is proposed by the Bill now before your Honorable House would be useless, oppressive, troublesome, and highly mischievous in its effects, therefore—and believing that wine-growers will of their own accord, free from the terrors of the law, and for their own interests, adopt both preventive and curative measures when necessary—your Petitioners humbly pray your Honorable House will take the premises into your favorable consideration, and refuse your assent to the passing of the said Bill.

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

[*Here follow 46 Signatures.*]

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

DISEASES IN GRAPE-VINES PREVENTION BILL.  
(PETITION—HUNTER RIVER AND NEIGHBOURHOOD.)

*Ordered by the Legislative Assembly to be Printed, 18 February, 1869.*

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

We, the undersigned residents on the Hunter River and neighbourhood, Wine-growers and others interested in the cultivation of the Vine, beg respectfully to petition your Honorable House, that the Bill lately presented for the prevention of the disease known as Oidium Tuckeri may not become law, as we consider its provisions will be very prejudicial to the interests of the Wine-growers of the Colony.

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

[Here follow 276 Signatures.]



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON THE

DISEASES IN GRAPE-VINES PREVENTION BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE

AND

APPENDIX.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
19 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

[*Price*, 1s. 7d.]

299—

1869.



---

---

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings .....	3
Progress Report .....	5
Proceedings of the Committee .....	6
List of Witnesses.....	7
Minutes of Evidence .....	1
Appendix .....	37

---

---



1868-9.

## EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES, No. 38. FRIDAY, 12 FEBRUARY, 1869.

13. Diseases in Grape-vines Prevention Bill:—Mr. Nowlan moved,—“That” this Bill be now read a second time.  
Mr. Mate moved, That the Question be amended, by the omission of all the words after the word “That,” with a view to insert the following words, viz.:—“this Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.”  
“(2.) That such Committee consist of the following Members, viz.:—Mr. Forster, Mr. Phelps, Mr. Smart, Mr. Tunks, Mr. W. Suttor, Mr. De Salis, Mr. Farnell, Mr. Lackey, Mr. Nowlan, and the Mover.”  
Debate ensued.  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Question then,—That the words proposed to be inserted be so inserted,—put and passed.  
Whereupon, Question,—(1.) That this Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers;—  
(2.) That such Committee consist of the following Members, viz.:—Mr. Forster, Mr. Phelps, Mr. Smart, Mr. Tunks, Mr. W. Suttor, Mr. De Salis, Mr. Farnell, Mr. Lackey, Mr. Nowlan, and the Mover,—put and passed.

VOTES, No. 41. THURSDAY, 18 FEBRUARY, 1869.

4. Diseases in Grape-vines Prevention Bill (“*Formal*” *Motions*):—  
(1.) Mr. W. Suttor moved, pursuant to Notice No. 1, That the Petition presented by him, on the 17th February, from the Vine-growers and others from the District of Bathurst, against the Bill now before the House for the Prevention of the Diseases in Grape-vines, be printed, and referred to the Committee now sitting on the said Bill.  
Question put and passed.  
Ordered to be printed, and referred accordingly.  
(2.) Mr. Dodds moved Notice No. 2 (*as amended with the concurrence of the House*), That the Petition presented by him, on the 17th February, from 276 Vine-growers and others resident on the Hunter, against the passing of the “Diseases in Grape-vines Prevention Bill,” be printed, and referred to the Committee now sitting on the said Bill.  
Question put and passed.  
Ordered to be printed, and referred accordingly.

VOTES, No. 47, TUESDAY, 2 MARCH, 1869.

2. Member of Legislative Council as Witness:—Mr. Mate moved, 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 Diseases in Grape-vines Prevention Bill,” and that Committee being desirous to examine the Honorable Sir William Macarthur, Knight, Member of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Member to attend and be examined by the said Committee, on such day and days as shall be arranged between him and the said Committee.  
*Legislative Assembly Chamber,*  
*Sydney, 2nd March, 1869.* Speaker.

VOTES, No. 58. FRIDAY, 19 MARCH, 1869.

2. Diseases in Grape-vines Prevention Bill:—Mr. Mate, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 12th February, 1869, together with Appendix.  
Ordered to be printed.

1868-9.

## DISEASES IN GRAPE-VINES PREVENTION BILL.

## PROGRESS REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 12th February last, the "*Bill to prevent the spread of Diseases in Grape-vines*,"—"*with power to send for persons and papers*,"—to whom were referred, on the 18th February,—"*the Petitions from the Vine-growers and others of the District of Bathurst, and from the Vine-growers and others resident on the Hunter, against the passing of the said Bill*,"—have agreed to the following Progress Report :—

Your Committee have obtained, from the witnesses named <sup>\*Charles Moore, Esq.,  
Director of the Botanic  
Gardens.</sup> in the margin,\* the valuable evidence herewith appended; but, owing <sup>P. F. Adams, Esq.</sup> to the late period of the Session when the Bill was referred to your <sup>P. L. Cloete, Esq.</sup> Committee for their consideration and report, they are unable to <sup>Jules Joubert, Esq.</sup> conclude the necessary inquiry and consideration of the Bill before <sup>S W. Macarthur, Knt.</sup> the close of the present Session.

Your Committee, therefore, are desirous of presenting to your Honorable House their Progress Report, and recommend the matter may be resumed the early part of the ensuing Session.

THOMAS H. MATE,  
Chairman.

No. 2 Committee Room,  
Sydney, 19 March, 1869.

## PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 17 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Mate,		Mr. Nowlan,
		Mr. Tunks.

Mr. Mate called to the Chair.

Printed copies of the Bill referred, on the Table.

Committee deliberated; and decided to examine Charles Moore, Esq., Director of the Botanic Gardens, and P. F. Adams, Esq., at next meeting.

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

WEDNESDAY, 24 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Mate in the Chair.

Mr. Nowlan,		Mr. De Salis,
Mr. Tunks,		Mr. Farnell,
Mr. W. Suttor,		Mr. Phelps.

Charles Moore, Esq. (*Director of the Botanic Gardens*), called in and examined.

Witness gave his opinion as to specimens of diseased cuttings and grapes submitted to him, and also produced work shewing microscopic drawings of various forms of mildew.

Witness withdrew.

Committee deliberated.

Motion made (*Mr. Nowlan*), and *Question*,—"That the Chairman be requested to move the House, that a Message be sent to the Legislative Council, asking leave for the Honorable Sir William Macarthur, Knight, M.L.C., to attend and be examined by this Committee,"—*agreed to*.[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY, 26 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Mate in the Chair.

Mr. Nowlan,		Mr. Tunks,
Mr. Lackey,		Mr. Farnell,
Mr. Forster,		Mr. Phelps,
Mr. W. Suttor,		Mr. De Salis.

P. F. Adams, Esq., called in and examined.

Witness withdrew.

Committee deliberated.

Clerk directed to summon P. L. Cloete, Esq., and Jules Joubert, Esq., for next meeting.

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

TUESDAY, 2 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Mate in the Chair.

Mr. W. Suttor,		Mr. Tunks,
Mr. Nowlan,		Mr. Lackey,
Mr. Phelps,		Mr. Smart.

P. L. Cloete, Esq., examined.

Witness withdrew.

Jules Joubert, Esq., called in and examined.

During his examination, witness read extracts from *Griffith's Micrographic Dictionary*.

Witness withdrew.

Committee deliberated, and decided that the next meeting of the Committee should be arranged by the Chairman.

[Adjourned.]

WEDNESDAY,

WEDNESDAY, 10 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Mate in the Chair.

Mr. Nowlan,	Mr. W. Suttor,
Mr. Lackey,	Mr. Phelps,
Mr. Farnell,	Mr. Tunks.

Chairman read a letter from Jules Joubert, Esq., respecting remedies, &c., used in Europe, for curing vine diseases.

Ordered to be appended. (*Vide Appendix.*)

Committee deliberated.

Sir William Macarthur, Knight, M.L.C., called in and examined, and produced various works and drawings on the subject of the inquiry.

Witness withdrew.

Committee deliberated.

[Adjourned to Tuesday next, at *Eleven* o'clock, to consider Progress Report.]

TUESDAY, 16 MARCH, 1869.

MEMBER PRESENT :—

Mr. Mate.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 19 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Mate in the Chair.

Mr. Farnell,	Mr. Nowlan,
Mr. Phelps.	

Chairman brought up Progress Report.

Same read and agreed to.

Chairman to report to the House.

LIST OF WITNESSES.

	PAGE.
Adams, P. F., Esq. ... ..	10
Cloete, P. L., Esq. ... ..	19
Joubert, Jules, Esq. ... ..	22
Macarthur, Sir William, Knight, M.L.C. ... ..	27
Moore, Charles, Esq. ... ..	1



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

## DISEASES IN GRAPE-VINES PREVENTION BILL.

WEDNESDAY, 24 FEBRUARY, 1869.

Present:—

MR. DE SALIS,  
MR. FARNELL,  
MR. MATE,MR. NOWLAN,  
MR. PHELPS,  
MR. W. SUTTOR,

MR. TUNKS.

THOMAS HODGES MATE, ESQ., IN THE CHAIR.

Charles Moore, Esq., examined:—

1. *Chairman.*] You are Director of the Botanical Gardens? I am.
2. A Bill has been introduced into Parliament, having for its object the prevention of diseases in grape-vines; that Bill has been referred to the Committee now sitting; and they are desirous of obtaining information as to any course it may be necessary to adopt. Have you had any opportunities of seeing the disease? I have seen the disease, and I have more particularly examined it in this country. I saw it in Europe; but, little dreaming that it would ever develop itself here, I regret that I did not pay so much attention to it as I should otherwise have done; but I saw sufficient to be aware, when it was brought under my notice at Newcastle, that it was the same form of disease as that I saw in the vineyards of Spain and Portugal.
3. *Mr. Tunks.*] Are you speaking of the *oidium tuckeri*? Of the *oidium tuckeri*.
4. *Chairman.*] Is that anything like it (*handing a specimen to witness*)? This I apprehend is the effect of the disease, but there is now no mildew apparent on this.
5. That was cut on Monday last? This I rather think is the effect. The disease appears to be gone—I cannot see any disease upon it. (*The Chairman handed to witness a specimen of grapes.*) That is the true form of the *oidium tuckeri*. If this were more developed it would become floccose, which is the true character of the disease.
6. Is the disease you have witnessed on the Continent the same as that now prevailing in this Colony? I am satisfied it is.
7. Do you know what measures are adopted on the Continent for the prevention or cure of it? In some parts of Portugal, I was informed, particularly near the Douro, great attention was paid to the application of sulphur, and with very great success. When I reached Spain, my attention was called to it by Mr. Campbell, the Consul at Cadiz; and he particularly referred to his own vineyard, as an instance of the success attending the application of sulphur. He directed my attention to other vineyards which were perfectly white with the disease, where he could not persuade the proprietors to apply this remedy. His words were—"They laugh at me, and think I am spending a large sum of money, and a great deal of trouble, and shall not be benefited, but you see what the result is."
8. Do you think there is any danger of the disease spreading, unless measures are adopted to prevent it, so as to become general throughout the whole of the vineyards of the Colony? I think it is very possible; in fact, I think it is very likely to spread, unless some precautionary measures are taken.

C. Moore,  
Esq.

24 Feb., 1869.

- C. Moore, Esq.  
24 Feb., 1869.
9. Do you think younger are more free from it than older vineyards? I have not been able to form any judgment upon that point.
10. When I cut off this branch on Monday, the spots were almost purple? It is stated by very competent authorities that the disease is the effect of the stoppage of pores or stomata of the epidermis, but that it does not penetrate, unlike the *botrytis* or potato disease. As an instance of disease affecting plants, where apparently it did not exist before, I recollect one very remarkable case near Dublin, at the time the potato disease was prevalent. My brother was appointed to investigate the subject, and I went with him. There was a field of potatoes which appeared to be perfectly healthy one day, and the following day it was entirely destroyed. These diseases spread so rapidly that a vineyard may apparently be free from disease one day, and yet may exhibit all the symptoms of disease on the following.
11. Do you think it is a disease peculiar to the grape-vine only? Yes, from all I have been able to read on the subject, I think it is confined to the genus *vitis*.
12. Have you never observed anything similar to it in indigenous plants or shrubs, or in roses? I take it that all diseases called mildew are similar.
13. This disease is a species of fungi? It is a fungus. To shew how difficult it is to determine these diseases simply by the naked eye, I may refer the Committee to a little book I have here, on the subject, which shows how different they appear when subjected to the microscope, although to the naked eye they seem alike. (*The witness produced a book entitled "Microscope Fungi," by Cooke.*) To the naked eye it would appear that these were the same forms of disease; but when examined by the aid of a powerful microscope, it would be seen that the genus to which the *oidium tuckeri* properly belongs can at once be determined by its ovoid spores.
14. Do you think the disease has arisen spontaneously in this country, from the vine itself? No, I do not. It is an argument very often used, that diseases of this kind occur spontaneously; but as I hold to the doctrine that there is no such thing as spontaneous generation, I cannot entertain that view. There are many ways in which it might have been introduced into this Colony, even in the clothing of persons who have visited glass-houses in which affected grapes have been grown, in England.
15. Your opinion is, that it has been introduced into this Colony? I have no doubt of it. The disease is always of exactly the same type, but if it were spontaneous it would not always appear in the same form. In Europe the disease travelled from cold to warm countries: here it appears that it has travelled from the warm to the colder. It occurred in Queensland first, then it appeared in Grafton, and it is now spreading, or has spread, rapidly here; it is still spreading, and has reached as far south as Kiama. It is just possible that it may not go further, but I think there is great danger to be apprehended elsewhere.
16. Have you known it in latitudes equal to our southern latitude here at Melbourne, Victoria? It existed on the Rhine, but not to any considerable extent, and that country is similar to Melbourne.
17. You think there is danger of its spreading itself from the north, where it first appeared, as far south as Melbourne? I think so. I think the Rhine is very similar in point of climate to Melbourne, but its greatest ravages have been in warmer climates. There is now very little of it on the Rhine, if any.
18. Are you of opinion that any legislative enactments would be effectual in arresting the progress of the disease, or in eradicating it entirely? I think, if proper measures were effectually carried out, it would be eradicated in a year or so.
19. Do you know whether there is any legislative enactment on the Continent, at the places you have mentioned, where you have witnessed the disease, of this character? I believe there are none whatever, and the result, in my opinion, is that the disease has existed so long. I may mention that I observed at St. Mary's, near Cadiz, fields which had been sulphured, and which were comparatively clean; while, on the other side, where they had been neglected, they were almost white with the disease. Their appearance was as though lime had been thrown over them. It is now disappearing altogether in Portugal.
20. I suppose some of these diseases do run themselves out in a number of years? Yes; the *botrytis* (the potato disease) is almost unknown now.
21. Still, I think your opinion is that, in a young country like this, it would be well to take precautionary measures, by legislation, to arrest the progress of the disease? I think so, unless the measures were oppressive and very expensive. If it could be done without unnecessarily interfering with the people, I think it would be a good thing.
22. What are the remedies you would recommend particularly? Sulphur, in any mode people may like to apply it. The general recommendation of the authorities I have consulted is sulphur in suspension, but others say that powdered sulphur is better.
23. Do you think sulphur and lime mixed would be good, when the pruning is finished, for washing the stocks? I think it would be a very good thing indeed. Any remnant of the disease—any spores that might rest in the bark—would be effectually destroyed by that means.
24. *Mr. De Salis.* Have you an idea that the disease comes from a distance, or that it gradually spreads from one vineyard to those in the immediate neighbourhood? I think, from what I know of the matter, that, did the disease exist in any part of the country, it might be carried to the most distant parts, for the spores pervade the air.
25. When it was once in the country, it would naturally affect the nearest portions first? I think probably it would. It spread gradually in Europe; it first went from England to France, and then it travelled south; then it took a westerly direction, and came northerly to the Rhine; then it appeared in Portugal, and thence it went through Spain and Italy.

26. Having once made its appearance in one vineyard, it spread to other vineyards around? Yes.
27. It could invariably be traced from one vineyard to another? It appeared in the Gardens of Versailles, near Paris, and then it spread about Paris before it was known elsewhere on the Continent.
28. You compared it to the *botrytis*—I suppose you consider it bears some analogy to that disease? One penetrates the plant, the other does not.
29. Did *botrytis* appear in one paddock and then spread to the next, or did it appear over whole districts almost simultaneously? It spread very rapidly for a time, but it was a considerable time before it became so bad. For a considerable period the cause of the disease was unknown, but at length it was discovered that the fungus was the cause, and not the result of the disease.
30. You do not believe in spontaneous generation? No, I do not, and I cannot believe it.
31. Does this disease affect other parts besides the leaves? It affects the young wood, the leaves, and the fruit.
32. When the leaves fall off, does it still remain in the young wood during the winter? I think it does.
33. Therefore, in order to eradicate the disease, it would be necessary to get rid of the young wood? Yes, it should all be burned.
34. That all the rest might be perfectly clean? It would be a good thing, after pruning, to wash the stems over with a preparation of lime and sulphur, in order that, if any spores were left, it might destroy them.
35. You said this disease was peculiar to the genus *vitis*—Are there any other plants of that genus indigenous to this country? Our native grape is a species of *vitis*.
36. Is there much of that in the scrubs of this country? Yes, a great deal of it exists in all scrubby places.
37. Are you aware whether this native vine is affected by the *oidium*? I have not met with it.
38. Do you think it is likely? Yes, I think, if the disease be confined to this genus, it is quite possible.
39. I suppose, if the disease were driven away from vineyards, it might still lurk in the bush? It is quite possible.
40. You stated that the Consul at Cadiz had his vineyard in a good healthy state? In a comparatively healthy state.
41. It was still affected? It was still affected.
42. Did he regret that his neighbours would not adopt his remedial measures? Yes.
43. For his own sake, or for theirs? He simply expressed his regret that it was not done. He is largely interested in wine-making, besides having vineyards of his own.
44. If the country around were infected, could any individual keep his own vineyard perfectly clean, so as to grow grapes successfully? I think he might; but if there were diseased vineyards in his neighbourhood, his vineyard would always be liable to disease.
45. Are you aware whether it is very expensive to keep a vineyard in order? From all I have been able to learn, I think it is not.
46. Have you any idea what extent of ground one man would be able to attend to for the cure of this disease? I have not, but I recollect an observation of Sir William Macarthur,—that forty acres of vineyard would cost about the labour of one man.
47. During the season? Yes; and that, I think, was admitted by Mr. Wyndham.
48. Would the expense of the sulphur be very serious? I think the estimate was, that the cost of sulphur and labour would be about £1 an acre.
49. Supposing no steps are taken for its eradication, do you think this disease will ultimately disappear? I think there can be no doubt of it.
50. Has it disappeared in Portugal? Yes, in a great degree, and almost entirely on the Rhine.
51. Do you think that the *oidium* in Portugal, and the *botrytis* in Ireland, have entirely disappeared, or that they are still latent? I think the *botrytis* has almost disappeared, though it may appear on occasional plants, but that I am not aware of.
52. It appears to me that the treating vineyards in this way is similar to treating land that is overrun with weeds? I fancy a man could do more with sulphur to arrest this disease, than he could do in clearing the ground of weeds.
53. I mean that the principle is the same. If a man allowed weeds to grow in his garden, he could not have good vegetables or fruit; and if he did not treat his vines, he could not have good grapes or healthy vines? Yes, in that way the treating of the vines and the eradication of weeds may be regarded as analogous.
54. Would you then recommend a law that a man should be compelled to keep down the weeds in his garden? I think it would be a very hard case, if I had a clean garden, free from weeds, and my neighbour had a dirty one, that I should be compelled to employ labour to free myself from the weeds which sprung up from the seeds which came from my neighbour's ground.
55. In that case you would advocate legislative interference? If I were consulted, I would.
56. In the case of all kinds of weeds? In the case of some particular kinds of weeds.
57. In the case of *oidium tuckeri*, you would recommend legislative interference with your neighbour? I said before, and I repeat, that I would, if it could be done without being too expensive or oppressive.
58. *Mr. Tunks.* Will you be kind enough to explain the meaning of the term *oidium*? It is so called from the spores being egg-shaped.

C. Moore,  
Esq.

24 Feb., 1869.



- C. Moore, Esq.  
24 Feb., 1869.
59. The spores of some particular kind of fungi? A species of fungi.
60. And *tuckeri* is from the gardener who discovered the mode of treating the disease? Yes. The discoverer of the disease was Professor Berkeley.
61. You have stated that you do not adhere to the principle of spontaneous generation in this matter? Yes.
62. Then it would follow, as a matter of course, that this disease has existed from the creation till now, in some form or other? That inference may be made, of course.
63. We could only infer? There may have been successive creations, but I would not go deeply into that matter. I hold this to be the true principle,—that forms of disease may exist and remain for years before they are developed, and may then suddenly develop themselves to an extraordinary degree, then partially disappear, if not altogether; but I cannot, from all I have been able to gather from reading and observation, come to any other conclusion than that there is no such thing as spontaneous generation. There is certainly an extraordinary fact, with which we are, no doubt, all acquainted, that may seem to tell against that conclusion, namely, that where ground has been cleared between the Blue Mountains and Parramatta, wattles have invariably sprung up in the greatest possible abundance, though none had grown on the spot before; but, if this were an instance of spontaneous generation, we should have different species, which we have not.
64. There having been some process of development of this disease into active existence, have we any proof as to its travelling over the world? We have no absolute proof—only the fact of its appearing at different places, one after another; and the inference is, that it must have travelled by means of these spores, which are, in fact, the seeds of this species of fungi, which are carried and driven about in the air.
65. Until finding a suitable place for its development, it reproduces itself? Yes.
66. Have we any knowledge of the precise date of this disease appearing in Queensland? The disease appeared in Queensland, I think, in December, 1866, but I have not Mr. Coxen's pamphlet—that was my first knowledge of it.
67. Have you any knowledge of the date of its first appearance in Illawarra? Last year (1868), shortly after my arrival from Europe, it was shown to me by a gardener from Wollongong.
68. Will your memory enable you to say whether it was before or after the Act was passed to prevent the importation of grapes? After the Act was passed. I think the Act was passed in 1867.
69. Would it not be possible to import this disease by means of specimens? No doubt of it. So strongly did I believe that, that although I had various collections of vines offered to me when I was in Europe, I declined to accept them.
70. Mr. De Salis.] In the report you wrote on the subject, you mentioned that it was external? Yes, quite external.
71. Would the disease then bury itself in cuttings that might be sent to this country? It would destroy or decompose the tissue.
72. Mr. Tunks.] You have produced a book detailing several species of mildew on various kinds of plants—Have you ever taken notice of the mildew on the grape-vine, in its state of decay, towards the latter end of the season, other than that? Yes; but that which is commonly supposed to be mildew is another form of disease, called *erineum*. It has a sort of webby appearance under the leaf.
73. Does that necessarily occur on the decay of vegetation for the year? Not necessarily; it appears only occasionally upon the vine.
74. Have you seen it on the pea? On the pea there is true mildew, and under the microscope you would see that it has different kinds of spores; but this to which you refer on the vine, although it looks similar to the naked eye, yet, under the microscope, it would be seen to have spores.
75. Have you any idea how that is propagated from season to season? That is, the *erineum* is supposed to be caused by the extension of the tissues; it is, in point of fact, not a fungus.
76. It is necessarily owing to the decay or dying out of the physical power of the plant? It might be so. My attention was more particularly called to it when I first went to ———, and I then carefully examined it, and I could find under the microscope no appearance of a fungus. I then referred to an article by Professor Lévillé on *erineum*; and the description given by him, led me to the conclusion that what I had supposed was an incipient form of mildew, was a peculiar development of the tissues, and not a fungus.
77. We do not see that in young, vigorous plants? No, it is always towards the end of the season.
78. If you have old plants alongside of young ones, it communicates from one to the other? That again is true mildew when such takes place.
79. This is communicated by one plant to the other, from their being in the immediate vicinity of each other? Yes.
80. Is it within your knowledge that we have quantities of edible grapes growing wild, from cuttings which have floated down the rivers? In all my travels I have never observed it.
81. The wild grape you say is a true *vitis*? Yes.
82. Is it possible by cultivation to improve that? I think it is. I do not know that it has been tried.
83. If it be a true grape, it would probably produce different varieties from the seeds? Yes, if it would cross with the known edible varieties, we might get a distinct fruit altogether.
84. Is it known that particular kinds of grapes for their qualities have been propagated very extensively in almost every country? Yes.
85. These grapes must be getting old? Fresh plantations are formed. 86.

C. Moore,  
Esq.

24 Feb., 1869.

86. From cuttings? Yes.

87. But the wood of the grape must be very old? I fancy if you take a portion of the young wood, say last year's wood, and make cuttings of it, next year you will have a vigorous plant.

88. It continues the same species? Yes.

89. The wood is the same in age and constitution as the parent stock? By planting cuttings, you renew the vigour of the stock. I may illustrate this by referring to the double dahlia. If the tuber of this flower be left in the ground, it will in time degenerate and produce only single flowers, but a young shoot from the same tuber will produce double flowers.

90. Are we able to trace the vine up to any primitive vine, such as we find indigenous in this country? The original vine is very well known.

91. Having produced different sorts by sport, how old are some of these that are now in use for wine-making purposes—have you any idea? No.

92. Is it possible they may be several hundred years old? Yes.

93. Is it possible that some of these are dying out constitutionally, and are thereby becoming food for this kind of disease? I do not think we have any proof of that. I know that at one time when a disease broke out among apple-trees in England, it was thought the ribstone pippins, for instance, were dying out; but the disease disappeared, and the trees are still in bearing.

94. Will the same grape-vine last for ever? The same plant?

95. Cuttings from the same plant, will they last for ever? No doubt of that.

96. You think there is no danger that the wood or constitution of the vine will be so deteriorated as to become at length food for, or an attraction for, particular parasites? I think not, if good healthy wood be taken for cuttings.

97. Do you say these diseases in course of time die out? That I gather from what I have heard, and from personal observation.

98. That they become extinct? I will not say that they become extinct—I do not think they do; but they disappear, and it may be many years before they develop themselves again.

99. Would it be likely that some particular kind of season or climatic influence might develop them into activity? Yes, I think so.

100. The spread of this disease may arise from some peculiarity in the season? It may be so; but there did not appear to be anything peculiar in the season in Europe when it made its appearance; and it spread from north to south, then went in a westerly direction, and then turned to the north, because it appeared in the southern part of Germany before it reached the Rhine.

101. That appears to have reference to its locomotion, rather than to its development at any particular stage; that is to say, that it travelled about at a rapid rate after its development? Yes. After it appeared at the Rhine it went south, where it made the greatest ravages; it went from the south of Europe to Madeira, and from Madeira to the Cape of Good Hope. In Madeira, where no precautionary measures were taken, but the disease was regarded as a visitation of Providence, the disease has, as I have been given to understand, worn itself out, and the vineyards are now free from it.

102. We have introduced small-pox into this country before now? During my long residence in this Colony, I have heard from time to time that small-pox has existed, but I do not think it has been proved.

103. It has not spread? No. My impression is that there is some peculiarity in the atmosphere which will not allow it to spread.

104. What is the peculiarity? That I am unable to explain; but we have had vessels coming in constantly from India and other places where small-pox was known to exist, and yet we have had no well-authenticated cases.

105. You have said, I think, that this disease is not to be found on any of the indigenous vines of the Colony? As far as I am aware, it has not. The only one that I apprehend could be affected by it is the wild vine.

106. *Mr. Farnell.* Have you any doubt in your mind that, so far as Australia is concerned, *oidium* originated in Queensland? I have very little doubt of it.

107. Are you aware that, when it first made its appearance in Queensland, Mr. Coxen wrote to the late Rev. Mr. Turner informing him of the fact? He did.

108. Did he send samples? Of what he considered to be *oidium*; but he did not know what it was. He also wrote to Dr. Bennett on the subject.

109. Is it not possible that, in sending grapes from Queensland to this Colony, the disease might have been introduced? I think it very possible, and very likely.

110. Would it not be possible to transmit the disease by means of the cases in which the grapes were forwarded here, those cases being sent up to fruit and vine growers in various parts of this Colony? Very possible.

111. Are all kinds of grapes, or are only some kinds liable to be attacked? I believe almost all kinds. About Paris, black grapes only were supposed to be subject to attack, but it was subsequently proved that the white were equally liable.

112. Perhaps the impression was first formed from the fact that the mildew being white, was not so readily seen on white grapes? That might have been the case.

113. Have we any kind of grapes that are free from the attack of the *oidium*? I am not aware.

114. If this *oidium* were to deposit itself upon any other kind of plant, do you think it would develop itself? It has been asserted by Professor Berkeley that, in one case it was known to have attacked the chrysanthemum indicum; but Professor H. Von Mohl denies it, and he gives a case in point where he put various kind of plants with the chrysanthemum

- C. Moore, Esq.  
24 Feb., 1869.
- santhemum indicum, and they remained a whole season with it, and they were not attacked; and he says that ampelopsis quinquefolia, which is closely allied to the vine family and it, was not attacked. I can furnish the paragraph from his report.
115. Did you ever notice that the sweetwater grape, which is not so largely cultivated in the Colony as it was formerly, was attacked by a peculiar kind of disease some years ago, before the introduction of the *oidium*? I have no recollection of it.
116. The sweetwater grape became spotted with black spots? Yes, I remember to have seen it.
117. Was that mildew, or the effects of climatic change—I may state that I have understood it was attributable to climatic change from hot winds to southerly? I think, if it be the same thing that my attention was called to on the Hunter, that I think Mr. Wyndham attributed to insects. It was a little, dark-brown spot on the grape.
118. I think you stated that sulphur in suspension was an effective cure for the *oidium*? So the European authorities say.
119. You said something about sulphur and lime in solution? That is for washing the stems of plants. I would prefer to use that after pruning, to wash the stems of plants.
120. Is it not the fact that sulphur is not soluble in cold water? Yes.
121. How could you make it soluble? I should merely apply it by means of a syringe while it was held in suspension.
122. You would recommend the solution to be used only after pruning? That is the practice I would adopt myself.
123. Have you yourself seen grapes sulphured by the ordinary process of blowing it on them? Yes, I have, frequently.
124. Have you noticed the effect it had upon the disease? No. I have seen it applied, but I have not seen the vines afterwards, but I have heard that it has been an effectual cure.
125. Is it possible for this *oidium* to lie dormant—supposing persons to sulphur their vineyards for any reasonable time—and then to develop itself in the vines? I think it is; that is my impression.
126. In your opinion, the disease will eventually die out? I have very little doubt of that, for I think it is analogous to various diseases which have appeared on different plants from time to time in my own lifetime, and not one of them has been permanent. The most permanent has been rust in wheat, which has existed more or less for many years. In Europe, during some years, it has been very bad, in others again it has been scarcely known, but it has been the most persistent of any of that class of diseases I have known.
127. Do you know whether the sulphuring of grapes will at all affect the wine made from them? I made inquiry respecting that of some wine merchants at home; and Mr. Holdsworth, a very large wine merchant in London, said he fancied sherry was affected by it, but it was denied in Cadiz.
128. I believe wine-makers, in cleansing casks for racking off, use sulphur? Yes. I have been perfectly sensible, in tasting colonial wines, of the taste of sulphur.
129. I believe in France they look upon the sulphuring of vineyards as a matter of course—that they do it as regularly as they prune the vines? I am not very sure upon that point, but I think it is very likely large vigneron would adopt that practice.
130. Do you know whether the *oidium* exists in China or India? I am not aware. I searched every possible authority, but I have no recollection of seeing that it was either in China or India.
131. In Java, or any of those islands? I do not think they grow the grape in Java.
132. Mr. Suttor.] Do you not think that, as the grape-vine has been cultivated from time immemorial from cuttings, so as to become almost an artificial plant, it is more likely to be attacked by insects or by diseases of this nature than seedlings? I think it would be; but the healthiness or otherwise of the plant would depend upon the circumstances of its growth; for instance, if one plant were growing under circumstances favourable to luxuriant growth it would throw off disease, while another less favourably situated will become subject to disease. We had numerous illustrations of this in the case of the orange disease. Where a tree was languishing, if, by the application of fresh soil, of water, or other means, a more luxuriant growth could be induced, it threw off the disease; and therefore it follows that, a seedling being more luxuriant than a cutting, it would be less likely to be affected by disease.
133. It was the general impression at the time of the potato disease, that they had been raising the potato from the root too much, instead of getting back to the seed again? That was the impression, but it is proved to have been incorrect; for the disease has gone, and they are still growing the same kinds of potato.
134. You stated that this disease was prevalent for a certain number of years, and then disappeared altogether? Yes.
135. It may be expected to come again? Yes.
136. I want your opinion as to the best means of prevention as well as of cure. Do you not think this might be done by means of raising the vine from seedlings? Yes, that might be done, but you could not perpetuate varieties by that means.
137. Although you might have a thousand seedlings, you would not have two of the same kind? Yes, because they are varieties. Species will reproduce their exact types, but varieties will not. Not one of these seedlings would exactly resemble the original, because they are all varieties; but if you were to take the seed of our own wild vine, it would reproduce itself precisely. But while I am on this subject, I may state that there are varieties which will reproduce themselves from time to time, such as cabbages; but if you grow the cabbage year after year in the same ground, it will degenerate to the original

original type. Hence the advantage of having seed from distant countries, even for vegetables. It is always better to obtain seed grown in a colder country, as Tasmania, than that grown in the neighbourhood of Sydney.

C. Moore,  
Esq.

24 Feb., 1869.

138. Do you think frost would affect this parasite or fungus on the grape? No, because they have very severe frosts in some parts of France, where the disease has been, and the disease was not thereby destroyed. I may state, however, that heat causes its development rather than cold.

139. *Mr. Nowlan.*] You have stated that the disease known here as the *oidium tuckeri* is precisely the same as that known by the same name in Europe? That is my opinion.

140. It has been asserted, on several occasions, during the discussion on this disease, that it has been seen in this Colony many years ago,—one person stated that he had seen it thirty years ago in this country? That I take to be a mere assertion, unsupported by anything like proof; for I think the mere figures in that book will shew that, although to the naked eye the disease may appear the same in various cases, yet, when seen under the microscope, they are utterly dissimilar; therefore, for any person to say that it was the same disease, unless he had made a microscopical examination, I say would be to make an assertion unsupported by facts.

141. I am now quoting from the translation of a work by M. L. R. Le Canu, which was sent out to the Acclimatization Society of Queensland, in answer to a communication made by Mr. Coxen, in April, 1867, to the Acclimatization Society of Paris, requesting information on the subject of the vine disease; and it is there stated that the disease was first discovered by Mr. Tucker, a gardener residing in Margate, in the Isle of Thanet, on a vine grown in his hot-house, in the year 1845; and that in the year 1848 it made its appearance at Versailles and Montagne, near Paris; in 1849 it appeared in the north of France and Belgium; in 1850, in Languedoc and Provence, and in Italy and Spain; in 1851, at Bordelais; and in 1852 and 1853 it invaded the vineyards of Europe, and a great number of those of Asia, Africa, and America; and that it had not disappeared from those places where it first shewed itself. Now, I think it is evident that the disease said to have been seen here thirty years ago could not have been the disease known as *oidium tuckeri*. Are you satisfied in your own mind of that? Yes.

142. I think the mention of those dates, shewing its spread through Europe from the time of its original discovery by Mr. Tucker, proves that it steadily advanced through the vineyards of Europe, and did not simultaneously spread over a considerable area owing to any peculiar climatic influence or otherwise; but I should gather from this information here, that its spread can be clearly traced from country to country, and from vineyard to vineyard, over Europe? That was the impression on my mind, after reading all I could on the subject.

143. You have arrived at the same conclusion? Yes.

144. *Mr. Tunks.*] But you stated that it existed, in some shape or other, from the creation till now? If all plants were created at the beginning, it must have been so.

145. That is, before 1849? Yes.

146. We have assurance that it must have been created before 1849? Yes.

147. Then there is nothing impossible in its appearance anywhere, under certain circumstances? Nothing impossible.

148. *Mr. Nowlan.*] You have stated, I think, that the spread of the disease may be occasionally due to peculiarity of season; but I would beg leave to ask you whether you are aware that, from the time of its first discovery in 1845, in England, it was known to disappear, owing to the different seasons, in England and Europe? I am not aware. I have no data to go upon to answer that.

149. From the statement made in this pamphlet of Le Canu, it appears to have gone on steadily, without any obstacle from the seasons. With reference to its appearance in this hemisphere, did Mr. Coxen communicate to you? To me, through Dr. Bennett.

150. I find from Mr. Coxen's own statement, that it made its appearance in Queensland at the end of October, 1866? He must have written to Dr. Bennett at the latter end of November, 1866.

151. Do you know when it made its appearance in New South Wales? My attention was first called to it in the month of March, 1868; and then I learned from a gardener, who has a garden near Wollongong, that the same disease appeared the previous year in his vineyard.

152. That is, according to his own opinion? There is no doubt about its being the disease he observed.

153. Then it must have appeared at Wollongong in 1867? Yes.

154. Then it must have made its appearance in this Colony first at Wollongong? Yes.

155. Where did you see it? At the garden of Mr. Tourle, near Newcastle, in March, 1868.

156. Did you see it again the following season? In that and the adjoining vineyard.

157. You saw it in different parts of the district on the Hunter? Yes, near Maitland.

158. In Mr. Scobie's? Yes.

159. When did you first notice it in the district immediately around Sydney? It was subsequently to that; but many persons who were unaware of the existence of the disease until the publication of my report, then examined their vines, and found them to be affected.

160. It was then you made the tour of Central Cumberland? Yes.

161. After returning from the Hunter? Yes.

162. Shortly after that, these vineyards were found to be in a very advanced state of disease—worse than any vineyards in any part of the Colony? Yes, worse than in any other part that I saw.

163. I understood you to say that you are of opinion the disease must have spread from vineyard to vineyard? Not necessarily so, but I think it probable.

164.

- C. Moore, Esq.  
24 Feb., 1869.
164. From your observation, are you of opinion that the disease has spread from vineyard to vineyard, rather than that the spores have been carried in the air to distant places? I think the spores must have been carried to very great distances.
165. Judging from the whole history of the disease, it spread steadily? In Europe it spread steadily.
166. Do you believe that any particular mode of treatment of the vine, in the way of cultivation, would render it impervious to disease? No.
167. Do you think young vines are less liable to take the disease than old ones? It might be for the reason I have already assigned,—that there is more vigour in the younger than in the older ones.
168. Do you believe that vines planted on trenched lands would be more free from the attacks of the disease? I do not think so.
169. Are you acquainted with the district of Albury? No.
170. You have never been there? No.
171. From your general knowledge of the character of the country, would you suppose that part of the country would be likely to be exempt from the disease? I should think it more likely to be exempt from the disease than warmer parts of the country, but I do not think it will be exempt on that account.
172. Do you know the district of the Macintyre, where the Bukkulla is grown? Not quite that locality.
173. Do you think there is some similarity between that country and Albury? No, that is a warmer country.
174. From what you have heard, you believe this dressing of sublimated sulphur to be effective? From what I have heard.
175. Do you think sulphuric acid diluted with water would be more efficacious, or less expensive and as efficacious as sublimated sulphur? I have had no means of ascertaining.
176. Do you believe that, if there were united action on the part of vine-growers in the application of sulphur, it would have the effect of eradicating the disease from the Colony? I think it would.
177. You believe that legislation on the subject, compelling the application of this remedy, or of the best remedy known, to diseased vines, would have a very beneficial effect, if it did not eradicate the disease completely? It would subdue, if not eradicate it.
178. Do you consider, from your knowledge of the wine-growing interest in this country, that it is worth while some such united action should be attempted in order to eradicate this disease? I think it would be worth making the attempt.
179. Do you think it is likely the vigneron of this country—taking them all, both large and small growers—would be likely to take such means, without legislative enactment? I think large growers would.
180. Do you think small growers would—those who have only a quarter of an acre, half an acre, or an acre, would? I do not think they would. I give that answer in consequence of what I observed at a meeting held at Ryde, for the purpose of considering this matter. I then heard some of the small vine-growers say they would not take the trouble, and they used the expression that they would let the vines go to the dogs—or some stronger term—rather than take the trouble. But I think it hardly fair to the larger growers who have such a great interest in the growth of the vine, that they should be compelled to employ labour, while the nuclei of disease are existing close to them, in consequence of the neglect of their neighbours, and that they should have no means of compelling these people to apply the proper remedy.
181. In your opinion, the disease would be propagated in these small vineyards equally with large ones? Yes.
182. And unless these small growers of vines could be compelled to take action in the matter, it would be useless to attempt to eradicate the disease thoroughly from the country? The large growers could, no doubt, keep down the disease in their own vineyards.
183. Then dressing would be merely with the object of keeping down the disease on their own vineyards—they could not hope to extirpate it by that means? Not for a great length of time, until it wore itself out.
184. You have stated, in answer either to Mr. De Salis or Mr. Farnell, that you have never seen the fruit-bearing vine growing wild? I have never come across it wild.
185. You have travelled over a considerable area of this country? I know all the coast districts, where it would be most likely to occur, but I have no recollection of ever having met with it in a wild state.
186. Do you think that the possibility of the disease being propagated by these wild vines would be at all a barrier to legislation on this subject? I do not think so.
187. Do you know whether the disease, if unchecked, will ultimately kill the vine? It has, according to European experience, when the disease has become bad.
188. It has so killed the vines in Madeira? Yes.
189. Do you know how many years it would take to accomplish that result? I think if a vine were very much diseased, it would die in two or three years.
190. Have you heard of any vineyards in France having been destroyed by the disease? I have not.
191. You are aware that vines sometimes produce a second crop of grapes? Yes.
192. And, of course, that crop would be liable to disease, supposing the disease had been destroyed in the first crop? No doubt.
193. Do you think it likely that many vigneron would take the trouble of dressing this second crop? I think it would scarcely be worth while for the sake of saving the crop, but it might be worth while for the purpose of eradicating the disease.



194. *Mr. De Salis.*] Do you know of compulsory legislation for the destruction of *oidium* in any country? No.

195. Do you know of compulsory legislation for the destruction of weeds in any country? My impression is that there is, but I do not recollect at this moment.

C. Moore,  
Esq.  
24 Feb., 1869.

196. If there were compulsory legislation in this country, for the destruction of *oidium*, it would also be necessary that there should be similar legislation in Queensland, Victoria, and South Australia? It would be desirable, but we would have no power in the case of those Colonies.

197. It would be of very little use here, unless the other Colonies did the same? We might keep the disease down here.

198. Have you any idea of the size of the spores? They are exceedingly minute. They require a rather powerful microscope to see them.

199. Finer than the finest dust? The most impalpable dust.

200. They would be blown by the wind as far as the finest dust? Yes.

201. *Mr. Tunks.*] They are specifically lighter than dust? Yes.

202. *Mr. De Salis.*] Would you suggest that legislation should allow you to enter your neighbour's paddock, and destroy the weeds in it? No, I would not recommend interference to that extent.

203. No doubt something might be done in that way which would check very much the growth of weeds, but that is a matter of policy? I would not myself recommend it.

204. You would not like some one to come into your garden to destroy your weeds? No.

205. You could do a great deal of good to your garden, if you had power to go into the garden of a neglectful neighbour who allowed it to be overrun with weeds, and to destroy those weeds? Yes; because I am now obliged to employ labour to destroy weeds in my own garden, which spring up from seeds that come from his.

206. Are you aware whether the spores of the *oidium* retain life for a long time? Under certain circumstances, no doubt they do.

207. I suppose they remain latent about the old vines during the winter? Either about the old vines, or in the leaves or branches that may be lying upon the ground.

208. You would recommend the removal or burning of all this? Yes, it should be burned.

209. Are you acquainted with the apple blight? Yes.

210. Are you aware that it attacks some kinds of apple-trees, and not others? Yes.

211. Does it attack the same apple-trees under different circumstances, or different apple-trees? Different apple-trees.

212. The circumstances make no difference? No.

213. *Mr. Tunks.*] You have stated that a number of vine-growers at Ryde expressed their determination to destroy their vines, rather than go to the expense of applying this remedy? At the meeting to which I have referred.

214. Was that very early in the history of this disease? At the first meeting.

215. Is it within your knowledge that many of these people had been almost ruined about that time, by the attacks of another disease upon their orange-trees? Yes.

216. Is it within your experience that a large number of orange-trees had been dressed and redressed, and yet were destroyed after all? Yes.

217. Would the expression then given utterance to, convey the mature opinion of the people on this matter now? I may infer that their feeling was, that it was of no use going to the expense, inasmuch as they had bestowed great labour and expense in their attempt to save the orange-trees, and had failed.

218. They were smarting under previous failure? Yes.

219. Diseases of this kind—of this insidious character—are they, or are they not, more common than they were formerly? I do not think so. I have no recollection that they are.

220. Do you think this is such a disease as might be destroyed by the importation of certain insects or birds? I do not think that this disease is affected either by insects or by birds, if it is a true fungus.

221. *Mr. Phelps.*] Do you recollect what were the vines introduced into Madeira after the destruction of the original vines—were they seedlings or varieties from Spain? From various parts.

222. Do you know whether, prior to the discovery of this *oidium* by Mr. Tucker, that or any corresponding disease was ever detected on the vine? The history is not quite accurately given in that pamphlet. About two years before, Professor Berkeley, one of the greatest mycologists of the day, observed this peculiarity in the vine, which he considered to be another form of *oidium*, and in 1847 his attention was called to it by Mr. Tucker.

223. *Mr. Nowlan.*] Mr. Tucker observed it in 1845? My authority states that it was noticed by Professor Berkeley in 1845, and that in 1847 Mr. Tucker discovered that the same application he had been accustomed to use for peach blight was a remedy for this. Professor Berkeley's attention was then more particularly called to the matter. He found it was a new form of *oidium*, and gave to it the name of *tuckeri*.

224. *Mr. Phelps.*] Have we in history any account of anything similar to this *oidium tuckeri*? It was unknown to botanists up to 1845.

225. Have you ever observed the branch of a vine growing under the eaves of a house or a similar place, that it becomes larger than one growing in a different situation? Yes.

226. Have you observed on such branches a number of small globules about the size of the head of a pin? Of a brownish colour?

227. Quite colourless? No.

228. *Mr. Suttor.*] Of course you could not take upon yourself to say that this would not appear on the grape indigenous to the Colony? No.

229. When you have been travelling about the country, it never occurred to you to examine;

- C. Moore, Esq.  
24 Feb., 1869.
- examine; so that it may have existed, and yet have escaped your observation? I think the probability is that, although I might not have observed it at the time, the fact of the disease being brought under my notice would have brought the matter back to my memory, had I seen it on the native vine.
230. You have seen the fruit of the wild grape? Yes, and eaten it.
231. *Mr. Nowlan.*] I do not exactly understand from you that you stated that any varieties of the vine were not attacked by the disease. Have any been known to be free from the disease? I have not made any inquiry.
232. I have understood the Isabella grape is rarely attacked—have you ever heard so? I am not quite clear upon that point.
233. With reference to Mr. De Salis' question about compulsory legislation, and non-legislation in other countries,—I believe, when the disease first appeared in Europe, no specific remedy was known for it for some time? Mr. Tucker, in 1847, discovered that the remedy used for blight in peach trees was also efficacious in the treatment of this disease, and it was from his experience that the French applied it.
234. When it appeared in Madeira, it was supposed to be a visitation of Providence, and no remedy was adopted? No remedy was adopted.
235. Since it is an established fact that the application of sublimated sulphur is a remedy, we are in a different position here, as regards the treatment of the disease, from what they were in Europe in the commencement of the disease? Yes.
236. We know better what to do? Yes, quite so.
237. And we have therefore more reason for carrying out compulsory legislation.
238. With reference to the parties at Ryde, who stated that they would rather allow their vines to go to the dogs than take the trouble of applying this remedy,—were they large or small growers of the vine? Very small.
239. Was the growing of grapes very profitable to them? They were mostly grown for the market.
240. I mean, was it, from the area they had under grapes, a matter of much importance to them whether their grapes were destroyed or not? The people in that district grow a little of everything, and the loss of their grapes would, of course, be of some importance to them.
241. Still, it would not be so important to them as it would be to those persons with whom the growth of grapes was their sole occupation? Perhaps not; but I know that many were reduced to great distress by the loss of their fruit crops, and of course the disease in the vine would contribute to that distress. I wish the Committee clearly to understand that it was not the general opinion of the meeting; indeed the general opinion of the small growers was, that there should be some legislative enactment to make the application of the remedy compulsory.
242. *Mr. Tunks.*] Have you any knowledge of the annual value of the fruit crop in the neighbourhood of Parramatta? No; I have no data to go upon.

FRIDAY, 26 FEBRUARY, 1869.

Present:—

MR. DE SALIS,	MR. NOWLAN,
MR. FARNELL,	MR. PHELPS,
MR. FORSTER,	MR. W. SUTTON,
MR. LACKEY,	MR. TUNKS.

THOMAS HODGES MATE, Esq., IN THE CHAIR.

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

- P. F. Adams, Esq.  
26 Feb., 1869.
243. *Chairman.*] You are proprietor of a vineyard in the district of Albury? I am.
244. Are you aware of the existence of any disease in the vines of that vineyard? Not in that vineyard.
245. You are, however, aware of the existence of a disease in vines—the *oidium tuckeri*? I have seen it.
246. Where have you seen it? In several of the vineyards in the vicinity of Sydney, but more particularly in the district of Hunter's Hill.
247. Do you consider this disease to be destructive to the vines affected? I would imagine that the vines in the district I have alluded to would die very shortly if not attended to.
248. Are you aware of any remedy sufficient to secure the vines against infection, or to cure a vineyard which has been diseased, or to arrest the progress of the disease in an infected vineyard? Sulphur appears to be a palliative.
249. Do you think the sulphur remedy sufficient to eradicate the disease from the Colony, if it were applied to all the vineyards? I am scarcely prepared to say it would, in any way which it is practicable to administer it. I should not like to say that a vineyard could not be cured in any way; for if it were possible to cover it entirely, as, for instance, with a large tent, and fill the space with sulphur fumes, the likelihood is that the *oidium* plant would be killed; but I do not see any way in which it is practicable to do this.
250. Then, if that remedy were applied to the vines, by the proprietors of vineyards, you think that would eradicate the disease—that is, if it could be applied in the way you describe? Yes, sulphur fumes are a certain cure, if they can be effectually applied to the vines without being dispersed in the atmosphere.
251. But, supposing that the remedy should be applied by the proprietor of one vine, yards.

yard, and that the owner of a neighbouring vineyard should refuse or neglect to treat his vines, would the disease go over from the neglected vineyard to the one that had been dressed, and break out there afresh? I think it would.

252. Do you think the vine-growing interest is of sufficient importance to require from the Legislature an enactment making it compulsory on all parties to treat their vines for this disease? I think it is of sufficient importance, if the measure before the Legislature is effective to the purpose intended, and can be carried out satisfactorily.

253. You have seen the vineyards of the Hunter? Not since the appearance of the *oidium* amongst them.

254. But you have seen them? Yes.

255. You have been amongst them and examined them? Yes.

256. Have you seen sufficient of them to enable you to judge of the difference of soil of those vineyards and of the vineyards in the Albury district? I have.

257. Do you think that, being younger, there is less fear of the disease in the Albury district than in that of the Hunter? No, I do not think that either soil or age has any thing to do with the spread of the disease, or with the liability of the vines to infection. Probably climate may have a very considerable influence on the disease—I think it has.

258. Are you aware which way the disease is progressing at present, whether west, north, or south? I have not heard of it further south than Picton at present, if I except its appearance in the Illawarra district. It is reported to have extended much further in a south-westerly direction, but I cannot speak with certainty on this point. I have heard that it has made its appearance at Kyeamba, Mr. Smith's vineyard, but I hardly think they are correct in their suspicion that it is the *oidium*.

259. Have you heard of any other method of treating vines for the *oidium* besides the sulphur treatment? I have heard of many, but none of them having such efficacy.

260. Is the sulphur treatment an expensive process? No.

261. What would you calculate that the cost per acre would be for dressing a vineyard with sulphur? At Albury, with the carriage added, it would probably cost from 40s. to 50s. per acre; that would be the limit—the outside cost.

262. If the disease makes its appearance in the spring, does it affect the crop of grapes for that year? Certainly.

263. Then it is not confined to the wood and leaves, but attacks the grapes also? Yes. The first appearance is generally upon the shoots—so I have been informed—for my own experience does not go so far as that. When I first saw the disease, the grapes were formed on the vine; but I believe, from all I can learn, that it is first seen on the young shoots, before the berries are formed; and if they are virulently attacked, the disease is sufficient to almost destroy the shoots, if no remedy be applied.

264. Do you think that if, after the bearing season, all the cuttings were destroyed by fire, and the stocks were well washed with lime and sulphur, that would act as a preventative to the disease in the next season? I am scarcely prepared to say whether it would or not, but I do not think it would.

265. You do not think that any measures would be taken certainly to prevent it? I am afraid not.

266. *Mr. Nowlan.*] Have you had much personal experience of the *oidium*? Only very little.

267. You have never personally treated a vineyard for the disease, and noticed the effect of the dressing? I have treated a few vines, and seen the operation of the dressing on them, but I have not dressed a vineyard.

268. And from that you judge —? The effects of the sulphur treatment are marvellous.

269. You are aware that the sulphur treatment is now generally adopted in Europe? I am.

270. And that there it is considered efficacious? Yes, as I have said, the effects are marvellous.

271. Do you consider that the *oidium* disease owes its appearance in the Colony to climatic influences, or has it been brought to the Colony by means of cuttings, or otherwise? I have very great doubts of my capacity to give a satisfactory answer to that question—it is one for a naturalist.

272. Do you believe the statements which have been made, from time to time, that this disease was known in the Colony many years ago? I scarcely think it could have been the case—all the experience of other countries is against that conclusion.

273. Do you think the disease has spread from vineyard to vineyard? It appears so.

274. It first made its appearance in Queensland? Yes.

275. And thence it has progressed southwards? Most decidedly.

276. You are well acquainted with the Albury district? Yes, very well.

277. Do you think there is anything in the nature of the climate or soil of that district which would render the vineyards there less liable to take the disease than are the vineyards of the Hunter? I think the disease will be there ultimately—it will reach there in its progress.

278. Are you aware that there is a general impression amongst the vignerons of the Albury district that, owing to the nature of the climate and soil of the district, the vineyards there are not likely to be affected by the *oidium*? I have heard so; that is, I have read as much in the Albury prints. My own opinion is, that it will be there, as well as in every vineyard of the Colony, as the disease spreads. At the same time, my impression is that, owing to the dry climate of the Albury district, the vineyards there will suffer less than in the moister climate on the coast.

279. But Queensland is a dry climate, is it not? I think not. In the lower part of that

P. F. Adams,  
Esq.

26 Feb., 1869.



P. F. Adams, Esq., that Colony, especially on the coast line, there is as much moisture in the atmosphere as there is in the Sydney district, and perhaps more so.

280. When this plan of compulsory dressing was first proposed, were you in favour of it?  
26 Feb., 1869. I was.

281. Are you so now? I am not in favour of the proposed Bill.

282. Are you in favour of legislation in another shape? I am unable to suggest a better form at present. If I were, I should be in favour of it; for I think something ought to be done. At the present moment, I am really unable to suggest a better plan than that embodied in the Bill.

283. Do you think that the owners of very small patches of vines, say of half an acre in extent, would be likely to adopt the necessary precautions for saving their vines, in the event of the disease appearing amongst them? I think they would.

284. But if they did not, or if a vigneron had dressed his vines and a neighbouring proprietor neglected to take the necessary measures for preventing the spread of disease,—do you think that, if an effort is not made voluntarily, they should be compelled to make it? If proper precautions are not taken, I think it should be made compulsory.

285. Then, you think that neighbouring vignerons who have dressed their vineyards should have the power of compelling others who neglected it, to do the same? I think so. If it should be found that vineyards so neglected become a serious nuisance from disease, then legislation should be provided, under which informations might be laid against the persons so neglecting; and either their vines should be destroyed, or they should be compelled to dress them.

286. Do you not think it would be wise for the wine-growers of the Colony to make a combined effort to eradicate the disease? I am very much afraid that such an effort will be futile.

287. Did you ever meet, in the course of your travels in the Colony, with wild vines, either indigenous or the progeny of cultivated vines, growing in a wild state? Not in Australia. I have seen several species in America.

288. You have met with none in this country? No.

289. And you have been over a considerable area of the Colony? Yes. I have met with what are called vines in the bushes, but never with the grape-vine.

290. If there are vines in such a state as I have described, or growing indigenous, and spread over a large area, would they not form a serious bar to legislation on this subject? The wild vines that I have seen in other countries are free from *oidium*. The wild species, Isabella and Catawba, now cultivated in America, are almost proof against the disease. I have seen the Isabella vine, at Hunter's Hill, covered with *oidium*, from being surrounded by vines which were very badly diseased; but the disease never seemed to hurt the fruit.

291. You are not aware whether this disease was the *oidium* we now have in the Colony, or whether it was some disease peculiar to the plant? The disease had all the characteristics of the *oidium tuckeri*. On the Isabella vine it was certainly the *oidium*.

292. It has been stated to this Committee that there are in the Colony a large number of wild vines, that is, vines grown from the scattered seed of the grape, and growing in the bush, or on grass lands, or on neglected cultivation land; and that these, together with the indigenous vines in the bushes, exist to such an extent that it would be useless to attempt the adoption of preventive measures. Do you think that these would form a bar to our legislation? No, I think not.

293. You say that you have never met with any of these wild vines? No. I do not think either that there is a sufficient number of wild or neglected vines in the Colony to form a bar to legislation; and for this reason,—that if the disease goes all through the Colony, they are sure to catch it, and being neglected they will perish, and in the course of a year or two will die out.

294. Mr. Tunks.] You stated, I think, that sulphur is a palliative of the *oidium*, and, under some circumstances, a specific? Yes.

295. Has it been ascertained what effect the sulphur will have upon the wine subsequently made from the grape? Sulphur will do the wine no harm.

296. Has that been ascertained? Yes, that is an ascertained fact. Sulphur, in its crude state, is not acted upon by any of the acids existing in wine.

297. Sulphur in any form has, I believe, a powerful action upon the disease, and I should like to know its effect upon the grape? The action is caused by the sulphurous acid gas, which is a mixture of sulphur and oxygen, rising in fume. This is not hurtful to the wine, because this fume is used to sweeten wine-casks. They are kept clean by filling them with the fume, and bunging them up close until they are wanted for use. All effects of the sulphur are afterwards removed by a bucket of water.

298. Then you are quite clear that the application of sulphur to the vine has no ill effect upon the grape, or upon the wine made from it? None whatever. The action is this:—The sulphur being applied to the vine, the oxygen of the air mixes with it, and disseminates a fume amongst the vines, and destroys the *oidium*.

299. Have you any idea of the money importance of the grape crop to this Colony? I have read it in the statistics of the Colony, but I have not carried the amount in my mind. It appears amongst the statistics.

300. Have you any idea of the comparative value of grapes for wine-making and of grapes for table use—for edible purposes? I have read it, but I cannot quote it from memory.

301. Then how do you arrive at the conclusion that the vine-growing interest is of sufficient importance to justify the Parliament in legislating for it? It is a rising interest, and has now become a highly important one.

302. You mean, then, that in its present, but still more in its prospective position, it is an interest that will afford a remunerative return on the outlay of capital, and, in the present state of the labour market, a wide field for employment? I do, most decidedly.
303. That is, I suppose, if the import duty of 3s. per gallon be continued upon foreign wines? I think, in any case it will form a remunerative investment.
304. Suppose the duty on foreign wine to be abolished, would wine-making be a remunerative occupation? I think it would pay even then.
305. Up to a certain point, however, it pays better with the duty? In the present state of vine culture in the Colony, I have no doubt that, without the duty, wine-making would prove very unremunerative to some vine-growers; but if the import duty were taken off, even that would not put an end to vine-growing; it would still go on, and well pay those who adopted the best methods of cultivating the vines and of making the wine.
306. In saying this, do you speak generally, or do you regard the matter from the Albury point of view? I speak generally, that is, as far as those parts of the Colony suited for vine-growing are concerned.
307. Do you think we can depend upon a market, without having to go to the expense of carriage for the wine? Yes; the consumption of the Colony will be quite sufficient to absorb all the wine that will be grown in it during the next twenty years.
308. Do you mean the consumption of this Colony alone, or of this Colony with others? I allude to the Australian Colonies generally. And I say this, because, if the duty be taken off the imported wine, we shall, as a matter of certainty, have free trade between the Colonies to make up for it.
309. May I be allowed to ask you how long you have been engaged in wine-growing? About eleven years.
310. Have you any objection to state what would be about the cost per acre of laying down a vineyard? Taking a ten-acre vineyard, from the commencement to the time when the wine is fit to take to market, after being held for two years, the total cost, including preparing the land, planting, cultivation, cellars, casks, &c., will be nearly £200 per acre.
311. Have you paid sufficient attention to the matter, to know whether the new or the old vines produce the best wine? It is the received opinion in Europe that the old vines produce the best wine, and I think the same thing will be found in this Colony. My experience, however, is not sufficiently great for me to give a decided opinion.
312. Have the vineyards been formed from imported vine-cuttings of different sorts, or from vines reared from seed in the Colony? They are nearly all from imported cuttings. We have only two or three good kinds of grapes grown in the Colony from seeds; all the others are from imported stocks.
313. By the importation of a particular kind of vine from Europe, and by treating it, after it has been received, in the same manner in every way as it is treated in the country it comes from, is the same character of wine produced as in Europe? Not in every case.
314. The wine would appear to be affected by the soil and climate acting on the vine? Yes; these two elements not only modify, but change the character of the wine considerably. But the same thing occurs in the other hemisphere; the grape grown on the Rhine produces a totally different wine from what is made from the same kind of grape grown at Madeira.
315. Is there any probability of these particular sorts of vine now most in favour in the Colony dying out from age? I do not think so. We have had experience of a particular kind of vine (the "Hermitage") lasting for above a thousand years—not of one particular vine, but of vines grown from an especial stock.
316. Then, for all practical purposes, it may be considered that the vine will last for ever? Not the particular vine itself, but the variety will last, by being reproduced by cuttings, for a very long time.
317. Is it not possible that of these vines some may become worn out, and so be nothing better than rearing places for this and other kindred diseases? I am not prepared to answer that question.
318. The *oidium* is a kind of fungus? Yes.
319. Do you know what produces this fungus? That I could not undertake to answer—it is a matter altogether beyond my knowledge.
320. You have said that climate may have some effect upon this disease? To some extent.
321. Will you define what you mean by climate? I mean that the amount of rain or moisture, or the dryness of the atmosphere, has a nutritive or a contrary effect upon the *oidium*. Being a fungoid growth, a humid atmosphere will encourage it, whilst a dry atmosphere is against it.
322. You think, then, that being a fungus, it is more likely to be encouraged and to spread rapidly in a humid atmosphere and a sheltered position, than in a dry climate and exposed situation? Precisely.
323. I think you have said that the disease first made its appearance in Queensland? Yes.
324. Have you any notion of the date of its first appearance in that Colony? All my information on the subject has been acquired from Mr. Coxsen's pamphlet, and I would refer the Committee to that.
325. You are aware, however, that on intelligence of the outbreak of the disease in Queensland reaching this Colony, the Legislature passed an enactment prohibiting the importation of grapes or vine-cuttings from that Colony? Yes.
326. Is it known now that the disease was actually in the Colony at the time that Act was passed? Yes, I think we may be pretty sure that it was.

- P. F. Adams, Esq.  
26 Feb., 1869.
327. Do you know when the disease first appeared in Illawarra? I was told of the existence of the disease there last vintage.
328. Would experienced persons take this to be a specimen of *oidium* (producing a vine-leaf covered with a mouldy growth)? It smells like the *oidium*; and when I have any doubt on the subject, I apply the sense of smell to it, and I am never deceived.
329. Has it come within your observation that, when a grape-vine is dying off at the end of the season, the leaves are covered with a mouldy growth like that? Something like it, but I never paid particular attention to the kind of fungus. I fancy, however, that this is not the mould you allude to, but that it is the *oidium*.
330. Have you noticed that pumpkins and pease, and many other vegetables, die off in the same way with a fungoid growth on the leaves? I have never particularly remarked it.
331. What do you define *oidium* to be? It is a kind of mould or fungoid growth which appears on the vine leaves and fruit, stopping the growth of the fruit, and eventually destroying it.
332. Is it a well-known disease? I think so. Under the microscope there is no possibility of mistaking it.
333. Is it a spontaneous production, or is it produced from some element latent in the vine? That is a question for a naturalist to decide. I should not like to answer it, being a matter upon which I am not competent to form an opinion.
334. You have alluded to the cost of dressing vines with sulphur. Now, in the event of the disease spreading rapidly next season, have we a stock of sulphur on hand sufficient to meet all our requirements? I am not sure about that. I made some inquiries at the beginning of the season, as to the stocks of sulphur on hand, and these led me to suppose that there was amply sufficient then for all purposes. Since then, however, they have been largely drawn upon for use, and if they have not been replenished, there will not be sufficient on hand next season.
335. I ask this in order to put people on their guard, so that they may not be unprovided in the event of the disease breaking out virulently next year? I have no doubt that steps will be taken to replenish the stocks by that time.
336. Have you seen or do you know of a grape-vine indigenous to this Colony? I have seen a plant which the bushmen of the Colony call the wild vine, but I do not think it is a vine at all.
337. But if the Director of the Botanical Gardens says it is a vine? He is likely to be right, and I wrong; he is a botanist, and I am not.
338. Mr. Forster.] Where have you seen it? In the brushes on the Hunter.
339. Mr. Tunks.] Would it be wise in the Parliament to legislate upon this subject, until we can get some further and better information than that we now possess? I think it would be better not.
340. You believe it would be better to wait a little before taking any decided step? I do.
341. Mr. Phelps.] You think it would be better to leave legislation alone for a bit? I do.
342. I have been thinking whether it might not be possible to establish something like a municipality amongst the vine-growers, and then to leave them to act in their municipal capacity, giving them all necessary powers by an Act of Parliament. What is your opinion of such a plan? I do not think that legislation of that kind would be of any service.
343. You do not think such a plan is feasible? I am scarcely prepared to say myself that this would be the best form for legislation to take; but it might be advisable at some time, and perhaps it may not be too soon to adopt it at once,—to have a penal Act authorizing the destruction of diseased vines.
344. What is your opinion? I think that, without taking any immediate steps, it might very well be left to the vine-growers themselves to look after their own interests.
345. This plan has occurred to me from the objections raised by the Albury people. As I understand it, their principal objection is, that the money which it would be necessary to raise in order to carry out the Act would go into the hands of the Treasurer here in Sydney. It struck me, therefore, that legislation under the municipal system would leave the funds in the hands of the different localities, and so remove this objection. Would such a plan be satisfactory? I do not think it would.
346. Mr. W. Suttor.] Do you not think that the grape-vine, as well as all fruit trees, is more susceptible of disease after it has been long propagated from, by cuttings, and by grafting and re-grafting—not because the vine itself is a thousand years old, but from its having been propagated through a long series of years, from cuttings and grafts from the same stock—Do you not think that the stock becomes worn out, and that it would be desirable to renew the stocks, by going back to the seed, or to cuttings from plants raised from the seed? I am scarcely prepared to answer that question.
347. You are aware that, some years ago, the potato plant ran out, and that it was found necessary to go back to the seed? Yes.
348. And might it not be desirable to adopt the same plan with regard to the vine? I am not prepared to give an opinion on that point.
349. Have you had any experience in the growth and culture of apple trees? Very little.
350. Mr. Forster.] How long have you paid attention to this subject? I have read on the subject of the *oidium* for the last ten years. I have read every work on the subject which I could obtain.
351. And how long is it since you have become personally acquainted with the disease? Only within the last twelve months.
352. You know it well, however? Yes, I believe so.

353. Under the microscope there is no difficulty whatever in recognizing it? No P. F. Adams, Esq.  
difficulty whatever. If you bring out the spores by the aid of a powerful microscope, no one can be deceived.
354. If inspectors were appointed previously unacquainted with the disease, it would be easy to train them to such a knowledge of it as that they could not make a mistake? 26 Feb., 1869.  
I think so.
355. It is so easily recognizable that no owner of a vineyard need remain in ignorance of it? Yes, I think so.
356. A perfect acquaintance with the disease is very easily acquired? It is.
357. It is only since the disease has broken out in this Colony that you have become acquainted with it from personal inspection? That is all.
358. Have you any idea whether the disease has been very widely spread over the Colony? I think it may be said that, as a general rule, it has gone all through the northern districts of the Colony, from Queensland as far south as Illawarra. We know that it is in the Bukkulla vineyard, on the Macintyre, and it has been heard of in the most remote localities of the Hunter River valley.
359. It has come to this Colony from Queensland? I believe so.
360. How has it been brought into the Colony—by contact, by the importation of grapes or cuttings, or by being borne on the wind? I am not prepared to say how it has come, but we know very well that it is here. Very probably it has been carried by the winds to those parts of the country towards which the prevailing winds blow. The north-easter is a prevailing wind, and, blowing from Queensland to this Colony, very probably the spores have been carried over by it, and disseminated the disease.
361. Is there any limit to which this disease may extend—may it not be carried by the wind all over the globe? I think it might. That is the only way in which we can account for its going from Europe to the Cape.
362. It is known at the Cape? Yes. It made its appearance there only two years after it showed itself in Europe. At the same time, I am not prepared to say positively whether it travelled there upon the winds, or whether it was imported.
363. Do you think it possible that the disease may have come to the Colony from the Cape? It seems almost impossible, but I should not like to say that it has not.
364. Is there any probability of its having arisen spontaneously? That I am not prepared to say; it is a question I am not qualified to answer.
365. Are you aware whether or not the disease has been known in the Colony many years ago? I have never been able to detect it, and I have been looking for it for years, almost since its first appearance in Europe. In the year 1860, or 61, I examined a plot of vines, in the Albury district, which had been injured by disease, but I was unable to trace the *oidium*.
366. Do you think the disease is capable of being communicated to a vine in any state, whether cultivated or growing wild—and by growing wild, I mean the same species of vine as that which is cultivated, only in a wild state? I think it makes no difference whether cultivated or growing wild.
367. Is it capable of being communicated to other plants not belonging to the same species as the vine? That I cannot say.
368. You have never seen the native vine which grows in the bushes of this Colony? I have not.
369. Have you ever seen anything at all like a grape-vine growing in the bush? I have not had an opportunity of examining the plants closely enough to say.
370. Do you think that direct contact, or bringing diseased vines or cuttings into a vineyard, and in close proximity to the healthy vines, would be likely to communicate the disease? I believe that, under those circumstances, contagion would be certain. I believe that a person merely walking through a diseased vineyard would carry the contagion on his clothes for hundreds of miles.
371. Then, in your opinion, contact by woollen clothes would be the most easy means of infection? Certainly.
372. I think you spoke as if there were no limit to this means of communicating the disease—you spoke of its being carried hundreds of miles? Yes.
373. Do you think that the disease we have here is the same as that known as the *oidium* in England? I have no doubt about it. It is in every respect the same as that described by Mr. Moore in his paper—the drawing taken from an encyclopædia.
374. Do you not think that, before we legislate upon this matter, we should be satisfied as to the possible exhibition of the disease upon other plants. Though we might legislate for vines, it would be impossible to legislate for all other plants, if it be shewn that they are likely to contract the disease? If it can be shewn that the disease is transmittable to other plants, legislation would be useless.
375. Then would not legislation be rash until this point has been ascertained with certainty? Certainly.
376. Are you not aware that there are many diseases in fruit trees which have in the first instance, made their appearance in the brushes? I was not aware of that.
377. For instance, take the diseases in peaches. There is one very common disease which shows itself by the development of large maggots in the peach? Yes, I have seen it.
378. Are you aware that that disease is said to have originated in the brushes? This is the first I have heard of it.
379. You say that the *oidium* is a fungoid disease, and that the fungi shew themselves most in moist seasons? Yes, moist seasons appear to favour the development of all kinds of mouldy growth.

P. F. Adams, Esq.  
26 Feb., 1869.

380. Has not this been a remarkably dry season? No, not on the coast line, although all the climate beyond the coast range has been remarkably dry. On the eastern side of the range the hygrometer has shewn a large amount of moisture in the air. Thus the hygrometric state of the atmosphere during the late drought has been highly favourable to the development of all fungoid growths.

381. Then we have this remarkable fact,—that whilst the country has been suffering severely from a protracted drought, the atmosphere has continued moist? Yes, on the coast line.

382. The moisture of the atmosphere has been very great, although there has been no fall of rain? Yes, very great, particularly in the mornings. This moist state of the atmosphere has held the spores of the *oidium*, and the disease has thus been borne on overland before the prevailing north-east winds.

383. Have you noticed that similar diseases of a fungoid character, existing on other plants, have been propagated or disseminated by a peculiarly suitable condition of the atmosphere? That I am not prepared to say.\*

384. The rust in wheat, for instance? I am not prepared to say whether the rust in wheat (which is a fungus, I believe) or any other fungoid growth has been actually developed by the peculiar state of the atmosphere, for I have not taken sufficient notice to enable me to say; but I should imagine that the growth of all the moulds would be favoured by a humid atmosphere.

385. Could you undertake to say whether the communication of the disease to the various vineyards of the Colony has been the result of the late peculiar season, or to what extent has it been due to the humid atmosphere? I cannot say that the disease was caused by the season, but I think its effects were much aggravated by the state of the atmosphere at the time it first made its appearance. The atmosphere was more moist and humid than usual at the time the disease was first observed, and that, doubtless, caused it to spread with greater rapidity.

386. Have you any statistics to give, or any data to lay before the Committee, with regard to the effect of the state of the atmosphere upon these fungoid growths—Whilst one state of the atmosphere is favourable to it, does another destroy it, or affect it in such a way as to make it less injurious to the vines? The hot winds have a very powerful effect upon it. The hot wind we had, I think the day before Christmas Day, seemed to me to completely stay the progress of the disease in one garden in which I saw it. There is, however, a doubt in my mind, whether the stoppage of the disease was caused by the hot wind, or whether it was not due to the dust which had been brought up by the strong southerly wind of the day before, and which had thickly coated the leaves of the vines.

387. In that case, if we applied dust or hot air to the vines, we should destroy the disease? You would check it, but not destroy it.

388. The application of air heated to a certain temperature will destroy fungi of all kinds? Yes, certainly.

389. Then, the application of a certain amount of heat to the vine would destroy the *oidium*? You would destroy the fungus, but you would kill the vine too.

390. Do you know if cold will destroy the fungoid growth? I do not think it would have any effect.

391. Not even the application of a temperature below zero? I do not know of any country in which the *oidium* has had to contend with a temperature below zero.

392. But supposing that it could be applied, do you think it would have any effect upon the vitality of the fungus? I am scarcely prepared to answer that question.

393. Do you think our knowledge of the disease, as it at present exists in the Colony, warrants us in legislating upon the subject? I do not think it does.

394. And do you not think that we shall be going to too great a length, if we place in the hands of a number of officials, persons who are not scientific men, the duty of inspecting the vines, and of determining whether they are affected with this particular disease? My own opinion is, that we do not yet possess sufficient information to warrant us in legislating upon the subject.

395. Would you, as a vine-grower, prefer to be let alone? I would.

396. And is that the general opinion? Yes; the general opinion amongst the vine-growers is, that it would be much better for the Legislature to leave us alone for a time, or at all events, until we can see what the effect of another season will be upon our vineyards.

397. *Mr. Mate.*] Since you have examined the leaf now before the Committee, with the lens, you are not quite sure whether the mouldy appearance on it is the *oidium* or not? I certainly have my doubts about it.

398. Are you not aware that the disease assumes different appearances at different stages of its development? Yes; but the peculiar appearance of the spore is an unmistakable evidence of the *oidium* at every stage of its development. It requires a good microscope to see them plainly, but once seen, the *oidium* can be identified without difficulty.

399. But looking at the stock affected, would not the disease have a different appearance on a plant which was in full vigour, and which it had only recently attacked, to what it would have on a plant which was sickly, and had been for some time overrun with the disease? I do not know that there is much difference.

400. The plant dies away gradually, and then the fungus assumes a different appearance, when the disease is in full force, to what it presents on that leaf? The disease when in full force has not precisely this appearance, but there is very little difference.

401.

\* NOTE (on revision).—I can affirm that most moulds are both propagated and disseminated most rapidly in damp, warm atmospheres.



401. If inspectors were appointed, they would have to study all these matters? Certainly. P. F. Adams, Esq.
402. And to be provided with microscopes, so as to leave no doubt on their minds? Yes.
403. Mr. Forster.] Is it your opinion that healthy vines are more susceptible to the disease than are unhealthy vines? I do not think there is any difference in the susceptibility to disease, but the unhealthy vines certainly show symptoms of destruction more quickly than the others.
404. Mr. Nowlan.] You state that you have not the least doubt that the disease which has made its appearance here is exactly the same as that which is known in Europe as the *oidium*? I have no doubt of it.
405. Are you aware of the precise date when it was first seen in England? I think it was in 1854.
406. Earlier than that. I think you will find the date to be 1845? I cannot undertake to say the precise date.
407. According to reliable accounts, then, they have had in Europe an experience of twenty-four years in this disease. Do you not think that, during an experience extending over that long number of years, the nature of the disease has been thoroughly ascertained by the scientific men of Europe? Yes, certainly, and all that science can do has been done there.
408. Then, can any experience we can possibly obtain in this Colony be likely to throw any more light on the subject than that we now have? We might perhaps, by accident, obtain some further experience, but I think not.
409. Then, when you say that it is not desirable to legislate upon the subject until we have acquired more knowledge than we now possess of the nature of the disease, I do not well see how you apply that remark. The disease is well known in Europe, in every way, and the most effective mode of treatment has long been agreed upon. All that they know there we can know here by reading, and the only thing that we really have to learn is, to recognize the disease. I mean by that, that the vignerons generally should be in a position to recognize it when they see it. I presume that what you mean to convey is, that you think legislation is not necessary, because of our improved knowledge of the disease? As far as I can see, European experience has never suggested legislation on the subject. If we are to be guided by that experience, we shall not legislate either, for I know of no country in which a law is in force for dealing with the disease.
410. What I mean is, whether we cannot here avail ourselves of the knowledge acquired in Europe during an experience of twenty-four years—Having the results of that experience before us, is not our position here the same as that of the vignerons of Europe? I scarcely think it is. They are in a better position than we are, to decide whether legislation is necessary or not, and they have not adopted it.
411. I do not speak with reference to legislation, but to the nature of the disease? My impression is, from my reading, that they have tried all that science can do in Europe, and that everything has been found powerless to exterminate the disease.
412. But we can surely do here all that has been done in England? I do not know that, for we have not the same scientific skill here that they possess. On that account, I would prefer following the results of their experience, rather than attempting to legislate for that which we do not understand so well as they do, and for which they have not legislated.
413. The vine-growers knew of no remedy when the disease first showed itself? No.
414. When it appeared in Madeira, the owners of vineyards did nothing, I believe? Nothing. They appear to have been paralyzed, and let the disease take its course. At the Cape it was the same thing, according to the description given by Mr. Cloete. He visited that Colony recently, and made the disease the subject of very careful study. He gives some most remarkable instances of the effect of the infection.
415. Then, with reference to the way in which you suggest that the disease has been introduced into and spread over the Colony—you think that this has been by means of the spores of the fungi being carried by the wind from some infected vineyard over which it has passed? That is mere matter of conjecture.
416. But there is no conjecture about the certainty of the introduction of the disease by cuttings? None whatever.
417. There has been some question whether the spores would exist or would retain their vitality after a voyage from Europe? That is not known.
418. Are you of opinion that the disease is spread from vineyard to vineyard, rather than that it is conveyed by the winds to an indefinite distance? I am rather inclined to believe that it has been brought here by the wind. In passing over an infected vineyard, the wind picks up the seeds as the spores burst, and carries them onwards for hundreds of miles, disseminating them in its progress over the country.
419. That is mere matter of opinion? Precisely.
420. Supposing it to be the case—how do you account for the fact that the disease has not by this time reached Albury? In this way:—The prevailing wind since the disease appeared is the north-east, and that blows directly from Queensland down the coast to Sydney, and further southward; that wind does not cross the great coast range, but dies out about Goulburn, in the Albury direction; thus the seeds have not yet been carried beyond the coast range.
421. Goulburn is nearly the extreme end of the influence of the north-easter? Yes.
422. Is it probable that the coast range will intercept the disease, and prevent its spread into the interior? No; but I should imagine that the disease having reached Goulburn, will only travel very slowly in the direction of Albury; but I am confident that sooner or later it will be there, and I believe that it will be in every vineyard in the Colony before three years have passed.

- P. F. Adams, Esq. 423. Have you heard of the disease having made its appearance in California? I have not.
- 26 Feb., 1869. 424. The trade winds extend over to the coasts of that country? They do.
425. I believe the disease took several years before it had overspread all the vineyards of Europe? Yes, about four years.
426. Or more? It appeared first in 1845, and it was 1851 before it had reached the Bordelais. In 1848 it was in Paris, and in 1849 it had spread over the north of France. In 1850 it appeared in Languedoc and in Spain; and in 1851 it reached the Bordelais; so that you see it travelled but slowly? Yes; but in no part of Europe have they such a direct prevailing wind as we have in this Colony in our north-easter.
427. You spoke about the stocks of sulphur on hand. Are you aware that sulphur in any quantity may be obtained from the islands of the Pacific? Yes, it may be obtained for the gathering in Tanna, and in some parts of New Zealand. There is no limit to the quantity, but it will require to be sublimated in the first place.
428. That is not a difficult or expensive process? No.
429. *Mr. Tunks.*] In the event of legislation being adopted in this Colony, would it not be altogether useless unless the other Colonies joined us in passing prohibitive measures? Certainly. If Queensland does not stamp out the disease, I believe it would be altogether useless for us to attempt to do anything either for prevention or cure.
430. If, for instance, an ignorant man has a vine diseased in the same way as that exhibited to the Committee, and refuses to believe that it is the *oidium*, that would perpetuate the disease? No doubt, unless the action be general, it will be useless.
431. Is it not just possible that an indefinite cause of dissemination may have existed in the boxes of specimens of vines which have been imported into the Colony? Yes, I believe cuttings from diseased vines would disseminate the disease.
432. Are you aware that such importations have taken place since the legislation prohibiting them has been passed? I am not; but I should be more afraid of infection from the clothes of a person who had passed through a diseased vineyard.
433. You think that the disease is carried in this way to every part of the Colony over which he may chance to travel? Yes, and will remain in his clothes for an indefinite period.
434. Do you think that this disease, like many other similar scourges which have appeared from time to time, will run its course and then die out? I hope so.
435. It is more virulent at one time than at another? Yes.
436. And is less active at certain times than at others? Yes; such is generally the case, I believe, with all the fungoid growths—they have their course either shorter or longer, and then die out.
437. Would it, in your opinion, be desirable to cultivate different sorts of vines from those now used, or to restore the stocks by growing plants from the seed? Judging from my own experience, the difficulties of propagating new species of vines lies in the waste of time and labour before a good kind of new vine is procured. Enormous numbers of seedlings have to be grown, tended, and cultivated up to the period when they ought to bear fruit, and then the majority of the plants will be found barren; and of those that do bear fruit, not one in a hundred perhaps will bear even a passable grape. There is the long time to wait for the fruit, the expense of tending and cultivating, and then the probability that after all there may not be one good plant out of the whole of the seedlings you have raised.
438. All this forms the difficulty in the way of rearing plants from the seed? Yes.
439. But this difficulty is not insuperable? No, not at all.
440. *Mr. Mate.*] You lived some years in Albury, I believe? Yes, five years.
441. Did you notice, when you resided there, that the north-east and east winds seldom prevailed there? Very seldom.
442. And you think that, on that account, the disease is not likely to spread so rapidly as in other parts where those winds prevail? Yes, I have said as much in answer to a previous question.
443. *Mr. Suttor.*] With regard to your objections to growing from seedlings, might not all these seedlings be used as stocks on which to graft or bud from the favourite kinds of grape? I do not think that would be of any advantage.
444. There would be the advantage of having a new and sound root for the plant? I do not think it would have any effect in checking the disease.
445. *Mr. Farnell.*] If you require a new kind of vine, you would have to propagate plants from the seed? Yes, that is the only method I know of.
446. Merely sowing the seed, and then grafting, on the stock thus procured, a scion from an old plant, would not be of any advantage, for you would only propagate the same description of grape, with all its inherent defects? I think so.
447. Would it really be any improvement to graft a scion of a worn-out sort on to a new stock raised from a seedling? I am scarcely qualified to give an opinion on that point.
448. If you were to lay the wood of the grape-vine in the same way that you lay the orange plant, do you think that a vine propagated in that way would be more vigorous than one grown from a cutting? I do not think there would be any difference in the vigour of the plant.
449. You think, then, that you get a vine to suit all purposes when you raise one from cuttings? Yes. The object is to get a fully developed stock as soon as possible, then graft a better kind of vine on to it, and so get our fruit more quickly and better developed.
450. Then, is the wine that is made from a cutting grafted on to an old stock, an improvement on the wine that would be made from a cutting planted in the ordinary way? No; we

we employ grafting simply to take advantage of the developed roots of the old vine, to get our scion into full bearing two or three years sooner than it otherwise would be, and not for the improvement of the plant. P. F. Adams,  
Esq.

451. Is there any difference in the quality of wine made from a three or four year old vine, and that made from a vine fifteen or twenty years old? Yes, in all very young vines the must is not so good as the must from older vines. I cannot say, however, that the must goes on improving up to twenty years of age. I should think not. I should imagine that the wine from a vine of about six years old would be quite as good as one twenty years old. But the first year's must from a vineyard is never so good as that which succeeds it. 26 Feb., 1869.

452. Do you use manure to your vines? No, except to those in the garden.

453. That is, for the table grapes? Yes, but not for the vineyard.

454. Have we soils in the Colony suitable for the growth of the champagne wine? I am not aware what particular kind of soil this wine is grown upon.

455. *Mr. Nowlan.*] Do you think that sulphuric acid diluted with water would be as cheap and as effective a dressing for vines as the sublimated sulphur? I do not think it would meet the requirements of the case at all, because sulphurous acid is the active principle employed to destroy the fungus. Sulphuric acid is a different product. It was once sulphurous acid, but changed into sulphur by the absorption of more oxygen.

456. Then sulphurous and not sulphuric acid is the specific? Yes. Sulphuric acid will have scarcely any effect.

TUESDAY, 2 MARCH, 1869.

Present:—

MR. TUNKS,  
MR. SMART,  
MR. W. H. SUTTON,

MR. NOWLAN,  
MR. PHELPS,  
MR. LACKEY.

THOMAS HODGES MATE, ESQ., IN THE CHAIR.

Peter Lawrence Cloete, Esq., called in and examined:—

457. *Chairman.*] It has been intimated that you can give some valuable information to the Committee with respect to this disease in the grape-vine. I believe you have lately visited the Cape of Good Hope? I have. P. L. Cloete,  
Esq.

458. Have you had opportunities of seeing the disease? I have seen the disease itself. 2 Mar., 1869.

459. At the Cape? Yes.

460. Have you also seen the disease here? I have also seen it here.

461. Do you think the two diseases are identical? I do think so. I went to Mr. Wright's, on the Parramatta River, purposely to see it.

462. Can you inform the Committee what remedies they apply at the Cape for the cure or checking of the disease? They use the sulphuring solely. Sublimated sulphur is applied the moment the disease makes its appearance.

463. Is it there considered a disease so damaging to the crop of grapes as to require legislative enactment for its prevention or cure? No, there is no legislation on the subject, nor did I hear that there was a necessity for it.

464. *Mr. Tunks.*] You stated, Mr. Cloete, that you had paid some attention to this matter? Well, I took a very good look at it when I was at the Cape, for the purpose of identifying it if it should come here.

465. Look at the drawing in that book (*American Patent Office Reports*, 1853)? That would seem to me to be largely magnified. As I saw it, it appeared to me more like threads. I did not notice it in the egg-shape like that.

466. Have you any such knowledge as to be able to furnish the Committee with a history of this disease? I have not. I have paid no attention to it whatever, except a practical observation,—carefully looking at it, so as to be able to identify it, should it come under my notice again.

467. Did it devastate the crop of grapes at the Cape? Yes. Several hundreds of acres of fruit-bearing vines were entirely destroyed by it.

468. Did you notice whether it was more injurious to some kinds of grapes than to others? No; I should think difference in kind had very little to do with it; I imagine the condition of the plant itself had more to do with it.

469. The state of the plant's health? Yes, the healthiness or unhealthiness.

470. Were the vines you speak of imported or raised from seed at the Cape? They were all raised there.

471. From seed? No, cuttings. With the exception of some lately introduced cuttings, the "Constantia" consists of old vines introduced by the Dutch.

472. That is, the European sorts? Yes.

473. Can you give me an idea of what you mean by the state or condition of the plant? I think vines in a healthy state, and well cultivated ground, would not be so liable to be affected by the disease; as the healthy strong plant would be likely to throw it off—more so than weakly, old vines.

474. Can you furnish us with any idea of the date at which this particular kind of grape was first cultivated at the Cape? It was shortly after the revocation of the Edict of Nantes when the French Huguenots left France.

475. How many years would that be ago? About 180 years or more—I cannot speak positively on that point. It was introduced by the French immediately after the revocation of the Edict of Nantes. 476.



- P. L. Cloete, Esq. 476. It is your opinion that the vines would constitutionally die out, or what would be the course of their unhealthy condition? These identical vines have not lasted that time; they are of the original kind, but the old vines are pulled up.
- 2 Mar., 1860. 477. And have rooted afresh? They lay in fresh cuttings every year.
478. Would vines raised in that way be reinvigorated equally with those raised from seed? I have not known any vines raised from seed, and therefore I cannot speak on the subject.
479. The sort there must have originally come from seed? Of course, but where the origin was I cannot say.
480. Do I understand it to be your opinion that, whether raised from cuttings or from seed, the plant receives new vigour as if raised from seed? When a plant gets old, after many years' bearing, it begins to decay; and old vineyards will not bear like young ones; so they are taken out, and new ones put in every year.
481. Then, the condition of the vine, deteriorated from age, would render it a fit home for these parasites? It might or might not; I do not know that there was any distinction made there. Some vineyards never got it at all, while others quite close got it very badly.
482. Did it affect the wine, do you know? At the Cape they told me not; at Madeira, I was told that it did.
483. The mixture of the dressing with the grapes? Yes, I was told so at Madeira.
484. Have you any idea how long they have known the disease at Madeira? The vines were all destroyed there about eighteen or nineteen years ago; perhaps not so much as that.
485. In 1854 was it? Very likely. And at the Cape about six years ago.
486. Has it been ascertained by what means the disease is conveyed about from one place to another? No.
487. You have stated your opinion as regards legislation on the subject? Yes.
488. You are not favourable to it? I think you only asked me if there had been legislation at the Cape on the subject.
489. In your opinion, do you think it desirable for us to legislate upon it? Merely as a matter of opinion, I should think not.
490. *Mr. Suttor.*] From your experience of vines and trees generally, have you not found that, when they are in a weakened and sickly state, they are more likely to be attacked by insects or fungus? I have already stated that vines in a weakly or sickly condition are more liable to any disease.
491. What remedy did they adopt at the Cape? Simply the sulphuring.
492. Was there any other preventive? No. It has become a regular portion of the annual work connected with the vineyards, as much as planting cuttings or anything else. They generally give a sulphuring at the very commencement, when the grape is forming, on the first sign of disease.
493. You say that many hundreds of grape-vines were destroyed just before they knew how to cure the disease? Yes. They might have had the disease for several years before they knew it.
494. They are in a fair way of eradicating it at the Cape? Yes. They are preventing it, but not eradicating it, because it comes there regularly every year, more or less. Some vines do not take it, and some only a little.
495. Then, you think that, when it is completely cured this year, it will break out again next year? Yes.
496. Then legislation on the subject would be perfectly useless? That is the reason with which I gave an opinion to that effect. It does not affect the crop when taken in time; the grape fructifies, and the vineyard is not injured.
497. Then your opinion is, that it can be cured, but not prevented? Yes, and easily cured if taken in time.
498. You have no doubt whatever that the disease we have here is the same as that at the Cape and at Madeira? Not the least. It does not appear to me to be so bad here as at the Cape.
499. Do you think that may arise from the vineyards here not being so old? It might arise from that, and perhaps having only just arrived here it would not be so bad yet.
500. From your knowledge of fruit trees here, do you not think it very likely that when they get into a state of decay they become more liable to be attacked by parasites or fungus? I should certainly think so.
501. *Mr. Lackey.*] I think I understood you to say that, at the Cape, the old vineyards were frequently eradicated, and new plants put in their stead? Yes.
502. About what age are they allowed to attain before that process is carried out? I suppose about thirty years and over.
503. Would these be vines grown from cuttings? Yes, grown from cuttings.
504. You have never known this disease to be prevented from attacking any particular vineyard by the use of sulphur? No.
505. The sulphur is always applied after the disease shews itself? Yes, after the disease has shewn itself. It is a cure, but not a preventive.
506. And this a generally admitted fact? Yes.
507. Have you ever known the berry of the grape to be destroyed after sulphur had been used? If it was used too late; but otherwise the disease very soon dies, the husk of the berry begins to shine, and the growth goes on.
508. *Mr. Phelps.*] You mention that at the Cape they seem to consider that the disease had an effect upon the wine? At Madeira.
509. Did they use the sulphur at Madeira? Yes.

510. And anything else? And nothing else.

511. *Mr. Nowlan.* Are you aware of the date when the disease made its appearance first at the Cape Colony? No, I cannot say, and I do not think they can say, for, by the destruction it caused, it had very likely been there two or three years before it was discovered; and when they did find it out, it probably was not at the worst.

512. Have you heard of its introduction being accounted for? No.

513. You never had any speculations on the subject? No. They seem now to take it as an expected fact.

514. It is productive of great loss there? Yes.

515. Have you known any instance of vineyards being cut up entirely, owing to this disease? No.\* They have been rooted up, turned into paddocks, and sheep put on them.

516. Have you heard from any of the vineyard proprietors, that they suffered from neglect of neighbouring vigneron in not arresting the progress of the disease? No.

517. You said sulphur is considered a remedy if used freely at the outset—Have you ever heard any complaints from vigneron that their neighbours did not pay this attention to their vines? No. On the contrary, I remember asking a cousin of mine about his neighbours, and he said he did not know whether they used this remedy, but if they did not it was to their own loss.

518. From what you have heard of the disease, and know of it, do you think that, if the Cape colonists had been aware of the character of the disease before it reached them, had noticed it from its first appearance, and were aware of the sulphur remedy, they would have made a decided effort to get rid of it from the country? If they had known the remedy, no doubt they would at once have adopted it, and have saved their vines.

519. You think they might have done so? Yes, certainly.

520. Do you think our position is analogous to that of the Cape, considering that we were aware of the disease before it reached us, from experience of it in Queensland, and also knew of the sulphur remedy? No; I think the circumstances of this Colony quite different, because here you receive the disease under the most favourable circumstances. You know the disease and its remedy, and if a man loses his vineyards, it is his own fault.

521. Although legislation would be inoperative in the Cape Colony, do you not think it would have beneficial results here, by compelling the people to adopt the course considered to be most desirable, of taking united action against the disease? I do not think that would make much difference. You naturally suppose that every man who owns a vineyard will do his best to protect it.

522. You arrive, then, at the idea that self-interest would be sufficient? Yes. If a man's neighbour did not adopt the means of remedy, it would not affect him any the more.

523. Do you not think the disease is conveyed from vineyard to vineyard? I am not prepared to say that; but I do not think the fact of a man having a vineyard perfectly clean would prevent the next man having the disease among his vines.

524. Then you are not perfectly satisfied how the disease is communicated? No. I have not studied the subject, but merely took notice of the disease so as to be able to identify it.

525. Is it the practice in that Colony to uproot the vines at twenty years of age? There is no fixed number of years. It depends upon how the vineyard is worked, and upon the soil. But when the vines reach a certain age, they do not bear so well, and new vineyards are planted.

526. Have you any knowledge of the oldest vineyards bearing? Yes, there is one of those originally planted there.

527. How long ago? Upwards of a hundred and fifty years.

528. That vine is still flourishing? Yes.

529. You have heard of the old vine at Hampton Court? Yes, I saw it.

530. How old is that? About one hundred years, I believe.

531. And bears very well to this day? Yes, I believe so. If the Committee wish it, in order to obtain information upon any particular portion of the subject, I could write to Mr. Cloete of Constantia for it, and get the whole history of the disease as known at the Cape. He could not only give the history of the grape from its first introduction there, but, being in correspondence with every leading vine proprietor in Europe, he would be able to give full practical details.

532. How long would it take you to communicate with that gentleman? Four or five months. I can get the history of the grape from its being first planted there, tracing the appearance of the *oidium* and its treatment.

533. *Chairman.* Did you learn at the Cape whether the sulphuring of the grapes had any prejudicial effect on the sale, or upon grapes for the table? No.

534. Do they consider it at all unwholesome? No, and I never tasted it myself.

535. Are you a vineyard proprietor? No. We were. My own father planted a vineyard, and they were all destroyed by the disease.

536. You are not the proprietor of a vineyard here? No.

537. *Mr. Nowlan.* In the vineyard you say was destroyed by the *oidium*, were remedial steps taken at the outset, or was it allowed to get a firm hold of the vineyard before the sulphur was applied? It got a firm hold before the disease was known, and had probably been there two years or more.

538. They noticed the unproductive crops? Yes; and, by the decayed appearance of the vine, they knew what it was.

P. L. Cloete,  
Esq.

2 Mar., 1869

\* NOTE (on revision):—Yes. I have heard so.

- P. L. Cloete, Esq.  
2 Mar., 1869.
539. Then, when they found what the disease was, and knew the remedy, it was too late? It saved a good many, but in this instance it was too late. In some cases where the vines were in a more healthy state, they were not so badly attacked, and these were saved. No doubt here some have it worse than others.
540. Are they not under the impression that, when sulphur is used at an early stage, it is efficacious in getting rid of the disease? Yes.
541. Although it recurred the following year? Even the same year. I saw grapes on the point of ripening, in the beginning of January last year, having had *oidium* when small, and having been sulphured, attacked by *oidium* again. The sulphuring again disappeared, and the grapes ripened.
542. Do you recognize anything remarkable in that bunch (*small cluster of grapes handed to witness*)? It seems to be attacked by *oidium*.
543. It has a peculiar smell, has it not? It has disappeared a good deal from this.
544. It is stated to be a bunch of second crop affected by the disease, and the first crop had been cured and sold in this market? Yes.
545. Are you aware whether people would now be prevented from planting new vineyards (with the knowledge of sulphur as a remedy), from the fact of the disease being new in the Colony? On the contrary, every one that can afford it has replanted; and, the year I was there, they were first getting the new crops from the new vineyards.
546. They have nothing to fear? They have a certain knowledge of the disease, and of the remedy.
547. Have you any knowledge of the expense of planting a vineyard, per acre, at the Cape? I could not say exactly.
548. Mr. Lackey.] It is done by manual labour, I suppose—trenched with the spade? Yes, and then worked with the plough.
549. Mr. Phelps.] What is the particular grape grown at Constantia? It is a muscatel grape. The particular grape generally grown everywhere is one they call the *stein* grape—what the French call the *folle blanche*—a small grape, closely clustering.
550. Chairman.] What colour? Greenish white.
551. Mr. Phelps.] Was sulphur used in the early attack to extinguish *oidium* there? I fancy not.
552. Do you know it exists now at Madeira? I am informed so.
553. And sulphur is used there? Yes. They say it rather affects the wine. I was told that, on this account, they did not allow the wine to ferment so long in the husk.
554. Mr. Tunks.] Have you ever heard of the mildew spoken of in these Patent Office Reports, as existing in the United States? No, I cannot say that I have.

---

Jules Joubert, Esq., called in and examined:—

- J. Joubert, Esq.  
2 Mar., 1869.
555. Chairman.] Are you a vineyard proprietor? I am a grower of vines, but can hardly call myself a vineyard proprietor.
556. You have had opportunities of seeing the disease in the grape-vine? Yes.
557. And took some interest in it? Yes.
558. Will you be kind enough to state to the Committee your knowledge, as far as it has gone, of the disease, and your opinion of the best means that could be adopted for the cure or prevention of it? The first appearance of disease I noticed in my vines was in the spring of 1867-68. My vines are divided in three different trellises, and one of them was affected partially. I called the attention of several people lately arrived from home to the disease, thinking that it was *oidium*. The matter was poo-pooed; and gentlemen of authority in such matters—such as Sir William Macarthur, and others—attributed the appearance of the disease to the want of drainage. As it so happened that it was in the only part of my garden not drained, I did not take any further notice of the complaint, until reading Mr. Coxson's report of the *oidium* in Queensland, which led me to believe that the disease was to all intents and purposes the *oidium tuckeri*. This year the disease made its first appearance in these vines, and in forty-eight hours spread over the whole of the vines in the garden. I then applied the sulphur, and the disease was checked almost instantaneously, owing to the atmospheric influence of two or three hot days that followed the application. Since the formation of the Agricultural Association, application has been made to France for information of the disease, and that information was received four or five months ago, and entirely corroborated all that I had noticed in my vines and those of my neighbours, both as to the appearance of the plant and the means of cure. Some valuable information on the subject, from the Minister of Agriculture in Paris, is expected by the next mail, and then I think we shall be able to afford you some further knowledge of the disease and its treatment.
559. You can put it as an appendix to your evidence? Yes, translated. We have received Maré's work, which arrived in last September. It contains information as to the progress of the disease in France, and its cure. But it is small as compared with the information which the Minister for Agriculture has forwarded to the Society. But here some interesting information is given. There is this remark as to the necessity of applying the remedy:—"Since the beginning of the vintage we have been able to ascertain the immense evil caused by the *oidium* this year (that is, since 1855), in the vineyards in our department, particularly where it has not been cured. In a great number of "departements" the crop is nil, or nearly nil; it will be the worst we have seen, without even excepting the year 1854, of sad memory for our vine-growers. The vines of those who rationally use the sulphur are the only exceptions. These alone, or nearly

nearly so, will produce grapes of sufficient quality and quantity. This result, which is general, has induced a real mania for the application of sulphur. Stores are already being laid up for next year, although double the former price is paid. The country people are opening their eyes. "We long," they say, "to see next year, in order to sulphur our vines. As to adversaries of this means of checking the disease, they are now very glad to be able to make use of this agent for curing their vines, and they keep silence. The most remarkable results are those obtained in the parish of Frontignan. I have insisted very strongly that the proprietors there should sulphur their vines, and went to many to assure myself that the operation had been carried out. The success is complete, and has not failed anywhere, whatever may be the intensity of the disease. The results have been the same here as those I witnessed at many places in 1855. They are the more remarkable, as the territory of Frontignan was never attacked before this year. I went, on the 12th of this month, to witness the state of the vines, and found everywhere the most complete ruin. A great many of the vines will not yield any crop. The parts sulphured, decimated among others, presented on the other hand, fine vegetation and perfectly healthy fruit. This is the spot that should be brought under the notice of the Inspectors of Agriculture, and those who complain of being ruined by *oidium* and refuse to use the remedy against it. They are now, however, edified in that department; everywhere the complaint will be fought against vigorously; and as the price of sulphur is likely to rise excessively, I am happy to see that manufactories have been established at Montpellier and in its environs. Thus this question of the cure of the disease is completely solved in conformity with the views of the Imperial Central Society of Agriculture, and the results obtained have been put into practice."

J. Joubert,  
Esq.

2 Mar., 1869.

560. Do you think that, if it becomes generally known here that sulphur is so excellent a remedy, vine-growers will be sufficiently alive to their own interests to use it, without compulsory legislation? I am afraid not. I think the large proprietors, for the sake of their own crops, will apply the remedy—we find it so in our immediate neighbourhood; but a great many of the small proprietors would sooner lose their crops than use the remedy, although it is inexpensive; and their carelessness naturally endangers the rest of the vines.

561. In consequence of the refusal of these proprietors to apply the remedy? It is my opinion that one vine may spread the disease over a hundred acres of vines.

562. *Mr. Nowlan.*] You are the Secretary to the Agricultural Society? Yes.

563. Had you any knowledge of the *oidium*, from experience in France, or in other countries, before its appearance here? No.

564. Have you read on the subject, and have you informed yourself of what has been done in other countries in reference to the disease? Yes.

565. Have you been in communication with any of the Societies in France? Yes.

566. With a view to getting information? I have just read some extracts from a book which I got from the President of the Imperial Society of Agriculture in France.

567. Have you been in communication with the Minister of Agriculture in Paris? Yes, I have so stated.

568. From what you know of the disease, do you know it is peculiar to the grape, or do you think it attacks other plants? From experiments we have made here, and backed out by the works we have consulted on the subject, I am positive that the *oidium tuckeri* will attack the vine only. We have tried to communicate other diseases to the vine, and *oidium tuckeri* to other plants, and have not been successful. But I believe persons could be readily mistaken in taking other diseases for the *oidium tuckeri*. The best authority, Dr. Berkeley, acknowledges his error in mistaking other fungi for the *oidium tuckeri*.

569. Can it be detected by means of the naked eye? No, only by the microscope, at a particular period of the germination of the spores from the bodies that contain them. Griffith Henfrey's "Micrographic Dictionary" gives the *erysiphe* as the nearest to *oidium*, but shews the particular time when you can detect the one fungus from the other. By Dr. McKay's microscope we have seen the difference, and where is the line of demarcation between the two. Experiments made here by the scientific committee of our Society have shown, in the most undeniable way, that the *erysiphe* put in contact with the vine will not attack it.

570. Have you any idea of the date when the disease made its first appearance in France? It is doubtful. In 1849 and 1850 it began to attack the vines of L'erault; and two years afterwards, the extent of the disease was so great that, in many parts of this department, and in Médoc, the question was mooted of uprooting the vines and planting oranges instead.

571. Do you recollect when it was first introduced into England by Tucker? I think it was in 1849 or 1850. I think Mr. Moore gives us that date. It was, however, between 1845 and 1850.

572. Are you aware by what means it is supposed to spread? The floating of the spores after arriving at maturity. These bodies burst open, and the sporules they contain are wafted by the air. That is easily detected by the microscope.

573. It is communicated from vineyard to vineyard? Yes.

574. It is not owing to climatic influences, or to the season? I believe that climatic influence has a great deal to do with it, and tends more or less to the spread of the disease.

575. But it does not originate from climatic influences, although they may tend to its spread with greater rapidity? It is one of the mysteries of nature, and I am sorry I cannot answer you; but I believe the disease may first be created by climatic influences.

576. Judging from the history of the disease, as far as you know, would it not appear all over

J. Joubert,  
Esq.

2 Mar., 1869.

over the country and continue so, instead of gradually spreading in the course of eight years? I should think so. The best answer I could give is, that the disease was created in a hot-house, owing to a certain atmospheric influence artificially formed, whence the disease spread; and wherever it found an assimilation of circumstances, it adapted itself to them.

577. Are you aware that it is said to have been introduced by some foreign plant into Mr. Tucker's hot-house? I am aware it is so stated, but I believe the opinion has been pulled to pieces most conclusively.

578. Do you not think it extraordinary that it should have originated solely in this hot-house of Mr. Tucker's—you would fancy if it had arrived in that way, it must have appeared in every other part of the world? I said before, it is very mysterious, but it is one of the extraordinary freaks of nature.

579. Are you under the impression that it was communicated from vineyard to vineyard in the first instance, or was it due to climatic influence? I think it originated in climatic influences, but was afterwards communicated by cuttings, the seeds of the disease being taken from one plant to another.

580. We know that rust appears in all directions in many localities; but would you think that, when the disease simply appeared in a hot-house, it would not also occur in thousands of other hot-houses about the country—is that clear to your mind? No, I think the first appearance of the disease is, to a certain extent, mysterious; it is only partially explained by scientific researches, and attributed to a concurrence of particular circumstances attending an artificial atmosphere created in a hot-house, and does not exist out-of-doors. You may create a disease, and, when it is once created, it may spread.

581. How? By the very fact of the diseased vines emanating from Mr. Tucker's garden, and being planted out-of-doors, disseminating the disease all over the world.

582. Disseminating it from that one vine? All those who have written of the disease go back to Mr. Tucker's vine.

583. Therefore it would be due to peculiar atmospheric influences, although in certain circumstances vineyards may be predisposed to take it? ———

584. Are you aware how it was introduced to this country? No, except it was by imported vines.

585. Where was it first known here? In Queensland.

586. Do you know at what date? The beginning of 1867 or 1868. The calculation of the period in vines must take two years; it begins to germinate in September, and fructifies in February or March.

587. Do you think that Mr. Coxsen was satisfied that the first disease was created? I think so.

588. He says in 1866? Yes.

589. And you believe his information to be correct? Yes.

590. Have you any idea under what circumstances it was communicated from Queensland to this country? I cannot say whether by importation of vines or by the northerly winds.

591. From your knowledge of the disease, do you believe sulphur is a specific remedy? Yes; not only for that fungus, but all fungi that I have applied it to.

592. Do you think that the owners of small vineyards, having a few hundred or so, not forming the source of a large profit, would be inclined to take proper steps to eradicate the disease when it made its appearance among their vines? I think small proprietors will not do so—that I know from experience. I have sent a machine and sulphur to use, and they were too indolent to have it done.

593. *Mr. Tunks.* You have stated your opinion that legislation would be desirable to diminish the spread of the disease? Yes.

594. Would legislation be any use in this country, unless the neighbouring Colonies legislated to the same effect also? Legislation would protect us; it would be beneficial as far as we are concerned.

595. Have we settled, in any way, the mode of conveying the disease from one place to another—how it travels? No; as I have stated, the sporules will be carried by the wind.

596. Therefore it may travel along the coast with a north-east wind? Yes.

597. Do you know whether we have native vines? I believe the *vitis*, or grape-vine, is not indigenous to Australia. Some vines may be found here and there in the bush, but they are not indigenous.

598. If the Director of the Botanic Gardens says we have, what do you think of the matter? I should bow to his decision.

599. In the event of the indigenous vine being affected, would it not furnish a stock of this disease? I should not alter my opinion until we know that the vine would take the disease by inoculation. The vine Mr. Moore refers to I do not know, but I doubt whether it is a true *vitis*. It may be of the same family, but not of the same nature.

600. It is your opinion that, notwithstanding the want of legislation in the neighbouring Colonies, and this indigenous vine, legislation on our part would be desirable? I think it would be desirable, as a protection to the large vineyards of the Colony.

601. You have stated to the Committee that the disease *oidium tuckeri* has been created in a hot-house in England? That is the origin of the disease.

602. That is a new creation then? A new creation.

603. Do you believe a new creation possible? Yes.

604. Have we not heard of this disease, or a similar disease, for hundreds of years? I believe not; and all the authors I have translated and read on the subject, heard nothing of it until it was discovered in Mr. Tucker's hot-house.

605. For instance, have you ever taken notice of a passage of this description (28th Deuteronomy, 22nd verse) in the Old Scriptures: "The Lord shall smite thee with blasting



- blasting and with mildew"? I am not so well posted up in those matters as you are, but I will take your word for it.
606. I want to know whether our reading has posted us up as to this particular kind of disease, or something analogous,—you have not come across that passage? No.
607. Nor did you know there was such a passage in the Old Testament? No. There are a great many things we are threatened with in Scripture that have not come to pass yet.
608. But these are prophetic words. Then we see in Solomon's prayer, 1st Kings, a thousand years before Christ: "If there be in the land famine, if there be pestilence, blasting, mildew." This being the mildew in the grapes, is it not more likely that it will be perpetuated through the world by the spores laying inert until they find a favourable condition for developing into active life, than that it should be a new creation? When I say it is a new creation, I speak of the first time that particular complaint took such a form as to alarm the vine-growers. I am positive of this,—that when I was in France, in the midst of vineyards, nothing was spoken of the mildew in that or any other shape, and it only appeared in France after having originated in England.
609. Would that be a fair representation of a diseased grape magnified (*engraving on American Patent Office Reports, page 311, volume for 1853, handed to witness*)? Yes, as perfect as it can be. The appearance of the berry may be rather exaggerated.
610. Look at the date of the book? It is 1854. The extracts I have read to this Committee just now are exactly the same date—1854 and 1855.
611. You state that this disease will not communicate to other plants? No.
612. It is said in the articles to which I refer: "Olive trees are also attacked with the same disease, and last year the quantity of oil was about two-thirds of the quantity usually produced." This scarcely coincides with your view? That is in 1854.
613. This is in Portugal? Yes. I have read the work.
614. How long has the vine been cultivated in the district of France where you say it made its appearance comparatively recently? For four or five centuries.
615. This kind of disease was never before known? No.
616. No "blasting" nor "mildew"? The vines were perfectly free from disease up to 1849 and 1850.
617. It is said it first made its appearance in Australia—in Queensland? Yes.
618. Do you know when an Act was passed in our Legislature to prevent the importation of cuttings from that Colony? Yes, it was last year.
619. Was it known that the disease existed here then? It did exist, for I had it in my vines; but it was not believed to be this identical disease.
620. Has it come to your knowledge, in any way, that the disease existed in Illawarra previous to that? I have been told so since. I know it did exist last year—I have heard so from various persons.
621. Is it possible it went from Illawarra to Queensland, instead of coming from Queensland to Illawarra? It might.
622. If legislation takes place on the subject, it can only be enforced by penalties, I presume. In what way would you enforce observance of the law, if legislation takes place? I should make the application of the known remedy compulsory, and in default destroy the vines diseased—that is destroying the disease and the possibility of its spreading.
623. You cannot punish people for not dressing vines, when they do not know whether it is the disease or not that they are affected by? I would call their attention to their vines being diseased, and then if they did not apply the remedy I would destroy the vine.
624. Then it would be the business of vine inspectors to travel and make examinations? I think, in each district, a committee should be appointed among those interested, and a local board, of an honorary character formed—a kind of vigilance committee—to see where the disease exists; and where it was found to exist, they should call the attention of the growers to it, and let that committee have power, in case of neglect, to summon the vine-grower and punish him.
625. Have you noticed any other kind of mildew on the vines in this country? Upon other vines, not on the grape-vine. There is an appearance of rust on the vines, which some people attribute to another disease, but it is merely a secondary form of the same disease. I discovered this last year, and saw it again on the vines this year. I believe the rusty character is a proof that the vine was attacked in some mild way the year before.
626. Have you noticed a mildew in pease and pumpkins? Yes; and on the passion-vine; but it is a totally different complaint. The diseased fruit of one being put in a box with an undiseased bunch of grapes, the disease will not attack it, and *vice versa*.
627. Is it known that the disease exists on the indigenous trees in any form? The disease on indigenous trees is a kind of fungus much like it, but not the same.
628. How many experiments in inoculation have the scientific committee tried? Hundreds.
629. Explain from what time? From September till now they have been constantly making experiments. When specimens are sent to us, we send them to gentlemen taking an interest in the subject—Dr. M'Kay and others—and they test them by microscopic observations, and try, in every possible way, to trace a connection between fungi of different kinds and *oidium tuckeri*. In every instance they have noticed a marked difference.
630. The specimens forwarded to you are generally the grape leaves or grapes? They are on bunches of grapes, leaves, stems, and in some instances the whole vine, root and all. In other cases, we have young wood, bits of bark, or pieces of the wood.
631. The specimens have had sap enough to retain the fungus in vigour? Yes, so full of life that, by submitting them to a heated temperature, it has caused the spores to open, and we could then watch the progress of the disease. I think Dr. M'Kay, who has devoted much time and care to this study, could give you some valuable information on this part of the subject.

J. Joubert,  
Esq.

2 Mar., 1869.

J. Joubert, Esq. 632. You said you had looked over these reports? Yes, I have had a series of them, and found different descriptions of the mildew, both on the vines and lettuce, and other plants affected by it.

2 Mar., 1869. 633. It is stated in one of these reports that the mildew is an American disease? An Australian writer will hereafter say it is an Australian disease.

634. I believe it is not the received view that the disease has been in existence hundreds of years, but that it is a new creation? I believe that it is a new creation altogether, having its first appearance in England. They make experiments now, and trace the germs of various fungi in the air in closely packed houses. I see an experiment has been made in Manchester. "Dr. Smith and Dr. Danneer have been examining the air of Manchester by the aid of the microscope, and have found it to be full of spores and other organic germs, the presence of which leads no doubt to the phenomena imputed to spontaneous generation, and probably the cause of the epidemic character of many diseases. The air was first washed by shaking it in a bottle with distilled water; and in a drop of the water it was reckoned that there were about 250,000 spores, and these only require to be lodged in suitable situations to spring into activity. In the quantity of air respired by a man in ten hours it was reckoned that there would be about 37½ millions of these spores or organic germs" inhaled. These millions of spores are considered harmless, as, by inhaling a quantity of sulphur, the air is purified, and the number is diminished to almost nil.

635. *Mr. Suttor*] You are not aware of any legislation in Europe on the subject? I can give a more decided answer when I get the expected works from France. In France, the Agricultural Societies were empowered to send Inspectors; and if they were Inspectors, there must have been some kind of legislation. I believe, in 1843, 1844, and 1845, the application of sulphur was made compulsory throughout the vineyards of France. It is probable we shall receive a copy of the decree, in the case of books the Minister for Agriculture is forwarding.

636. Of course you are aware, from publication, that the matter has been thoroughly studied in Europe? Yes.

637. And are you prepared to recommend a different mode of treatment to that carried out in France? I believe no other mode is known than the application of sulphur in various forms.

638. Then you think it is as well understood as it can be in Europe, and you have no doubt the disease here is the same? Yes.

639. And you recommend the same treatment? It is impossible to have anything more instantaneous than the effect of sulphur upon it.

640. Sulphur is very destructive to insect life as well as fungus? I believe so. It is proved by the experiments in purifying the air of workhouses in Manchester, that the application of sulphur is beneficial.

641. It is beneficial to the large animal, and destructive to the small? Destructive to fungi, and beneficial to animals.

642. *Mr. Phelps*] I think you mentioned the disease as showing itself at one period, and coming to a fructified state at another? Yes.

643. What might be the length of time from its first appearance to its showing the spores? We have had the mildewy appearance of the disease on a berry in the morning, and by putting it under a certain temperature, it has grown, burst, and the sporules been emitted within five hours. In fact, it belongs to the mushroom tribe, and we know how rapid is their growth.

644. *Mr. Lackey*] You said something about legislation, and your impression is that it had taken place in France. Is it your impression that it was parliamentary legislation, or confined to the Society of Vignerons? If there has been any legislation in the matter, it will be a mere imperial decree authorizing the Minister for Agriculture to take such steps as would cause the disease to be checked. We have there a Minister of Agriculture, and the management of the agriculture there emanates from that Minister, and branches off among the various societies. It may be that, by such authority, the societies have sent inspectors to coerce the vine-growers into the application of remedies.

645. *Mr. Tunks*] Have they been propagating from the same species of grapes for all the years you speak of in France? I suppose upwards of 200 years. There are different kinds of grapes, but all propagated one from the other. There is no such thing as raising grapes from seed usually. I mean that the large propagation in the vineyards is by cuttings.

646. Where do they get the originals, except from seeds? Of course they must originally have been seedlings, and nurserymen do get new sorts by raising vines from seed.

647. Is there any possibility of the constitution of these vines dying out, so as to make them homes for disease or insects? *M. Marès* says, in an extract I translated, and which with others were published in the *Sydney Morning Herald*, "It is now admitted that the disease is entirely an outward complaint. The idea of it being a generation—a plethory—a disease of the root—cannot be admitted now, in the face of the thousand proofs we have that the cause of the complaint is external, and owing only and solely to the presence of a vegetable parasite."

648. But how does it live? On the plant.

649. On the juices of the plant? On the epidermis.

650. Is that the received opinion—that it lives on the juices of the plant? Yes—the juices being the blood of the plant.

651. Then the plant may be vitiated? Yes, certainly.

652. My object is, to ascertain the opinion whether it is desirable to cultivate from seeds? No. I would have no hesitation this year in propagating grapes by using some of the cuttings

cuttings of the vines diseased this year, submitting them to certain cleansing processes. I believe the disease is left upon the bark of the vine, and will deter me from using the cuttings from many vines.

J. Joubert,  
Esq.

2 Mar., 1869.

653. In America they cultivate sorts that are not grown in Europe? I doubt whether they are new sorts. They vary perhaps in flavour, but it is so elsewhere according to the difference in kind, and the soil, climate, &c., in which they are planted.

654. If it is said in the Patent Office Reports that they are from seeds, do you doubt it? No; but for propagation the process is so long that it would not pay.

655. If they say they have, do you believe it? Yes.

656. And they have been able to grow sorts in positions where imported sorts would not grow? I know the Americans have done wonders in that way.

657. I come to this conclusion,—that the statement in the Patent Office Reports of 1854, which says, “a few years ago a parasite fungus made its appearance on the grape-vines of Madeira, and has been very destructive there,” refers to the *oidium tuckeri*, or is the writer mistaken? I think it does not refer to the *oidium tuckeri*—it did destroy the vines.

658. That is not the *oidium tuckeri*? No.

659. The statement in the Patent Office Reports in 1854, which says the mildew destroyed the grape-vines of Madeira, is an error, and not veritable? No, it is perfectly correct with regard to 1854, when the vineyards of Madeira were destroyed by mildew, which is in reality the *oidium tuckeri*.

660. Then the disease spoken of in one of these volumes is not the disease spoken of in 1854? I believe the writer has mistaken the one disease for another. It is the opinion of the greatest writers of the day on that disease that he was erring for eight or ten years. He acknowledged his error, and gave his acknowledgment in a very graphic description. I allude to Dr. Berkeley.

661. Then there must have been two diseases in Madeira at the same time, both destroying the grape vines? No, I say the fungi existed at that time, and may have existed for thousands of years probably, but that the *oidium tuckeri* alone attacked the grape.

662. *Chairman.*] Then you think these works are not so much to be relied upon as later publications? Decidedly not. These were written when *oidium* was making its first appearance, and others had been written since the disease has been travelling all over the world, and thoroughly studied.

663. *Mr. Tunks.*] Then the statement and description of the *oidium* in Madeira is correct? Yes.

664. And if the writer states it to be an American disease, native to that country, he is mistaken? Yes, I believe that the fungi which existed in America, existed there and here long before the *oidium*.

665. *Mr. Nowlan.*] Do you believe that the experience of the disease in Europe is applicable to our circumstances in New South Wales? Yes, I believe that the climate of the South of France is so nearly identical with ours that the same diseases require the same remedies.

666. And if we follow the experience of Europe in the treatment of this disease, we cannot do better? We have proved that already.

667. Have we anything to learn in the nature and treatment of the disease? No.

668. We are in as good a position to treat it as if we waited for two years? Yes.

WEDNESDAY, 10 MARCH, 1869.

Present:—

MR. NOWLAN,  
MR. W. SUTOR,  
MR. LACKEY,

MR. PHELPS,  
MR. FARNELL,  
MR. TUNKS.

THOMAS HODGES MATE, ESQ., IN THE CHAIR.

The Honorable Sir William Macarthur, Knight, M.L.C., attending by leave of the Legislative Council, examined:—

669. *Chairman.*] I believe you are the proprietor of extensive vineyards in the district of Camden? Yes, moderately extensive.

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

670. Have you had any opportunity of examining the vine disease called *oidium*? To a limited extent I have, in Europe and in this country.

671. Will you be kind enough to state to the Committee the result of your observation of the disease? I may state generally that, a good many years ago, I had an opportunity of seeing the disease in France, at the commencement of the season, but it was then in the incipient stage. I saw it in the District of Bordeaux, where one of the principal vine proprietors pointed it out to me on the vines, and explained to me the mode they found effectual in suppressing the disease, which was by the use of sublimed sulphur.

10 Mar., 1869.

672. Do you consider that that remedy has been efficacious in this Colony? Perfectly so, as far as I have been able to observe.

673. *Mr. Nowlan.*] I believe you have paid considerable attention to collecting information with reference to this disease, since its first appearance in Europe? Yes, I have.

674. Do you feel satisfied that the disease known as *oidium tuckeri* here is identical with the European disease? I believe it to be the same, though, perhaps, it is to a certain extent modified here; but that amount of modification I apprehend to arise from the circumstance of this being a much drier climate. The *mycelium* here is scarcely so prominent as that which I remember to have seen in Europe; but it must be borne in mind



The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.  
10 Mar., 1869.

mind that it was twelve years ago that I saw it, that I only saw it once in a well-defined state, and that I may not have retained a perfect impression of that which I did see. What I did see seemed to me to have somewhat more of the character of thistledown on the under side of the leaf, than has the disease as I have seen it here. It is finer here—more delicate; but that it is the same in its nature I have very little doubt.

675. Are you aware at what date this disease made its first appearance in the Australian Colonies? I think, three years ago, in Queensland—either two or three years ago.

676. Have you any idea how it was introduced into Queensland? I believe it was introduced by vines from Europe; I understood so at the time—that that was their impression.

677. Are you satisfied in your own mind as to how this disease is communicated or spread? No, I do not think any person can possibly arrive at absolute conclusions upon the subject, because the spores are so minute that they are even beyond the powers of the microscope to detect them.

678. It has been stated by some that these spores are capable of being driven for thousands of miles, and then infecting vines? I believe they may be driven for scores, and perhaps even for hundreds of miles; thousands of miles is probably too wide an expression.

679. From your knowledge of its spread in Europe, do you think it was spread from vineyard to vineyard, or that its spread was owing to climatic influences? I believe it is a disease of contagion.

680. Do you think the history of its spread in Europe warrants us in believing that, rather than the other theory, that it is climatic? Undoubtedly I think it clearly is a disease of contagion.

681. If it were climatic, it would have appeared simultaneously over a large portion of Europe? One would suppose so.

682. Are you aware of the date of its first appearance in England? In 1843 or 1844.

683. In 1845 it is stated? I think it was before that; I think I have evidence to that effect.

684. Do you know when it was noticed in France? I believe the year after, or the year after that, and it rapidly spread.

685. But still in such a way as to warrant the conclusion that it was from contagion? It is so generally considered by those who have studied the question in France; and of course a vast deal of attention has been bestowed upon it by the French authorities.

686. Have you heard the statement made with reference to the disease in these Colonies, that it had been seen here thirty years back? No, I have not.

687. Have you any doubt on your mind as to that? I do not believe it has; in fact, I feel confident it has never been here until now.

688. Have you heard of the statement made by a writer in Queensland, I believe, that he had seen the disease at Camden Park ten years ago? I am certain he did not.

689. Have you heard that such a statement has been made? No, I never heard of it.

690. It has been stated that he saw it at Camden Park ten years ago, and immediately recognized it when he saw it in Queensland? I am quite certain that could not have been the case. There is another disease of the vine which appears to be identical with the ordinary vine disease of the United States of America. I may mention that, when I was young, being on the Continent with my father, accident threw us into the society of a very intelligent Swiss who had introduced the first vineyards, which had ever succeeded, of European varieties of the grape, in the United States. This man had returned to Europe for the purpose of bringing out his wife and family to the United States, where he had already established his brothers, but was prevented, by the breaking out of war between England and the United States, from going back. We found him in 1815 in his native district, and he then described to my father the disease which attacked almost all the European varieties of the vine in the United States, and said that the same disease existed in the Swiss vineyards, but only there on vines in young vineyards. He pointed it out on the sweetwater grape, and my father immediately recognized it as being the same in appearance as our vine disease, which also attacks the sweetwater, and which destroyed the early vineyards planted here. But this disease is wholly distinct from *oidium tuckeri*, although it is, I believe, a fungoid growth. It spots the shoots of the vine with brown spots, beginning usually at the bottom of the vine, and, when very virulent, spreading in a single night, or a single day, to a considerable extent; but, in ordinary cases, if the infected portions are carefully removed, it does very little damage.

691. Are you aware how the *oidium tuckeri* was first introduced, or what was its early history? No. I know it appeared in a hot-house at Margate.

692. I think one of the statements mentioned that the disease was introduced from abroad? I think it is wholly unknown how it was introduced.

693. Do you think *oidium tuckeri* is peculiar to the grape-vine? I do.

694. Have you any doubt that it does not attack other plants? My opinions are only founded on the opinions of scientific men who have treated on the subject; and not one of these, so far as I am aware, has ever doubted that it is peculiar to the vine.

695. It has been asserted that it is the same as the blue mould that attacks tobacco? I think I can give you evidence here to the contrary. If the Committee will allow me, I will read a very short paragraph from a work I have brought with me, in which, however, I do not know that the tobacco-mould is mentioned. It is a work on "Microscopic Fungi," by M. C. Cooke, published in 1865:—"Notwithstanding the inconvenience to ourselves of calling very different fungi by the same common name of 'mildew,' the popular mind does not recognize the inconvenience"—there are not words in the English language, you will observe, to express the difference—"since it scarcely troubles itself to inquire whether they are not the same thing. In obedience to this custom, we again write of 'mildew,' or 'blight,' as it is called in some districts, but of a very different kind

kind to that which is so detrimental to growing crops of corn. In the present instance it is our intention to illustrate a group of fungi which are exceedingly common, and which differ greatly in appearance and structure from any to which we have had occasion to allude." Then the writer goes on to describe a very considerable number of them, and says:—"The vine disease, so fearfully destructive on the continent, and not altogether unknown in this country, is another of these incomplete fungi." He says very little about this particular disease, because, naturally, he devotes himself more to those which are very common in England, and which have been very destructive, than to those not now to be met with in England—for the vine disease is not now known in England. He says,—“From an individual, who, at the time of its first discovery in the south of England, took considerable interest in the subject, it was called *oidium tuckeri*, which name it continued to bear, both here and abroad, until, with many others, probably all of the same genus, it was found to be only a barren state of what is called by mycologists an *erysiphe*. The real discoverer of this mildew was undoubtedly the Rev. M. J. Berkeley, who has successfully devoted a long life to the study of these minute organisms, through evil and through good report; and when that study was beset with more difficulties and received less encouragement than at present.” He states in another place, that “Twenty years since, some of these little pests were altogether unknown, whilst others were only recognized, and partly understood, by a few scientific men. During the period to which we have alluded, more than half the present species contained in the genus *Peronospora*, had never been observed; and amongst these, the most devastating of its tribe—the associate and undoubted cause of the potato disease. Parasitic fungi are far more numerous, both in individuals and species, than most persons are aware; and cultivated plants of all kinds are more or less subject to their ravages. Some are more susceptible than others, of which the corn and grass tribe, or *Graminaceæ*, as they are termed by botanists, is an example.” He then goes on to describe a number of different species which are observed.

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

10 Mar., 1869.

696. Do you think it is possible to check or extirpate this disease, *oidium tuckeri*, from the Colony? I do, if taken in time.

697. And you have no doubt of the efficacy of the sublimed sulphur dressing? I have no doubt, so far as my personal experience goes, which is very limited, but quite in accordance with statements published elsewhere. I may mention that I have vines growing in three distinct localities, separated by distances of a mile or half a mile—

698. Has the disease attacked your own vines? Yes; and these three localities were attacked simultaneously.

699. At what period of the year? In the beginning of December.

700. Do you think the disease would have been more injurious to the vines and crop, if it had made its appearance two months earlier? No doubt about it. I was going to describe what had taken place with reference to these portions of vines. In each of them it was subdued in two or three days by the application of sublimed sulphur, and we saw no more of it for about five or six weeks. In one locality it then reappeared, but at this time only upon the young bunches of grapes of the second and third growth, which on several varieties were covered with the *oidium*—

701. After the first crop had been treated with sulphur? After the first crop had been treated with sulphur, and was perfectly sound. At this time I could see not the slightest appearance on the leaves, but some suspicious violet-coloured spots upon the wood, which I never observed before, and which but for the presence of the disease I might not have noticed at all. All this second attack of disease upon second crop bunches was destroyed by sulphur again; but after the gathering of the crop, or at the time of gathering, I observed the disease again coming on some of the vines in a very different position, that is, the extremities of the shoots, upon the *upper* surfaces of the leaves of the very trifling young growth which had taken place; and I became suspicious, from the upper surfaces alone being diseased (there being no young bunches of fruit left), that it came from a distance. I therefore desired the person in charge of our vineyard to examine a neighbouring vineyard, which I knew to be in a neglected condition. He went last Sunday to the proprietor, and with him, as he reported to me, went into the vineyard, where he observed the disease in full vigour on a number of neglected plants. He asked the proprietor, “Have you not sulphured your vines?” He said yes, he had sulphured the Black Hamburgh, but did not think it worth while to sulphur the others. “Do you know you are sending the disease to us?” No, he did not think it possible. He was told it was possible, and that we keep getting it afresh; but that it did not appear in any other of our vineyards but the one nearest to his vineyard, which is only about half a mile distant from his last one.

702. Do you think the appearance of the disease on this second crop is attributable to its being introduced from neighbouring vineyards? That I cannot say. It only appeared on the second crop in this one locality, and this second crop being removed and destroyed, and only for the third time in the same locality, and upon the upper surfaces alone of very young leaves—not at all in the other two.

703. Which led you to the conclusion that it was brought there? Yes. I was also led to that conclusion by the fact of its making its appearance on the upper parts of the vines. If generated on the spot, it would most naturally attach itself to the under part of the leaves, in the same way as appears to be the case with the rust in wheat. It appears to me that, when this last disease is originated on the spot, it is found on the underside of the leaves, low down; but when it comes from a distance, it is seen on the upper side, and nearer the extremities.

704. Do you believe it would be desirable to have united action with reference to the treatment of diseased vines, with the object of getting rid of the disease thoroughly? I cannot imagine that any but united and uniform action will be at all efficacious.

705,

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.  
10 Mar., 1869.

705. Have you considered whether, in carrying out that object, it will be desirable to have legislation on the subject? I think so.

706. Do you consider that the self-interest of vineyard proprietors would lead them to adopt the necessary means for extirpating this disease, without legislation? The larger and better informed proprietors might adopt the necessary remedy; but unfortunately, a very few ignorant, obstinate, or careless men would be sufficient to neutralize the efforts of the majority, and be the means of spreading the disease.

707. You think that the remedies adopted by large proprietors would be ineffectual in eradicating the disease, unless vines on small holdings were similarly treated? No doubt of that.

708. Do you think the holders of small patches of vines, who do not perhaps derive much profit from them, would be likely to exert themselves to take the necessary means to suppress the disease? I am afraid a great many would not. I have given you an instance of one whom I believe to be a very respectable man, and who has been a neighbour, and a good neighbour, ever since I have been in that neighbourhood. He has little interest in his neglected vines.

709. Then you are decidedly of opinion that good would result from united action in the way of treating this disease? I quite believe that by united action the disease might be wholly eradicated, if that united action takes place at once, but there is no time to lose.

710. Supposing the other Colonies did not join in passing an enactment to compel the use of these remedies, do you think our efforts would have much effect? Their failure to do so would be a very considerable drawback; but it is to be hoped that, if they saw the good results of united action here, they would adopt similar measures. We could, at all events, prevent the disease from spreading far beyond our borders.

711. Are you aware that amongst proprietors generally, when disease makes its attacks—say scab in sheep, pleuro-pneumonia in cattle—they do not always take the same view in reference to the treatment that should be adopted? I do not know that any instance immediately suggests itself to me, but no doubt there are many different opinions, as there are also many persons who, except under compulsion, would leave everything to chance.

712. Do you believe that amongst large vineyard proprietors there is any difference of opinion as to the desirability of united action or the mode of treatment? I do not think there is any difference of opinion as to the mode of treatment, or as to the desirability of united action, although there may be much difference as to the propriety of enforcing united action.

713. What I mean is this,—whether, supposing a majority of large proprietors were to determine on a certain course, that determination is likely to be interfered with by the entertaining of different views by other large proprietors? We can only fall back on experience. I have no doubt that, if you made the system of treating the disease dependent upon the action of distinct bodies, you would have all sorts of nostrums proposed. The more ignorant a man is, the more presumptuous you often find him, and the more eager and resolute to enforce his crude ideas.

714. And therefore, you think it desirable that legislative enactment should come to the assistance of private effort? I believe it is perfectly necessary that you should enforce a uniform system of treatment.

715. Are you acquainted with the Albury district? Not personally.

716. You have never been there? No.

717. Are you aware that there is anything in the climate of the Albury district, or in the nature of the soil, that renders it unlikely to receive the disease? I cannot think there is anything in the soil. The drier climate may make the vines less susceptible of taking the disease; but if once the disease gets there—and I have no doubt it will get there—it will spread.

718. Do you think vines are more liable to receive attacks of the disease from any peculiarity in planting, or age, or vigorous growth? I have no doubt that the more succulent and vigorous the growth—the more shaded, in fact—the more liable it will be to attacks of the disease.

719. With reference to young and old vines, do you think young vines are less likely to be attacked than old vines? Not at all.

720. Do you think vines grown upon trenched land are less liable to attack? No, I think they are rather more liable, because their growth is more vigorous and succulent.

721. You have stated that the application of sublimed sulphur is the best known remedy? So I have understood. It is the remedy recommended by all or nearly all whose authority is to be depended upon.

722. Are you aware whether a solution of sulphuric acid would be more economical or more efficacious? I never heard it proposed.

723. Do you know of any reason why it should not be? I am not sufficiently a chemist to state in correct form; but it is not sulphuric acid, but sulphurous acid that is the antidote to the disease—the first containing two, the latter only one, equivalent of oxygen.

724. Do you know whether wild vines of the European varieties—not the wild vine of the brushes—are spread largely over the country? I never saw them or heard of them.

725. Do you apprehend that, in the event of legislation taking place on this subject, the fact of the disease being likely to be propagated by these wild vines, would be a bar to the effectual operation of such a measure? I cannot fancy so.

726. I understand that there is in the brushes a wild vine somewhat similar to the wine grape, or of the same species. Do you think the disease would be likely to affect that vine? Certainly not. It has never been discovered upon any plant but the true wine grape. It has never been seen on any of the American varieties of the vine, so far as my information extends.

727. *Mr. W. H. Suttor.*] I think I understood you that you would recommend legislation for compulsory attention to the disease? Decidedly.

728. Is the wild vine Mr. Nowlan has spoken of really a grape? No, it is a *cissus*. The grape is a *vitis*. It belongs to the same natural order as the vine, but is a very distinct plant. For instance, the plum belongs to the same natural order as the peach or the apricot, but they are very distinct plants. You may graft the one on the other, and you may graft the wine grape upon this wild vine, I believe—I have no doubt you can. The structure of the wood is similar, but the plants are very distinct.

729. This wild vine has never been cultivated? I am not aware that it has. But you may cultivate it for ever, and you will not make it the wine grape. It is a *cissus*, and you will not make it a *vitis* by any cultivation.

730. Have you been in Madeira? Many years ago.

731. You are not aware whether there has been any legislation there? No.

732. Do you think it likely, from your experience of other fungi, that these diseases will, in course of time, pass off? I think it exceedingly probable they will abate in virulence after a considerable period; but that period may be centuries. You must be aware that many of the diseases which attack the human frame are now attributed to fungoid bodies. The cholera, for instance. You are aware that it arose first in the East, and, after a period of several years, proceeded, by almost regular steps, westerly, until it attacked the people of the United States. Many of the most fatal diseases are attributable to fungoid bodies.

733. Following up the subject:—Supposing wild vines of the wine grape should exist, they would be so few in number as to be easily destroyed? I should imagine the cattle would keep them down; for, wherever they can get to them, they eat them greedily.

734. If they should exist, they could be easily destroyed? Yes.

735. *Mr. Lackey.*] Do you think this disease could be eradicated if legislation were adopted? I think, if effective measures were put into force early, there is every hope of eradicating the disease. It has not yet got sufficient hold to make it very difficult to deal with; but, if we neglect it, it will become, like the rust in wheat, exceedingly difficult to eradicate.

736. If a uniform and compulsory mode of treatment be adopted, you think we shall not be likely to have annual attacks of it? Possibly we may for a time, but it would be so rapidly suppressed that there would be no opportunity for the whole country to become saturated—if I may use the expression—with the spores. Probably many millions of these spores are produced for one which becomes a living plant; but if we multiply them infinitely, of course the chances of their reproduction become multiplied in proportion.

737. Legislation would involve vine-growers in a large amount of trouble and expense? Yes. I for one would be quite willing to submit to all the expense, which is not very great, and to all the inconvenience, which in some particular cases might be considerable. I should be willing to sacrifice part of my free action for the sake of the object.

738. Of course inspectors would have to be appointed? Yes; and they ought to be appointed by the Government, from persons recommended by the vine-growers. It would not do, in my opinion, to have the inspectors elected by them.

739. Would you be likely to be embarrassed in your action, in your own vineyard, by inspectors indiscriminately appointed by the Government? No, I should not apprehend it. I should take very good care to eradicate the disease before the inspector could hear of its existence. The very fact of there being an inspector would make me, anxious as I am on the subject, doubly vigilant. If all are active in treating the disease (and some would only be so under compulsion) I should not anticipate material embarrassment.

740. Supposing legislation were to take place in this Colony, and not in the neighbouring Colonies—Queensland, for instance—do you not think we would be likely to suffer almost the same as if the disease were in existence in different districts of this Colony? Not at all to the same extent; because the increase of the infection—the means of contagion—would be so infinitely greater if you permit it to exist in vineyards here than they could possibly be if brought from a distance. No doubt you might have the infection reappearing here and there, but you could suppress it again instantly. I do not conceive the tax proposed by the Bill to be at all an onerous tax. In my case, it would, perhaps amount to about £10 a year.

741. What number of acres have you? I can only tell you by estimate—about twenty—but I know the number of vines, for I have had them counted. I have ascertained that our vines amount to thirty-eight thousand some odd hundreds.

742. You are aware that the disease has been for many years raging in the wine countries of Europe; and at the Cape, we have recently heard, it has been very severe? Yes.

743. And also in the United States? That I am ignorant of. I know the American varieties of the vine are not subject to the same mould. They may be subject to another.

744. Are they not subject to the same disease? Perhaps you may not be aware that the varieties of the vine chiefly cultivated in the United States do not belong to the true European species. They are derived from the wild vines of America, and are said to have been improved by crossing with European varieties. It is quite possible the introduction of the European blood into the new varieties may have rendered them more susceptible of the vine disease, but all the evidence we have upon the subject goes to show that the American varieties of the vine are wholly exempt. Even some of the European varieties seem to be exempt. The varieties cultivated in America are chiefly new varieties raised from seed.

745. Has it come within your knowledge that legislation on this subject has taken place anywhere? No. I am not aware that any country has been so favourably circumstanced as this is at this time for legislation.

746.

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

10 Mar., 1869.



The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

10 Mar., 1869.

746. In what respect favourably circumstanced? The disease is of quite recent introduction, the vineyards are not extensive, and generally are widely separated, and the means of cure are thoroughly understood. When the vine disease first spread throughout the world, the means of destroying the disease were not at all generally known. At the time I was in France, when they were applying sulphur, the means of applying it were much more troublesome than they are now. They had a particular box which distributed the sulphur by means of worsted threads; and that was considered to be a great improvement.

747. If uniform and compulsory treatment of diseased vines were necessary, do you not think the experience of the last few years, in countries where the cultivation of the vine and the manufacture of wine are the chief occupations, would have pointed out to them the desirability of legislation to get rid of the disease if possible? In France, for instance, I do not see that any legislation would be necessary. The French Government has the means of enforcing any particular operation of cure it pleases, from its organization. It has a particular department devoted to agriculture. I have not the least doubt that, if it chose to direct any particular means to be adopted with regard to the vines, it could cause it to be done without reference to the Legislature.

748. *Mr. Tunks.*] Has anything of the kind taken place having the nature of law? I have very little doubt, although I cannot state it as a fact, that a uniform mode of action has been adopted, and probably, I will not say by compulsion, but under direction. The authorities in France have infinitely more power than ours—in fact, we have no analogous bodies at all in England.

749. *Mr. Phelps.*] Did you observe—I think it was in one of the Albury papers—that there have been numerous meetings on this subject in that district? I am aware they have had meetings.

750. And they are opposed to legislation? I am aware that they are opposed to this Bill, but not to all legislation. I understood that they admitted the necessity for legislation, but objected to the Bill which has been drafted.

751. Would you think direct legislation, or a form of municipal legislation, would be the best? Direct legislation, because we must have a uniform system. You could only constitute your local bodies by the same means as other municipal bodies are constituted, and these local bodies would not have uniform action.

752. Would it not be sufficient if we had uniform legislation in one respect, that is, that a certain remedy must be used. The reason I ask the question is this: I know the persons down there have great objection to this Bill, and it is chiefly in consequence of the money. If they had the distribution of their own money themselves, they would be quite satisfied, perhaps, to be taxed; but they object to it, as I understand, being placed in the hands of the Government, as it is under our Scab Act? I have already stated that I think the money part of the question to be of very little importance; the amount of the tax is so small that it cannot be there that the shoe pinches.

753. You were giving us some information about the grape grown in America, and I understood you to say that it is of native growth, modified by the pollen of the imported grape? So they profess.

754. Grown from seed? Yes; that they have crossed the two different species. I may state to you, generally, that the wild vines of America, for the most part, have a very different habit from European vines. They spread over an immense extent of surface; a few vines of some sorts—not perhaps a dozen—being enough for an acre of ground, and produce an infinite number of bunches, with but few berries on each bunch. They all have a very peculiar flavour, something of the raspberry, with a sort of foxy taste afterwards. They do not arrive at maturity until after the frost has made its appearance, so that when the leaves fall off, the bunches, of which there are many thousands on each vine, are seen and easily collected. Now, by fructifying this grape with the pollen of the European plant, they have produced something like the wild vine, but with many of the valuable qualities of the European species. All the varieties of the European vine, of which there were about a hundred and fifty cultivated by M. Dufour, at Veoev, in Ohio, took the peculiar disease I mentioned in the early part of my evidence as having been pointed out to my father by this Swiss cultivator, excepting two, and these two were planted by him in his vineyard. I heard of this vineyard, many years afterwards, as being very flourishing, but I do not know what has become of it since. I was very curious, in 1856, being at the same place where we had previously met this Swiss vine-grower, to go into the vineyards again to look for the disease, and there I found it just as we have it here—not the *oidium*, but the “old” vine disease. I may mention that, in the early days of the Colony, several vineyards were planted, and abandoned in consequence of the attacks of this disease. The varieties at first planted appeared to be particularly subject to it, viz., the Frontignan (muscat) and the sweetwater. It is not the *oidium* at all—not like it.

755. *Mr. Farnell.*] In reference to the inspectors, would it be necessary they should be acquainted with the disease? I think any person of ordinary intelligence might make himself acquainted with it very quickly. I do not think it would be necessary that he should be acquainted with the botanical structure of the disease. All he wants to know is, its appearance to the naked eye, or under an ordinary magnifying-glass; and, of course, he knows that sulphur is the remedy.

756. He should be a person that should be competent to tell the disease called *oidium* from common mildew? No other mould that I am aware of attacks the vine—we do not know of any other but the *oidium*.

757. I think you wrote a book, some years ago, upon the vine? Yes.

758. And you there mentioned some vine disease? Yes, the one I have just alluded to. It is not a “mildew” at all.

759. Are all kinds of vines attacked alike by *oidium*? I cannot say of my own knowledge. I believe, in Europe all, or nearly all, have been attacked, but I am not quite certain. Some have been more susceptible than others. In our vineyard, we have only found certain varieties to be attacked, although the number seems to be increasing; and no doubt, as the spores are multiplied, we shall find fresh varieties susceptible.

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

10 Mar., 1869.

760. You have raised vines from seed? Yes.

761. Are they bearing fruit? I have destroyed the whole of them long ago. They were not equal to the finer European varieties, although some were moderately good. I think I had about fifteen hundred bearing fruit.

762. Do you think it is advisable to burn infected portions of the vine? Yes, every single scrap is carefully destroyed by fire in our vineyard.

763. *Mr. Tunks.*] You would do that, whether compelled or not? Yes, everything I could collect.

764. *Mr. Funnell.*] In France would not the Minister for Agriculture have the power of issuing an order which would be equal to an Act of Parliament here? Yes, I should think so. I know they are very arbitrary.

765. Do you know whether this disease at all affects the wine? I understand that it does, if the grapes are in a highly diseased state.

766. Would using sulphur on the grapes affect the wine? I have no doubt it would, if used too recently before the grapes were gathered.

767. *Mr. Sutor.*] From your own experience, could you say where the disease generally attacks the vine—whether near the ground? Generally in the places most sheltered and shaded, where there is a damp, stagnant atmosphere, no matter whether the shade is produced by the vine itself or by neighbouring plants or buildings.

768. Have you formed any idea of the usual way that the disease gets over the country—whether it is always carried through the air? Of course it may be carried by persons' clothes or hands.

769. Is it possible for it to travel over the ground? No, I should think not. I was going to explain what I meant by conditions favourable to the propagation of the disease. Where there is a damp, perfectly stagnant atmosphere, the mouths of the plants, which receive moisture, are open, and therefore ready to receive the spores. There are, under such conditions, more mouths open, and the leaf is in a state more favourable to their immediate germination; but when exposed to the burning heat of the sun, the mouths are closed, and are not then susceptible of receiving the spores.

770. Have you generally found the leaf or the fruit attacked first? I imagine the disease will attack that part, whether fruit or leaf, which is in the state most favourable to receive the germ. Perhaps it may attack the whole simultaneously; but I believe the rule is, that it attacks the young shoots first, just about the time the vine is producing sufficient shade to give favourable conditions for receiving the disease.

771. *Mr. Tunks.*] You have expressed yourself favourable to legislation? Yes.

772. I think you have stated, as an instance, that a neighbour of yours had neglected his vines, and thereby seemed to have communicated the disease afresh to your vines? Yes.

773. Would that imply, in your view, that the spores are conveyed by the prevailing winds, or by the atmosphere? Undoubtedly by the wind, in this case.

774. Do we trace it, in this particular case, to that fact? I think so. This person's vineyard lies directly in the line of the strongest winds we have had this season—the south-easters.

775. Then it is possible that this disease, flocculent matter as it is, may be conveyed by the wind to a great distance? No doubt to a very considerable distance.

776. Is there any ordinary probability of its being conveyed thousand of miles in the same way? I should think not at once, but by distinct stages it may be conveyed several thousands of miles in a comparatively short space of time. Of course it is impossible to prove how far it may be conveyed.

777. Do scientific men consider this a new creation, are you aware? The fact is, there appears to have been very little inquiry into the subject of diseases of this kind until within the last twenty or twenty-five years, and many very distinct moulds have been confounded together, until they came to be examined by the microscope. Our language alone, from the deficiency of terms applicable to these growths, will satisfy you how ignorant we have been. They are all called moulds or mildew, embracing many hundreds, perhaps thousands, of species. The term "mildew," as already stated, covers a multitude of very distinct things. Our language is too poor to express all that has been discovered recently on the subject, and therefore they are obliged to give them very hard, learned names, which are great stumbling-blocks to the unlearned in such matters, as, unfortunately, is the case with us.

778. Is there any principle you are acquainted with, in the production of different sorts of grapes or fruit by what is called "sport," without the interposition of pollen? I am quite unable to tell you. No doubt, when a plant has been long in cultivation, and frequently renewed from seed, it acquires a tendency, from the very fact of cultivation, to diverge into different types; but that appears to be only after a very considerable period of cultivation. The tendency to "sport," as it is termed, once created, seems to be continued in succeeding generations from seed with constantly increasing force; so that, amongst hundreds of seedlings, not one shall resemble the parent plant.

779. The vines we have in use in Europe and this Colony are many years removed from their origin—that is, from seed? Undoubtedly. Many of them must be, perhaps, thousands of years old.

780. Would there therefore be, in your opinion, any disposition to decay, so as to render them fit homes for the disease? I should think not. I am aware that such an opinion was broached by the late Thomas Andrew Knight, a very eminent man, who

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.  
10 Mar., 1869.

argued that the most celebrated apple-trees, for instance, were worn out, and, amongst the rest, the golden pippin. Now, I have at this moment the true old English golden pippin bearing as fine apples as could be produced. He argued that the plants propagated by extension were only parts of the same original plant, and that they partook of all the diseases incident to the original plant. But that seems to have been a very great mistake, although it was the mistake of a very eminent and learned man.

781. That is matter of opinion? It is matter of proof, because the very varieties he instanced as being perfectly worn out have since been perfectly re-established.

782. Are you certain as to the sorts? There is no doubt on that point. Some pains have been taken on the subject; the doctrine, being a very important one, having naturally excited great attention.

783. Have you ever seen vines affected by mildew at the latter end of the season, previous to the appearance of this disease? I never saw any mildew at all on vines before this. I can quite imagine that, on a decayed leaf, you may find some ordinary form of mildew, when the leaf has fallen to the ground, and in a decaying state; but that kind of "mould" is held to be perfectly distinct from a parasite feeding itself upon the juices of a living plant.

784. Could the disease you have before spoken of be easily known by an inspector from the genuine *oidium tuckeri*? Well, the fact is this,—that if he found mould upon the leaf or fruit of a growing vine, he might at once assume it to be *oidium tuckeri*, because there is no evidence, so far as I am aware, of any other mould having been seen on living parts of the vine. On the dead parts, occasionally, mould may be seen, in the same way as it may be seen on straw, or any other decayed or decaying vegetable matter.

785. *Chairman.*] From your long experience of the various interests of this Colony, do you consider that the vine-growing interest is of sufficient importance to demand legislation? I do; I consider it of very great and rising importance just now. I consider that vine cultivation has just got through the difficult period of infancy, and is now, you may say, in its adolescence, and likely, if not checked by some very formidable evil, to rise into vigorous manhood.

786. *Mr. Tunks.*] Would it be profitable if the differential duty of three shillings a gallon were taken off? I believe it would. The taste for the wine is already acquired, and that is all that was wanted. We want no protection.

787. *Chairman.*] Do you think that, unless legislation takes place upon this subject, the progress of the cultivation is likely to be retarded? I believe there will be very great risk of the vine being completely extirpated.

788. Would you yourself undertake to plant a vineyard, unless you were satisfied some legislation would be carried out? Most certainly not.

789. I think you have said you have noticed, from the reports of meetings, that the principal objection to legislation appeared to be the taxation,—they are afraid of the money consideration? As far as I understood the nature of the objections, that was one of them. I have heard other objections stated.

790. If that were the only objection, do you not think that implies that legislation would be good upon the point? I think, in so far as I have understood, it has been admitted that legislation is necessary, but that it should take some different form, and they wish it to take the form of enabling them in each locality to deal with the subject as they please. That, I think, would be not simply dangerous, but would make any measure absolutely of no value.

791. You have looked through the Bill, I believe? I have, not very recently, but I have looked it over carefully. I cannot say I concur in all its provisions.

792. You think it might be amended? Yes, I think some of the provisions too stringent. The periods allowed, for instance (forty-eight hours), for giving notice—that seems too brief a period. Five days I should think a more reasonable period to allow.

793. You are aware that, at this late period of the session of Parliament, it would be impossible to get the Bill through? I do not think there is a very great deal that is objectionable in this Bill. I do not think there is much that might not be corrected in a single night.

794. It would be necessary, of course, to make the measure apply to every vine in the Colony, even a single plant in a garden? No doubt. There is a provision in the Bill that every vine should be registered—that if a man has a single vine, he must register it—and I think that a very important provision.

795. If that could be done with little trouble, and free from expense, you would not consider it objectionable? I cannot think there is any material objection to it.

796. *Mr. Nowlan.*] You are aware that considerable opposition has been offered to this Bill, by a number of vine-growers throughout the Colony? I am quite aware of it.

797. And also, that it is most unlikely that any measure could be got through, during the present session, in the face of that opposition? I am not prepared to give any answer to that question.

798. Supposing the Members in the Assembly were sufficiently strong to enable them to pass this measure, do you think it would be politic to do it, in the face of a largely expressed opinion of vine-growers throughout the Colony against it? I am not sensible that that opinion is so largely expressed. Of this I am sensible,—that generally, when there is opposition to anything, it is noisy and clamorous. The great majority may, at this very time, be favourable to such a measure, but it is silent.

799. Are you aware that a petition has been presented to the Assembly, from vineyard proprietors in the district of the Hunter? I have heard of a very extensively signed petition against the Bill.

800. And also from Albury? Yes; but I am also aware that very extensively signed petitions have been presented in its favour from all the home districts.

801.

801. Do you think the vine-growers of the country would be likely to agree, if some little longer time were granted for the consideration of the subject—for instance, after the circulation of the evidence given before this Committee, do you think vine-growers generally would be likely to agree to a measure? I really cannot say. I should imagine, that when they discover their vines to be irreparably diseased, they may then get their eyes opened to their folly in opposing such a measure.

The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.  
10 Mar., 1869.

802. Do you think a legislative enactment of this kind would interfere greatly with the growers of table grapes, so as to prevent them sending their produce to market? I cannot imagine it would; because if inspectors are appointed, and the vines dressed sufficiently early, it cannot affect the production of table grapes. I brought a bunch of grapes to Sydney, expecting to be examined here some time ago—the most diseased bunch I ever saw—there was not a single berry that had not had the *oidium* upon it; but it had been perfectly cured by one dressing, and had become perfectly black and well-ripened. The only fault was that, through much handling to examine it, there was hardly any bloom upon it.

803. Then you are of opinion that, if proper means were adopted, at proper times, the growers of table grapes would not suffer by being prevented from sending their produce to market? Certainly not. They will be in a much worse position if their grapes are destroyed by the disease.

804. I think you stated, in answer to a previous question, that New South Wales is in a more favourable position, with reference to dealing with the disease by legislative enactment, than other countries? I think so.

805. In other countries, I believe, the disease had taken a firm hold before it was noticed? No doubt about it; the whole country side was diseased before they were aware what it was.

806. And they were not aware of the remedy? No, it was not at all understood, and there were many reasons why the disease spread rapidly. The greater part of the vineyards in France, for instance, are in possession of small proprietors, men of very humble means, and very ignorant; they understood merely the routine of the culture. These men were perfectly ignorant of what had happened to their vines.

807. It has been stated here that, instead of profiting by the experiences of other countries in this matter, we ought to wait and be guided by our own experience of the disease. Do you not think we shall be unnecessarily losing time, by waiting to gain our own experience? I can only say that, in our vineyard, the disease was immediately checked, in three different localities, not by the same hands. In one locality they applied the sulphur too abundantly, and spotted the grapes. I cannot understand what is to be gained by waiting for our own experience, when we have such a mass of information to guide us, coming from other countries.

808. Do you think vine proprietors generally are apt to under-estimate the effect of the disease? I can hardly answer such a question. That they do not thoroughly estimate the nature of the disease appears to be pretty certain; they do not at all estimate its exceedingly insidious nature, and rapid progress under conditions favourable to its growth.

809. Then again, some of the proprietors think that, if sulphur is a specific, they need not trouble their heads about it—that they have only to apply the sulphur, and it will be all right? It seems to me that, with many of the smaller proprietors, all they care about is, to get the fruit in a state to go to market; and the fruit being marketed, they would utterly neglect their vines, and allow the disease to spread. The appointment of inspectors would be the means of checking that. I cannot better illustrate my opinion than by pointing out what has happened with regard to rust. The nature of rust was thoroughly known sixty or seventy years ago; but notwithstanding, you find at this hour the utmost ignorance prevailing among cultivators of wheat, as to what rust is. They will say it is an insect. I can state, as a member of the Agricultural Society, that a few weeks ago a bottle was sent in, containing a number of insects of a very useful species—the ichneumon—which destroys caterpillars; and these, it was said, were the insects that caused the rust. The insects were red, and so is the rust; the insects were hovering over the crop, and that seemed to be the whole of the argument.

810. *Mr. Phelps.* Have you observed the peculiar furry appearance on the back of the leaf of the sweetwater grape? Yes, the natural down.

811. The muscat leaf is smooth? Yes.

812. I saw a specimen of what we supposed to be *oidium* on this table a few days ago, and examining it on the back of the muscat leaf handed to me, I saw, as it seemed to me, exactly the appearance of the natural fur that is on the sweetwater? Of course I cannot explain what the appearances were that you observed, but it is quite easy to satisfy yourself what is *oidium*. It is immediately removable by the touch—the slightest touch will remove it; and underneath, there is an appearance as if a solution of gum had been put upon the spot.

813. *Mr. Tunks.* Have you read an article among the American Patent Office Reports, in which this disease is treated of? I have cast my eye over it.

814. Have you observed that the writer states that this *oidium* is similar to the American mildew, and that there can be no doubt of the identity of the two species? I am of opinion that the writer is most probably mistaken. One variety of mould may be easily mistaken for another, excepting the observer has, by careful study, made himself well acquainted with the subject.

815. He also states that it attacks the "Catawba" and "Isabella" grapes, which are American varieties? It has been stated repeatedly, by European writers of celebrity, that this disease, *oidium tuckeri*, does not affect the American varieties of the grape; in fact, it was pointed out to me, by an eminent French botanist, that the "Isabella" grape did not take it.



The Hon.  
Sir William  
Macarthur,  
Knt., M.L.C.

10 Mar., 1869.

816. *Mr. Nowlan.*] I suppose you are aware that the "Isabella" has taken it in this Colony? I have never heard that it has.

817. *Mr. Suttor.*] Have you ever applied sulphur to any other disease in trees, or to destroy the aphid? I do not imagine it would have any effect in destroying the aphid.

818. Not upon insect life? No. All species of mould are immediately destroyed by it; the mould you may see on pumpkin and melon vines, for instance.

819. *Mr. Tunks.*] Have we any knowledge of the origin of this particular disease we are now talking of? None, except that it first appeared in a hot-house at Margate. There are some mysteries which it is very difficult indeed to get to the bottom of; and it is still, I believe, quite unexplained how the vine suddenly, as it were, became attacked by such a novel and fatal disease.

820. *Chairman.*] The Committee will be glad to receive any other information you may be able to append to your evidence?

In accordance with the permission of the Committee, I append to my evidence, in reply to questions, the following observations in support of immediate legislation with reference to the vine disease:—

The disease in question has been carefully studied in Europe, and we have the immense advantage of the results of this study and experience in a concentrated form. Having been introduced here, it is so far fortunate that the *oidium* had only time to spread to a limited extent, before a dry and unusually hot summer immensely facilitated its temporary suppression, so as to enable the growing crops, except in a few instances, to be secured in fine condition. But the germs of the disease are, no doubt, infinitely more widely spread than they were last autumn; and it seems to be quite certain that they only await the return of conditions favourable to their development to break forth with hundred-fold virulence. Is it to be doubted what will be the upshot next spring, if, when it appears through every vine district in the Colony, we are not provided with a law making imperative the rational treatment of such a highly contagious malady? It is hardly possible to mistake the disease. The remedy is simple and inexpensive; but the evil is of such a nature that one refractory owner of vines in a hundred may make himself the means of continuing it to an extent productive of infinite loss and expense to the remainder. Where is the great hardship in the whole submitting themselves to a measure which makes the rational treatment of the malady imperative? Why should we be so chary of surrendering, to a limited extent, our liberty of action, that we may extirpate the disease with the greater facility? We do so in numerous instances, in the precautions enforced to prevent infection with certain dangerous diseases, as well amongst animals as amongst human beings,—the storage and conveyance of gunpowder or other dangerous substances,—and in various matters connected with the cleanliness, health, and good order of towns; in short, wherever the carelessness and neglect of some may operate to the injury or discomfort of all.

Without the advantage of knowing what has been stated to the Committee by the opponents of the Bill, I am led to infer, by the nature of the questions put to me, that various false issues have been raised by them. It is not the amount of the proposed tax upon vines which is at the root of the objections. It would be absurd to suppose that 10s. or 12s. an acre for a few years can be of much consequence to a vine-grower. It is the fear of having his vines put into quarantine, and of being *compelled*, under pain of being subject to all the expense and inconvenience incident to this state of things, to use vigorous measures for the suppression of the disease. That is, as I believe, the real objection.

It is not at all surprising that the district of Albury has not been visited by the disease this season—it would rather have been surprising if it had. The vine-growers in the home districts know that, since December, the combined heat and dryness have nearly obliterated it in an active form; and it would be in opposition to our short experience to learn that it had, under such circumstances, extended itself so far as Albury. But it will be equally in opposition to our experience if it does not shew itself there next spring or early summer. There is nothing in its history to justify the belief that, where the vine flourishes, the disease will not flourish also, if the site be within reach of contagion.

The appointment of vine inspectors, it appears to me, ought to be vested in the Executive Government, that they may be free from the imputation even of being under local influence; but it would seem to be desirable that they should be chosen from persons elected in the various districts by the vine-growers. The votes of these last might be exercised rateably, say at one vote per 2,000 vines planted out to bear fruit, and not less than three years old; no owner of less than 1,000 vines to be entitled to vote at all. Each distinct body of qualified vine-growers might be empowered to elect from its number vine directors—say three or five to a district—to whom any vine proprietors, feeling aggrieved by the action of the inspectors, might appeal for redress. Any question not settled to the satisfaction of the disputing parties to be subject to reference for final settlement to the Executive; but, until otherwise settled, the action of the inspectors to be in full force. It might be provided that the money raised in a district should only be expended in that district, and that the surplus unexpended after two years be returned rateably to the original vine-tax payers of that district.

# DISEASES IN GRAPE-VINES PREVENTION BILL.

## APPENDIX.

(To Evidence given by Jules Joubert, 2 March, 1869.)

Letter from Jules Joubert, Esq., respecting remedies used in Europe for curing vine diseases.

T. H. Mate, Esq.,  
Chairman of the Select Committee on the *Oidium* Bill.

Sydney, 8 March, 1869.

Sir,

Since I had the honor of being examined by you on the *Oidium* Bill, I have received from the Minister of Agriculture in Paris twenty different works, written by various authors, on the vine disease. I have also the Reports of the Committees appointed in France to inquire into the matter, which has of late engrossed the attention of our vine-growers, and given rise to the measure you are endeavouring to elucidate.

According to promise, I have read attentively the whole of the works received, and will try to convey the gist of my observations.

1. The majority of the pamphlets received were published in France, in 1852, 53, 54, and 55, and are, up to that date, mere descriptions of the disease, accompanied by experiments of several remedies, the whole of which seem to have given way to the application of "dry pulverized sulphur," by means of bellows. The last publications, dated 1860 and 61, contain the most important points, inasmuch as the writers are in possession of facts, and deal with the complaint from its origin to its cure, following it throughout the whole of its destructive career.

2. I see that the vine disease, which in 1845 made its appearance at Margate, and was reported by Mr. Tucker, has been described by a Greek botanist, Theophrastes, in 1552, and also by the well-known naturalist Pliny, in 1606; but owing, I surmise, to the limited extent of vines under cultivation, the disease does not seem to have caused any real damage until 1847, when it spread with terrific rapidity all over Europe, and would have destroyed one of the most productive industries, had not proper precautions been adopted to cause the immediate and vigorous application of the antidote, sulphur, to be used in every locality as soon as the disease made its appearance.

3. I conclude, therefore, that we have it in our power to check and eradicate the disease, providing we apply the remedy in good time.

I have, &c.,

JULES JOUBERT,  
Secy. Agr. Society, N.S.W.

Sydney: Thomas Richards, Government Printer.—1869.



1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

# ABATTOIRS.

(RETURNS FOR THE YEARS 1865, 1866, 1867, AND 1868, RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 16 February, 1869.**Laid on Table in reply to Question No. 2. See Votes and Proceedings, No. 35, of Tuesday, 9 February, 1869.*

No. 1.

RETURN of the Number of Beef and Mutton Slaughter-houses leased at the Abattoirs, for the Years 1865, 1866, 1867, and 1868, showing for what term each Slaughter-house was leased, and the Amount received in Rents annually.

Year.	Number leased.	Beef or Mutton.	Term of Lease.	Amount received in Rents annually.	Total Amount received for each Year.
				£ s. d.	£ s. d.
1865 ...	3	Beef .....	One year .....	190 0 0	518 6 8
			Do. ....	190 0 0	
			Do. ....	155 0 0	
	3	Mutton .....	Do. ....	100 0 0	
			Do. ....	100 0 0	
			Ten months .....	83 6 8	
1866 ...	3	Beef .....	One year .....	231 0 0	921 0 0
			Do. ....	240 0 0	
			Do. ....	150 0 0	
	3	Mutton .....	Do. ....	100 0 0	
			Do. ....	100 0 0	
			Do. ....	100 0 0	
1867 ...	2	Beef .....	One year .....	150 0 0	400 0 0
			Do. ....	150 0 0	
	1	Mutton .....	Do. ....	100 0 0	
1868 ...	6	Beef .....	One year .....	170 0 0	1,098 6 8
			Do. ....	150 0 0	
			Do. ....	158 0 0	
			Do. ....	162 0 0	
			Do. ....	150 0 0	
			Do. ....	150 0 0	
	3	Mutton .....	Do. ....	100 0 0	
			Four months .....	33 6 8	
			Three months .....	25 0 0	
GRAND TOTAL .....				£	3,237 13 4

The Treasury, New South Wales,  
8 February, 1869.

W. NEWCOMBE,  
Chief Clerk of Revenue Branch.

## No. 2.

MONTHLY RETURN of Horned Cattle killed in leased Slaughter-houses, during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	600	7 10 0	846	10 11 6	609	7 12 3	1,689	21 2 3
February .....	511	6 7 9	789	9 17 3	468	5 17 0	1,311	16 7 9
March .....	600	7 10 0	870	10 17 6	492	6 3 0	1,365	17 1 3
April .....	597	7 9 3	981	12 5 3	541	6 15 3	1,285	16 1 3
May .....	694	8 13 6	1,044	13 1 0	500	6 5 0	1,447	18 1 9
June .....	573	7 3 3	922	11 10 6	406	5 1 6	1,440	18 0 0
July .....	580	7 5 0	806	10 1 6	451	5 12 9	1,451	18 2 9
August .....	590	7 7 6	810	10 2 6	372	4 13 0	1,287	16 1 9
September .....	800	10 0 0	720	9 0 0	421	5 5 3	1,244	15 11 0
October .....	893	11 3 3	724	9 1 0	372	4 13 0	1,236	15 9 0
November .....	933	11 13 3	630	7 17 6	428	5 7 0	1,188	14 17 0
December .....	1,058	13 4 6	682	8 10 6	465	5 16 3	1,355	16 18 9
Totals .....	8,429	105 7 3	9,824	122 16 0	5,525	69 1 3	16,298	203 14 6

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

## No. 2.

MONTHLY RETURN of Calves killed in leased Slaughter-houses, during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	1	0 0 3	.....	.....	.....	.....	.....	.....
February .....	.....	.....	.....	.....	.....	.....	.....	.....
March .....	.....	.....	.....	.....	.....	.....	.....	.....
April .....	.....	.....	.....	.....	.....	.....	.....	.....
May .....	.....	.....	.....	.....	.....	.....	.....	.....
June .....	.....	.....	.....	.....	.....	.....	.....	.....
July .....	.....	.....	.....	.....	.....	.....	.....	.....
August .....	.....	.....	.....	.....	.....	.....	.....	.....
September .....	.....	.....	.....	.....	.....	.....	13	0 3 3
October .....	.....	.....	.....	.....	.....	.....	30	0 7 6
November .....	.....	.....	.....	.....	.....	.....	21	0 5 3
December .....	.....	.....	.....	.....	.....	.....	32	0 8 0
Totals .....	1	0 0 3	.....	.....	.....	.....	96	1 4 0

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

## No. 2.

MONTHLY RETURN of Sheep slaughtered in leased Abattoirs, on which no Fees are charged.

Month.	1865.	1866.	1867.	1868.
	Number.	Number.	Number.	Number.
January .....	8,100	9,000	9,710	9,832
February .....	7,490	7,350	9,320	9,621
March .....	8,250	8,000	8,970	8,448
April .....	8,000	7,860	9,300	8,000
May .....	9,057	9,200	9,549	9,296
June .....	7,850	8,100	10,120	7,231
July .....	8,150	8,230	8,100	8,730
August .....	9,000	7,647	7,573	7,516
September .....	7,067	8,000	8,379	8,261
October .....	8,301	7,697	8,557	10,738
November .....	7,063	8,050	7,897	12,079
December .....	8,150	8,490	8,239	10,400
Totals .....	96,478	97,624	105,714	110,152

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

## ABATTOIRS.

3

No. 2.

MONTHLY RETURN of Pigs killed in leased Abattoirs, on which no Fees are paid.

Month.	1865.	1866.	1867.	1868.
	Number.	Number.	Number.	Number.
January .....	540	560	.....	.....
February .....	500	490	.....	.....
March .....	490	500	.....	.....
April .....	590	525	.....	.....
May .....	560	610	.....	.....
June .....	600	625	.....	.....
July .....	580	620	.....	.....
August .....	530	580	.....	.....
September .....	500	410	.....	414
October .....	495	412	.....	375
November .....	545	490	.....	400
December .....	610	590	.....	475
Totals .....	6,540	6,412	.....	1,664

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

No. 3.

MONTHLY RETURN of Horned Cattle killed in Public Abattoirs, during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	1,275	63 15 0	1,100	55 0 0	1,468	73 8 0	799	39 19 0
February .....	1,280	64 0 0	1,081	54 1 0	1,160	58 0 0	948	47 8 0
March .....	1,579	78 19 0	1,326	66 6 0	1,292	64 12 0	863	43 3 0
April .....	1,768	88 8 0	1,387	69 7 0	1,475	73 15 0	1,008	50 8 0
May .....	1,984	99 4 0	1,600	80 0 0	1,730	86 10 0	1,104	55 4 0
June .....	1,620	81 0 0	2,112	105 12 0	1,458	72 18 0	1,084	54 4 0
July .....	1,691	84 11 0	2,023	101 3 0	1,727	86 7 0	1,239	61 19 0
August .....	1,898	94 18 0	1,992	99 12 0	1,851	92 11 0	941	47 1 0
September .....	1,487	74 7 0	1,170	58 10 0	1,615	80 15 0	923	46 3 0
October .....	1,425	71 5 0	1,102	55 2 0	1,789	89 9 0	797	39 17 0
November .....	1,701	85 1 0	1,443	72 3 0	1,692	84 12 0	686	34 6 0
December .....	1,487	74 7 0	1,407	70 7 0	1,720	86 0 0	715	35 15 0
Totals .....	19,195	959 15 0	17,743	887 3 0	18,977	948 17 0	11,107	555 7 0

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

No. 3.

MONTHLY RETURN of Sheep killed in Public Abattoirs, during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	2,464	15 8 0	1,644	10 5 6	2,763	17 5 4½	2,096	12 14 6
February .....	2,259	14 2 4½	1,266	7 18 3	2,787	17 8 4½	2,090	13 1 3
March .....	659	4 2 4½	1,331	8 6 4½	2,908	18 3 6	2,205	13 15 7½
April .....	743	4 12 10½	1,732	10 16 6	2,318	14 9 9	2,454	15 6 9
May .....	585	3 13 1½	2,662	16 12 9	3,609	22 11 1½	2,704	16 18 0
June .....	1,392	8 14 0	2,646	16 10 9	2,630	16 8 9	3,088	19 6 0
July .....	1,370	8 11 3	2,762	17 5 3	3,357	20 19 7½	2,702	16 17 9
August .....	1,150	7 3 9	2,377	14 17 1½	4,628	28 18 6	2,629	16 8 7½
September .....	900	5 12 6	2,129	13 6 1½	4,056	25 7 0	2,516	15 14 6
October .....	1,327	8 5 10½	3,726	23 5 9	3,565	22 5 7½	2,983	18 12 10½
November .....	1,181	7 7 7½	2,652	16 11 6	2,862	17 17 9	2,415	15 1 10½
December .....	1,239	7 14 10½	1,819	11 7 4½	2,570	16 1 3	3,082	19 5 3
Totals .....	15,269	95 8 7½	26,746	167 3 3	38,053	237 16 7½	30,904	193 3 0

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

No. 3.

## No. 3.

MONTHLY RETURN of Pigs killed in Public Abattoirs, during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	185	4 12 6	508	12 14 0	868	21 14 0	882	22 1 0
February .....	189	4 14 6	388	9 14 0	742	18 11 0	829	20 14 6
March .....	332	8 6 0	592	14 16 0	996	24 18 0	1,001	25 0 6
April .....	495	12 7 6	544	13 12 0	1,010	25 5 0	1,447	36 3 6
May .....	562	14 1 0	674	16 17 0	1,056	26 8 0	1,126	28 3 0
June .....	945	23 12 6	530	13 5 0	776	19 8 0	1,304	32 12 0
July .....	802	20 1 0	637	15 19 6	1,107	27 13 6	1,347	33 13 6
August .....	592	14 16 0	738	18 9 0	912	22 16 0	1,203	30 1 6
September .....	842	21 1 0	738	18 9 0	892	22 6 0	721	18 0 6
October .....	956	23 18 0	542	13 11 0	936	23 8 0	1,055	26 7 6
November .....	454	11 7 0	573	14 6 6	780	19 10 0	774	19 7 0
December .....	685	17 2 6	571	14 5 6	1,217	30 8 6	893	22 6 6
Totals.....	7,039	175 19 6	7,035	175 18 6	11,292	282 6 0	12,582	314 11 0

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

## No. 3.

MONTHLY RETURN of Calves killed in Public Abattoirs during the Years 1865, 1866, 1867, and 1868.

Month.	1865.		1866.		1867.		1868.	
	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.	Number.	Amount of Fees.
		£ s. d.		£ s. d.		£ s. d.		£ s. d.
January .....	62	1 11 0	14	0 7 0	104	2 12 0	136	3 8 0
February .....	38	0 19 0	1	0 0 6	128	3 4 0	103	2 11 6
March .....	53	1 6 6	31	0 15 6	148	3 14 0	145	3 12 6
April .....	20	0 10 0	133	3 6 6	105	2 12 6	144	3 12 0
May .....	20	0 10 0	89	2 4 6	110	2 15 0	117	2 18 6
June .....	39	0 19 6	57	1 8 6	89	2 4 6	83	2 1 6
July .....	19	0 9 6	62	1 11 0	103	2 11 6	84	2 2 0
August .....	15	0 7 6	135	3 7 6	126	3 3 0	100	2 10 0
September .....	17	0 8 6	145	3 12 6	143	3 11 6	110	2 15 0
October .....	11	0 5 6	218	5 9 0	157	3 18 6	163	4 1 6
November .....	23	0 11 6	206	5 3 0	181	4 10 6	134	3 7 0
December .....	.....	.....	90	2 5 0	164	4 2 0	115	2 17 6
Totals.....	317	7 18 6	1,181	29 10 6	1,558	38 19 0	1,434	35 17 0

11 February, 1869.

F. OATLEY,  
Inspector of Abattoirs.

[Price, 3d.]

Sydney: Thomas Richards, Government Printer.—1869.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## SYDNEY CATTLE SLAUGHTERING PREVENTION BILL.

(PETITION—CERTAIN BUTCHERS OF SYDNEY AND SUBURBS.)

---

*Ordered by the Legislative Assembly to be Printed, 11 February, 1869.*

---

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

The humble Petition of the undersigned,—

RESPECTFULLY SHEWETH :—

(1.) That your Petitioners are Butchers, residing in, and carrying on business in, the City of Sydney and its Suburbs.

(2.) That your Petitioners have been informed that a Bill to prevent slaughtering of Cattle within the City of Sydney was introduced into your Honorable House, on the twenty-ninth day of January last, and read a first time, and ordered to be read a second time on Friday next, the fifth of February.

(3.) That your Petitioners have been informed that the said Bill contains provision for conferring powers calculated to invade the rights and liberties of your Petitioners, as subjects of Her Majesty the Queen.

(4.) Your Petitioners, therefore, humbly pray your Honorable House to delay the said second reading of the said Bill until your Petitioners shall have had time and opportunity to read and consider the Bill.

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

Sydney, 4 February, 1869.

[*Here follow 62 Signatures.*]

---





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CATTLE DISEASES PREVENTION ACT AMENDMENT BILL.  
(MESSAGE RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 25 February, 1869.*

BELMORE,  
Governor.

*Message No. 12.*

In accordance with the 54th clause of the Constitution Act, the Governor transmits to the Legislative Assembly a Bill "to continue and amend the Cattle Diseases Prevention Act" of 1866, and recommends to the Assembly to make provision for the payment of Salaries and other expenses connected therewith.

*Government House,  
Sydney, 17th February, 1869.*



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

# DISEASES IN SHEEP ACT AMENDMENT BILL.

(MESSAGE RESPECTING.)

---

*Ordered by the Legislative Assembly to be Printed, 25 February, 1869.*

---

BELMORE,  
Governor.

*Message No. 13.*

In accordance with the 54th clause of the Constitution Act, the Governor transmits to the Legislative Assembly a Bill to amend the Diseases in Sheep Act of 1866, and recommends to the Assembly to make provision for the payment of Salaries and other expenses connected therewith.

*Government House,  
Sydney, 17th February, 1869.*

---



1868.  
LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

## CROWN LANDS.

(STATEMENT OF CONDITIONAL PURCHASES, MADE UNDER THE CROWN LANDS ALIENATION ACT OF 1861.)

*Ordered by the Legislative Assembly to be Printed, 14 October, 1868.*

SCHEDULE shewing the total number of Conditional Purchases made in New South Wales, from 1st January, 1862, to 30th June, 1868.

Year.	Number of Selections.	Area selected.	Forfeitures.		Cancellations.		Transfers.		Yearly Interest.		Balances paid.		Balances to be paid.	
			Number.	Area.	Number.	Area.	Number.	Area.	Number.	Amount.	Number.	Amount.	Number.	Amount.
		a. r. p.		a. r. p.		a. r. p.		a. r. p.		£ s. d.		£ s. d.		£ s. d.
1862 .....	4,552	360,087 0 38	666	45,920 3 35	581	51,081 3 26	560	49,086 1 5	2,574	7,615 8 0	731	47,259 11 9	2,574	152,309 13 8
1863 .....	3,558	256,823 0 2	743	55,234 0 0	413	37,063 2 27	617	44,704 0 32	2,077	5,342 16 5	325	17,008 1 9	2,077	106,855 6 5
1864 .....	2,351	164,106 2 21	562	41,343 2 24	170	12,072 3 0	324	23,264 0 38	1,485	3,767 2 5	134	8,405 1 3	1,485	75,342 16 3
1865 .....	2,166	145,207 3 0	272	19,366 2 0	198	14,939 2 0	212	14,898 2 0	1,640	4,023 4 8	56	3,389 1 3	1,640	80,464 10 0
1866 .....	4,253	356,320 1 27	170	14,446 2 25	384	37,911 1 11	286	27,246 3 18	.....	.....	1	480 0 0	3,698	229,509 6 6
1867 .....	2,991	232,706 3 32	5	200 0 0	198	17,138 1 32	67	6,489 2 0	.....	.....	.....	.....	2,788	162,948 7 6
1868 (to 30th June).	1,564	119,582 1 4	2	120 0 0	54	4,110 0 24	4	460 0 0	.....	.....	.....	.....	1,508	86,919 7 6
Grand Total ...	21,435	1,634,834 1 4	2,420	176,631 3 4	1,998	174,317 3 0	2,070	166,149 2 13	7,776	20,748 11 6	1,247	76,541 16 0	15,770	894,349 7 10

SELECTIONS UNDER 19TH CLAUSE, INCLUDED IN ABOVE SCHEDULE.										£ s. d.	
Forfeitures ...	...	...	...	6	...	720 acres.					
Cancellations ...	...	...	...	39	...	7,923 "					
Balances paid ...	...	...	...	14	...	2,971 "					
Balances to be paid ...	...	...	...	65	...	7,665 "					
Total ...	...	...	...	124	...	19,279 "					
										Total amount received from Deposits on Conditional Purchases ...	408,708 11 3
										Total amount of Deposits refunded on account of cancelled Conditional Purchases ...	43,579 8 9
										Balance ...	£365,129 2 6



1868.

## NEW SOUTH WALES.

## CROWN LANDS.

(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, Sec. 5.

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.
Armstrong's Forest ... ..	St. Vincent ... ..	Portion	138	Parish of Congola, near the road from Ulladulla to Shoalhaven.	a. r. p. 2 0 0	Roman Catholic Burial Ground—68-2805
Adaminiby ... ..	Wallace ... ..	4 & 5	3	Parish of Seymour, Town of Adaminiby	1 0 0	Roman Catholic Church—65-15247. s.g.
Do. ... ..	do. ... ..	1	3	.....	0 2 0	Roman Catholic Presbytery "
Araluen, West ... ..	St. Vincent ... ..	4, 5, & 6	4	Village of Araluen, West	1 2 0	Roman Catholic Church and Presbytery—68-316
Do., do. ... ..	do. ... ..	10, 11, & 12	4	Do.	1 2 0	Church of England Church and Parsonage—68-315
Balgowlah (Manly) ... ..	Cumberland	.....	.....	At Balgowlah, Parish of Manly Cove	1 0 0	Church of England Burial Ground—65-5349. s.g.
Balranald ... ..	Caira ... ..	2, 3, & 4	27	Town of Balranald	1 2 0	Public School—68-510
Banks' Meadow (Botany) ... ..	Cumberland	.....	.....	Parish of Botany, at Botany Bay	11 0 0	Public Recreation—68-3433
Binalong ... ..	Harden ... ..	.....	.....	Parish of Binalong, at Binalong	7 2 0	General Cemetery—67-4563. s.g.
Bingera ... ..	Murchison	.....	.....	Near the Town of Bingera	7 2 0	General Cemetery—67-8215. s.g.
Bourke ... ..	Cowper ... ..	1, 2, & 10	4	Town of Bourke	1 2 0	Wesleyan Church and Minister's Residence—67-1503. s.g.
Bredalbane ... ..	Argyle ... ..	.....	.....	Parish of Bredalbane, near the N.W. corner of P. Cahill's portion, 14, of 38 acres and 1 rood.	2 0 0	Public School—68-2061
Breewarrina ... ..	Clyde ... ..	.....	.....	Parish of Breewarrina, Darling River	650 0 0	Permanent Common—68-2756
Brogo River (Bega) ... ..	Auckland ... ..	Portion	91	Parish of Bega	53 0 0	Reserve for access to water—68-1091
Broke ... ..	Northumberland	3A	26	Village of Broke	2 0 0	Public School—67-7769. s.g.



## ABSTRACT, &amp;c.—continued.

2

CROWN LANDS.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose Dedicated.
Brushgrove Reserve (Clarence River)	Clarence ...	7, 9, & 10	5	Woodford Island, and within the Brushgrove Reserve.	a. r. p. 1 2 0	Wesleyan Church and Minister's Residence—67-858. s.g.
Do. do.	do. ...	6	5	Do. do.	0 2 0	Church of England Church—68-512
Bullenbelong ...	Wallace ...	Portions	21 & 22	At the Round Plain, Parish of Bullenbelong ...	1 2 0	Presbyterian Church and Manse—68-1095
Bungowanah (near Albury)...	Hume ...	.....	.....	Parish of Bungowanah ...	1 2 0	Wesleyan Church and Minister's Residence—67-926. s.g.
Carroll...	Buckland ...	1, 2, & 10	16	Town of Carroll ...	1 2 0	Wesleyan Church and Minister's Residence.
Cherry Tree Hill (near Uralla)	Sandon ...	Portion	217	At Cherry Tree Hill on the road from Kentucky to Uralla.	2 0 0	Public School—68-813
Coonamble ...	Leichhardt ...	8, 9, & 10	13	Town of Coonamble ...	1 2 0	Presbyterian Church and Manse—67-6836. s.g.
Do. do.	do. ...	6 & 7	6	Do. do.	1 0 0	Public School—68-2222
Coolac ...	Harden ...	1, 2, 3, 4, 19, & 20	7	Village of Coolac ...	1 2 0	Wesleyan Church and Minister's Residence—67-8035. s.g.
Cooroobongatti, Macleay River	Dudley ...	.....	.....	Parish of Cooroobongatti ...	1 2 0	Church of England Church and Parsonage—67-5962
Cootamundry ...	Harden ...	.....	.....	Parish of Cootamundry, at Cootamundry	18 3 24	Water Reserve.
Copmanhurst ...	Clarence ...	12, 13, 14, & 15	4	Town of Copmanhurst ...	1 2 0	Presbyterian Church and Manse—67-5317. s.g.
Coraki ...	Richmond...	4 & 6	66	Village of Coraki, Parish of West Coraki	1 2 0	do. do. 66-19721. s.g.
Corowa ...	Hume ...	Portions	65 & 66	Parish of Corowa, on the Murray River	177 0 0	Public Watering-place—67-1424. MIS.
Cowra ...	Bathurst ...	15	11	Town of Cowra ...	1 0 0	Public School—65-15278. s.g.
Dubbo ...	Lincoln ...	Portion	186	Parish of Dubbo, on the road from Dubbo to Mudgee.	160 0 0	Recreation Reserve—68-946. MIS.
Emu ...	Cook ...	.....	.....	Parish of Strathdon, at Emu ...	1 2 0	Wesleyan Church and Minister's Residence—67-4604. s.g.
Forbes ...	Ashburnham	1, 2, 3, & 4	31	Town of Forbes ...	2 0 0	Public School—68-211. MIS.
Frederick ...	Bathurst ...	2, 9, & 10	25	Town of Frederick ...	1 2 0	Wesleyan Church and Minister's Residence—67-7124 s.g.
Frederickton ...	Dudley ...	.....	.....	Parish of Yarrabindini, near Frederick	7 2 1	General Cemetery—66-21424
Grafton ...	Clarence ...	10	9	Town of Grafton, Parish of Great Marlow	0 2 0	Church of England Church—68-1975. MIS.
Do. North*	do. ...	.....	.....	On the Great South Road from Grafton, about 16 chains south of the southern boundary of S. Aitkins' 326 acres.	5 0 0	General Cemetery.
Gumly Gumly ...	Wynyard ...	.....	.....	Murrumbidgee River, at N.W. corner of Peters' 165 acres.	125 0 0	Public Watering-place—66-3373
Gundagai ...	Clarendon...	.....	.....	Parish of Gundagai, at Gundagai ...	123 0 0	Public Recreation—68-1630. MIS.
Gundaroo ...	Murray ...	7, 8, 9, & 10	31	Town of Gundaroo ...	1 3 20	Public School—68-514. MIS.
Gundurimba ...	Rous ...	2	30	Town of Gundurimba ...	2 0 0	do. 67-3959. MIS.
Hay ...	Waradgery ...	Portions	82 & 82A	Town of Hay ...	1 2 0	Church of England Church and Parsonage—67-217. MIS.
Hyde's Fall, Bellingen River	Raleigh ...	.....	.....	Parish of South Bellingen, near Hyde's Fall, near north arm of Bellingen River.	7 2 0	General Cemetery—67-3480. s.g.
Inverell ...	Arrawatta...	4 & 5	20	Town of Inverell...	1 2 0	Wesleyan Church and Minister's Residence.
Kangaloon ...	Camden ...	Part of portion	183	Parish of Kangaloon, near W. Johnstone's portion 128.	1 0 0	Primitive Methodist Church and Minister's Residence.
Do. ...	do. ...	Portions	184 & 186	Parish of Kangaloon, near portion 20, containing 43 acres and 3 roads.	1 2 0	Wesleyan Church and Minister's Residence.
Kempsey West ...	Macquarie...	19 & 20	12A	Town of West Kempsey ...	1 2 0	Wesleyan Church and Minister's Residence.

\* This land has already been dedicated, but was improperly described as in South Grafton in the Abstract submitted to Parliament and published in a Supplement to the Government Gazette of the 16th July, 1863.

ABSTRACT, &c.—continued.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose Dedicated.
					a. r. p.	
Kempsey West	Dudley	.....	.....	Parish of Boranghi, at West Kempsey	7 2 39	General Cemetery.
Kinchela	Macquarie	Portion	14	Parish of Kinchela, on Darkwater Creek	2 0 0	Public School.
Do.	do.	Portions	12 & 13	do. do.	1 2 0	Church of England Church and Parsonage.
Kyuga	Brisbane	1, 2, & 3	22	Village of Kyuga, parish of Ellis	1 1 34	Public School.
Liverpool	Cumberland	.....	.....	On the western side of Bigg's-street, in the Town of Liverpool.	0 2 9	Public School.
Marulan	Argyle	.....	.....	Parish of Marulan, at Marulan, on the Great Southern Road.	2 0 0	Public School.
Moonbi	Inglis	.....	.....	Parish of Moonbi, at Moonbi	7 2 0	General Cemetery.
Moorwatha	Hume	Portions	90 & 91	Parish of Moorwatha	1 2 0	Church of England Church and Parsonage
Moruya	Dampier	{ 1 8 & 9 }	{ 19 20 }	Village of Moruya	2 0 0	Market.
Mudgee	Wellington	.....	.....	Town of Mudgee, at the intersection of Market and Perry Streets.	4 0 0	Market.
Mulwala	Denison	1, 2, & 10	2	Town of Mulwala	1 2 0	Church of England Church and Parsonage.
Murrurundi	Brisbane	.....	.....	Near the Town of Murrurundi	7 2 0	General Cemetery.
Narrabri	Nandewar	.....	.....	Town of Narrabri	1 0 0	Addition to Site for Hospital.
Do.	do.	.....	.....	Parish of Narrabri, near the Town of Narrabri	7 2 0	General Cemetery.
Do.	do.	1, 2, 3, 4 & 15	13	Town of Narrabri	1 2 0	Wesleyan Church and Minister's Residence.
Newcastle	Northumberland	.....	.....	On the north side of Hunter-street, between Wolfe and Newcomen Streets, in the City of Newcastle.	0 2 3	Market.
Norah	do.	.....	.....	Parish of Wallarah, near Norah	7 2 0	General Cemetery.
Nundle	Parry	.....	.....	At Nundle	363 0 0	Permanent Common.
Nymboida	Fitzroy	Portion	5	Near the Nymboida River	2 0 0	Public School.
Obley	Gordon	4, 5, & 6	3	Village of Obley	1 2 0	Presbyterian Church and Manse.
Ollera	Hardinge	4, 5, & 6	6	Village of Ollera	1 2 0	Presbyterian Church and Manse.
Oxley Island (Manning River)	.....	.....	.....	On Oxley Island, Manning River	2 0 0	Public School.
Palmer's Oak Creek (Upper Turon)	Roxburgh	Portion	62	Parish of Dulabree, near Palmer's Oak Creek	2 2 0	General Burial Ground.
Panbula	Auckland	3 & 4	11	Town of Panbula	1 0 0	Church of England Church.
Do.	do.	14	11	do.	0 2 0	Public School.
Pitt Town	Cumberland	.....	.....	At Pitt Town, on eastern side of Chatham-street	0 1 0	Presbyterian Manse.
Quarrybylong	Northumberland	Portion	51	Parish of Quarrybylong, at Quarrybylong	2 0 0	Public School.
Raymond Terrace	Gloucester	.....	.....	Parish of Eldon, at Raymond Terrace	4 0 8	Market.
Richmond River, near Saw Mills	Rous	.....	.....	Parish of Tuckurimba, near Richmond River Saw Mills.	3 3 0½	General Cemetery.
Robertson	Camden	4, 5, & 7	1	Village of Robertson, Parish of Yarrawa	1 2 0	Roman Catholic Church and Presbytery.
Rylstone	Roxburgh	11, 12, 13, 14, & 15	4	Town of Rylstone	1 2 0	Site for a Market.
St. Alban's	Northumberland	Portion	3A	Parish of St. Alban's, at St. Alban's	0 3 36	Church of England Burial Ground.

## ABSTRACT, &amp;c.—continued.

4

[Price, 3d.]

Sydney: Thomas Richards, Government Printer—1880.

CROWN LANDS.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose Dedicated.
					a. r. p.	
St. Alban's ... ..	Northumberland ...	Portion	2	Parish of St. Alban's, at St. Alban's ...	0 1 36	Roman Catholic Burial Ground.
Do. ... ..	do. ... ..	do.	3	do. do. ... ..	0 1 38	Wesleyan Burial Ground.
St. Leonard's ... ..	Cumberland ... ..	Sections	4, 19, & 20	At St. Leonard's ... ..	28 0 0	Public Recreation.
Do. ... ..	do. ... ..	.....	.....	Parish of Willoughby, near the Willoughby Water Fall, St. Leonard's.	53 0 0	Reserve for access to Water and Public Recreation.
Stony Creek ... ..	Wellington ... ..	.....	.....	Parish of Ironbarks, on the Stony Creek Gold Field.	200 0 0	Permanent Common.
Sutton Forest... ..	Camden ... ..	3 & 4	3	Within the Village Reserve of Sutton Forest ...	1 0 24	Roman Catholic Church and Presbytery.
Thurgona ... ..	Goulburn ... ..	Portion	74	Parish of Thurgona, on the road from Albury to Sydney.	2 0 0	Public School.
Tucki Tucki (Richmond River) ...	Rous ... ..	do.	32	Parish of Tuckurimba, Richmond River ...	2 0 0	do.
Tumut ... ..	Wynyard ... ..	9 & 10	9	Town of Tumut ... ..	1 0 0	do.
Turrarnia ... ..	Denison ... ..	Portion	44	Parish of Turrarnia ... ..	2 0 0	do.
Do. ... ..	do. ... ..	do.	4	do. ... ..	106 0 0	Public Watering Place.
		and its extension southerly to the Murray River, and northerly 64 chains.				
Ulladulla ... ..	St. Vincent ... ..	4	3A	Town of Ulladulla ... ..	0 2 0	School of Arts.
Do. ... ..	do. ... ..	.....	.....	Parish of Ulladulla ... ..	7 2 0	General Cemetery.
Ullmarra ... ..	Clarence ... ..	.....	.....	Parish of Ullmarra, on the Clarence River ...	0 1 32	Church of England Church.
Urana ... ..	Urana ... ..	1 & 2	12	Town of Urana ... ..	1 2 0	Wesleyan Church and Minister's Residence.
Do. ... ..	do. ... ..	.....	.....	Parish of Urana, at Urana ... ..	7 2 0	General Cemetery.
Wagonga ... ..	Dampier ... ..	.....	.....	Parish of Wagonga, on the south bank of the Wagonga River.	1 2 0	Wesleyan Church and Minister's Residence.
Walgett ... ..	Baradine ... ..	.....	.....	Parish of Walgett, near Walgett ... ..	640 0 0	Permanent Common.
Wandrawandian (near) ... ..	St. Vincent ... ..	Portion	34	Parish of Farnham, Wandrawandian Creek ...	10 0 0	Public School.
Wee Waa ... ..	White ... ..	.....	.....	Parish of Wee Waa, at Wee Waa ... ..	614 0 0	Permanent Common.
Wellington ... ..	Wellington ... ..	1, 2, & 3	21	Town of Wellington ... ..	1 2 0	Church of England Church and Parsonage.
Weromba ... ..	Camden ... ..	Part of portion	93	Parish of Weromba ... ..	7 2 0	General Cemetery.
Do. ... ..	do. ... ..	do.	93	do. ... ..	1 2 0	Church of England Church and Parsonage.
Willoughby (North)... ..	Cumberland ... ..	.....	.....	At North Willoughby, near St. Leonard's ...	140 0 0	Public Recreation.
Do. ... ..	do. ... ..	.....	.....	do. do. ... ..	2 0 0	Site for Municipal Council Chamber.
Windeyer ... ..	Wellington ... ..	Portion	66	Parish of Windeyer, near Spring Creek ...	1 0 0	Chinese Burial Ground.
Windsor ... ..	Cumberland ... ..	.....	.....	Town of Windsor, at the intersection of George and Christie Streets.	1 0 0	Public School.
Young ... ..	Monteagle ... ..	12 & 14	43	Town of Young ... ..	1 2 0	Roman Catholic Church and Presbytery.

1868.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

**CROWN LANDS.**  
(RESERVED AS SITES FOR CITIES, TOWNS, AND VILLAGES.)

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th Section of the Act 25 Victoria, No. 1, during the period from 21st April, 1868, to 10th December, 1868.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Nerrigundah.....	240 ac.	.....	County of Dampier, Parishes of Nerrigundah and Cadgee on Gulph Creek.	1868. 24th April. Folio 1159.
Coree.....	265 ac.	214 ac.	County of Townsend, at Coree, Billabong Creek.	26th Aug. Folio 2891.
Uarbry .....	81 ac. 2r.	76 ac. 2r.	County of Bligh, on the Talbragar River, at Uarbry.	4th Sept. Folio 3123.
Kenlis .....	80 ac.	40 ac.	County of Westmoreland, Parish of Bolton, at the Fish River.	18th Sept. Folio 3254.



1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED AS SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, sec 4.

ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th Section of the Act 25 Victoria No. 1, during the period between 15th February and 15th March, 1869.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Gerogery .....	156 acres	540 acres	County of Goulburn, on Gerogery Creek.	23 February. Fol. 477.



1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE AS SITES FOR FUTURE VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until Surveyed, as Sites for future Villages, during the period from 21st April, 1868, to 10th December, 1868.

No.	Locality.	Area.	Government Gazette in which the description is published.
553	County of Denison, Parish of Cotadidda, Murray River	320 acres...	21 April, 1868. Fol. 1121
—	County of Raleigh, on the south arm of the Bellinger River.	415 " ...	29 " " 1195
—	County of Hume, on the road from Corowa to Urana at Coreen.	640 " ...	26 June " 1836
399	At The Single Tree, on the road from Hay to Booligal...	640 " ...	10 July " 1997
11 amended	County of Raleigh, on the northern branch of the Nam- bucca River, called Bowra.	820 " ...	21 Aug. " 2830
4 extended	Counties of Phillip and Bligh, at the junction of Mool- arben Creek with the Goulburn River.	640 " ...	4 Sept. " 3122
222	At the crossing of the new road from Glen Innes to Inverell, over Swanbrook.	640 " ...	18 " " 3255





1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, AS SITES FOR FUTURE VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, sec 4.

ABSTRACT of Crown Lands reserved from Sale until Surveyed, as Sites for future Villages, during the period from 22nd January, 1869, to 12th February, 1869.

No.	Locality.	Area.	<i>Government Gazette.</i> in which the description is published.
410	County of Forbes, on the Lachlan River, near its confluence with Kangaroo Creek.	3,080 acres...	22 Jan., 1869. Fol. 175.



1868.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

*Ordered by the Legislative Assembly to be Printed, 17 December, 1868.*

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, during the period from 21st April, 1868, to 10th December, 1868.

No.	Locality.	Area.	Government Gazette in which the description is published.
317	County of Ashburnham, on the Yeugoura Run .....	40 acres...	21 April, 1868, fol. 1120
318	County of Ashburnham, on the Yeugoura Run .....	40 " .....	" " "
12	County of Camden, Parish of Calderwood, at the head of the Macquarie Rivulet.	20 " .....	" " "
554	County of Goulburn, Parish of Back Creek, Billabong Run.	240 " .....	24 " 1158
555	County of Goulburn, Parish of Back Creek, Billabong Run.	151 " .....	" " "
556	County of Goulburn, Parish of Back Creek, Billabong Run.	80 " .....	" " "
557	County of Goulburn, Parish of Back Creek, Billabong Run.	12 " .....	" " "
558	County of Goulburn, Parish of Back Creek, Billabong Run.	100 " .....	" " "
559	County of Goulburn, Parish of Back Creek, Billabong Run.	42 " .....	" " "
327	County of Cunningham, Parish of Condoumlin, portions 13 and 35, and the Reserve between portions 6 and 7	.....	" 1159
65	County of Wellesley, Parish of Gecar, Bombala River, at the crossing of the Bombala and Gunningrah Roads.	128 acres...	" "
326	County of Ashburnham, on the road from Nanima to Orange, at Batly's 40 acres conditional purchase.	55 " .....	" 1160
41	On left bank of Darling River, 70 chains below lower boundary of Merry Run.	1,280 " .....	8 May, 1868, fol. 1282
134	County of Drake, Lambing Flat Reserve .....	576 " .....	" "
247	County of Stappilton, Gurrall Head Station, Coorac Run .....	480 " .....	" "
248	Gill Gill Creek, Curraa Run .....	480 " .....	" "
249	County of Burnett, Gragin Flat, Gragin Run .....	640 " .....	" "
250	County of Burnett, Mosquito Spring South .....	640 " .....	" "
251	Dhumboy Waterhole, on the Gragin Run .....	640 " .....	" "
252	Kelly's Gully, Gragin Run .....	640 " .....	" "
253	Mosquito Spring North, Graman Run .....	640 " .....	" "
254	County of Burnett, Jardine's Watercourse, Graman Run.	640 " .....	" "
255	County of Burnett, at Gullingutta, Graman Run .....	320 " .....	" "
256	The Road Station Spring, Graman Run .....	640 " .....	" "
257	County of Burnett, Graman Plain, Graman Run .....	640 " .....	" "
258	County of Burnett, Middle Station Springs, Graman Run.	640 " .....	" "
397	County of Bourke. Portion of the Ganmain Run .....	1,396 " .....	" "
398	County of Bourke, Parish of Kolkibitoo, Kolkibitoo Run.	1,270 " .....	" "
329	County of Parry. Portion of the Bubbogullion Run ...	320 " .....	" "
330	County of Pottinger, the Battery Reserve, Pulleming Run.	3 sq. m...	" "

No.	Locality.	Area.	Government Gazette in which the description is published.
331	County of Pottinger, left bank of Mooki River, 8 miles south from Carroll.	320 acres...	8 May, 1868, fol. 1282
217	The Crossing-place Reserve at Ashford, Frazer's Creek Run.	640 " ...	" "
218	Sandy Camp Creek, Inverell, Redbank Run .....	640 " ...	" "
219	Stonehenge Creek, County of Gough, Stonehenge Run .....	640 " ...	" "
8	County of Cook, near Mount Tomah .....	62 ac. 1 r. 24 p.	15 " 1374
8	County of Argyle, Parish of Marulan, on the Great Southern Railway, portion 94.	62 " 1 " 24 "	" "
4	County of Phillip, Moolarben Creek, near its junction with Goulburn River.	17½ acres	20 " 1577
66	County of Dampier, Parish of Nerrigundah, Tuross River.	37 " ...	" "
399	Bogolong Run, Parish of Bookham .....	110 " ...	" "
4	County of St. Vincent, on the Clyde River, at the junction of Woodburn or Boyne Creek.	.....	" "
3	At Burroman, on the Clyde River, Parishes of Mogood and Albert.	.....	" "
42	County of Young, Darling River, Mulyenery Run .....	2,560 acres... (about)	9 June, 1868, fol. 1699
43	East Mulyenery, on the Potacingoga Run .....	2,720 " ... (about)	" "
44	County of Livingstone, Darling River, Potacingoga Run .....	2,560 " ... (about)	" "
45	County of Menindie, at Nongama, Weinteriga Run.....	2,560 " ... (about)	" 1700
46	County of Menindie, at Colendeya. Portion of Wein-teriga Run.	2,560 " ... (about)	" "
259	Cudgildool Waterhole, Big River, Boonaldoon Run.....	640 " ...	" "
260	Brain Waterhole, Big River. Portion of Bullorawa Run.	640 " ...	" "
261	Nepickallina Waterhole, Moomin Creek.....	640 " ...	" "
262	At Picambool, on the Nepickallina and Cumbadello Runs.	320 " ...	" "
263	At Telaraga, Meei River, on the Telaraga Run.....	640 " ...	" "
264	At Dindinna, at the junction of Five-mile Creek with Meei River, Telaraga Run.	640 " ...	" "
265	Tycannah, near the Moree and Bumble Road .....	160 " ...	" "
266	At Merridool Lagoon, Tycannah Run.....	160 " ...	" "
267	Noonah Waterhole, Tyreel Run .....	640 " ...	" "
268	Goonal, near Wallanool Sheep Station, Wallanool Run .....	320 " ...	" "
269	Carlele Lagoon. Portion of Wallanool Run.....	160 " ...	" "
368	At Limestone Creek, in the Parish of Bobra, County of Harden.	140 " ...	" "
66	At Spring or Burda Creek, on the Murrumbidgee River, Cuppacumbalong Run.	240 " ...	" "
67	County of Cowley, Parish of Cuppacumbalong, Murrumbidgee River.	960 " ...	" "
554	Parish of Tararie, Wakool River, Tararie Run.....	640 " ...	16 " 1748
—	County of Goulburn, Parish of Wagra, Hore's Swamp Creek.	64 " ...	26 " 1836
47	County of Livingstone, Darling River, on the Werimbla Run.	1,920 " ...	30 " 1880
48	County of Livingstone, Old Tintinology, Werimbla Run.	2,460 " ...	" "
270	Crossing-place Reserve, on the Gunywarildi Run .....	1,000 " ...	" 1881
271	Cox's Ridge Reserve, on the Gunywarildi Run .....	1,000 " ...	" "
272	Apple-tree Flat Reserve, Gunywarildi Run.....	1,280 " ...	" "
273	Ottley's Spring Reserve, on the Gunywarildi Run .....	1,280 " ...	" "
274	Lagoon Dam Reserve, Gunywarildi Run .....	160 " ...	" "
275	Boundary Reserve, Croppa Creek, Gunywarildi Run...	640 " ...	" "
276	On the Barwin River, at the crossing-place of the road from Pockataroo to Willibilla.	640 " ...	" "
277	Bullenboora Dam. Portion of the Weeweeclary Run .....	640 " ...	" "
278	Wirir Waterhole, Meei River. Portion of Wirir Run...	640 " ...	" "
135	Parish of Southgate, at the Everlasting Swamp .....	80 a. 2 r. 16 p.	10 July, 1868, fol. 1936
6	County of Roxburgh, Parish of Melrose, adjoining Hassall's 800 acres.	60 a. 3 r...	" "
279	At Moree, on the Meei or Gwydir River .....	600 acres...	" 1997
—	County of Bligh, on the Cudgegong River, commencing at the confluence of Uamby Creek.	35 sq. m...	14 " 2073
43	At Gulgong, on the Cooyal Creek .....	4,380 acres...	21 Aug., 1868, fol. 2827
555	County of Goulburn, Parish of Carabobala, Carabobala Run.	45 a. 2 r...	" 2831
557	Parish of Carabobala, Carabobala Run, Billabong Creek .....	84 acres...	" "
556	Parish of Carabobala, Carabobala Run, Billabong Creek .....	200 " ...	" 2832
558	Parish of Carabobala, Carabobala Run, Billabong Creek .....	423 " ...	" "
561	Parish of Cookardinia, at Sawyer's Creek .....	17 a. 2 r. 13 p.	" "
560	Parish of Cookardinia, on Back Creek, Billabong Run...	5 a. 2 r...	" "
559	At the crossing of Billabong and Cookardinia Road over Back Creek.	125 acres...	" "
329	At Beehive, on the Peel River, Bubbogullion Run .....	437 " ...	" "
13	Parishes of Mittagong and Kangaloon, Wingecarribee Swamp.	1,170 " ...	" "

## CROWN LANDS.

3

No.	Locality.	Area.	Government Gazette in which the description is published.
220	At the Mother of Ducks Lagoon near Falconer, County of Sandon.	3,360 acres...	26 Aug., 1868, fol. 2891
49	Paroo River, Thoulcuma East and West Runs.....	640 " "	" "
563	Parish of Bangus, at the junction of Oak Creek with Murrumbidgee River.	110 " "	4 Sept., 1868, fol. 3121
68	Portion 62, Parish of Pickering, on the road from Cooma to Bombala.	165 a. 3 r...	" 3122
—	County of Bathurst, on Erowinbang, on Flyer's Creek...	1,025 acres...	" "
5	County of Phillip, Parish of Growee.....	20 " "	" "
7	County of Roxburgh, Parish of Eusdale.....	1,560 " "	18 " 3255
8	Parish of Marangaroo, at Lithgow's Valley.....	2,700 " "	22 " 3275
9	County of Cook, Parish of Lidsdale, on Solitary Creek...	1,470 " "	" "
10	County of Cook, Parish of Lidsdale, on Solitary Creek...	623 " "	" "
11	Parish of Lidsdale, at Walarewang.....	5,000 " "	" "
8	County of Roxburgh, Parish of Yetholme.....	2,070 " "	" "
9	County of Roxburgh, Parish of Yetholme.....	1,100 " "	" "
565	County of Goulburn, Parish of Carabobala, on Billa-bong Creek.	6 " (about)	" "
220	Parish of Stonehenge, near the confluence of Stonehenge Creek with the Beardy Waters.	216 acres...	" 3276
11	County of Roxburgh, Parish of Crudine, Crudine Creek	40 " "	9 Oct., 1868, fol. 3446
566	County of Goulburn, Parish of Coccock, Yarra Yarra Creek.	170 " "	" "
567	County of Goulburn, Parish of Coccock, Yarra Yarra Creek.	159 a. 2 r.	" "
568	County of Goulburn, Parish of Yarra Yarra.....	279 acres...	" "
569	County of Goulburn, Parish of Yarra Yarra, on Yarra Yarra Creek.	840 " "	" "
570	County of Wynyard, Parish of Wereboldera, Tumut River.	10 " "	13 " 3486
50	County of Young, at Corega, on the Darling River.....	2,560 " "	10 " 3476
51	County of Killara, 6-mile Point, Darling River, Myali Run.	2,560 " "	" 3477
52	County of Killara, Darling River, Myali Run.....	2,560 " "	" "
136	At the confluence of Chambigne and O B X Creeks, County of Clarence.	640 " "	" "
279	County of Murchison, on Delingra Creek, Delingra Run	640 " "	" "
280	County of Murchison, Keringobaldie Run.....	640 " "	" "
400	County of Monteagle, Burrangong Creek, Burrangong Run.	640 " "	" "
401	County of Clarendon, north bank of Houlahan's Creek, Gobbagomlin Run.	160 " "	" "
402	County of Monteagle, The Big Flat. Portion of Kener Run.	640 " "	" "
332	On the Namoi River, at Oaky Point, Baan Baa South Run.	758 " "	" "
333	On the road from Bogabri to Turrawona, Baan Baa South Run.	190 " "	" "
334	At Dubbleon Station, Namoi River, Bondaballa Run...	652 " "	" "
335	On the new road from Gunnedah to Narrabri, Cowmore Run.	514 " "	" "
336	On the new road from Gunnedah to Narrabri, Henry-andie Run.	374 " "	" "
337	At the Henryandie Lagoon, Henryandie Run.....	472 " "	" "
338	At the Burnt-down Yard, Moredevil Run.....	160 " "	" "
339	About 1 mile north-east from Ganary Hut, Moredevil Run.	40 " "	" "
340	At the junction of Bullewa Creek with the Namoi River, Tibereenah Run.	326 " "	" "
341	At north end of Broadwater, Namoi River, Turrawon Run	850 " "	" 3478
571	On left bank of Murrumbidgee River, Burrabogie Run..	16,000 " "	" "
572	On left bank of Murrumbidgee River, Burrabogie Run..	3,200 " "	" "
573	On left bank of Murrumbidgee River, Burrabogie Run..	3,000 " "	" "
574	At the boundary of Burrabogie and Mulberrygong Runs	1,600 " "	" "
575	On left bank of Eurolie Creek, Burrabogie, Block A, Run	640 " "	" "
576	On right bank of Eurolie Creek, Burrabogie, Block A, Run.	640 " "	" "
577	Left bank of Eurolie Creek, Burrabogie, Block A, Run...	640 " "	" "
578	At the junction of Wakool and Yallakool Creeks, Cobran Run.	2,720 " "	" "
579	On the south side of Wakool Creek, adjoining Warbreccan Run.	3,200 " "	" "
580	On the north bank of Wakool Creek, adjoining Warbreccan Run, Cobran Run.	960 " "	" "
581	On south bank of Wakool Creek, on the Warbreccan Run.	3,200 " "	" "
582	At the Yallakool Creek, on the Cobran Run.....	960 " "	" "
583	On the boundary between Toganmain and Mulberrygong Runs. Portion of Mulberrygong Run.	1,600 " "	" "
584	On the left bank of the Murrumbidgee River. Portion of the Mulberrygong Run.	2,900 " "	" "
586	On left bank of Eurolie Creek, Mulberrygong, Block A, Run.	.....	" "
587	On left bank of Eurolie Creek, Mulberrygong, Block A, Run.	640 acres...	" 3479

## CROWN LANDS.

No.	Locality.	Area.	Government Gazette in which the description is published.
588	On a branch of Eurole Creek, Mulberrygong, Block A, Run.	160 acres...	10 Oct., 1868, fol. 3479
589	On the Eurole Creek. Portion of Mulberrygong, Block B, Run.	640 " ...	" "
66	On left bank of Culgoa River, $\frac{1}{2}$ a mile below Collic's Inn, Birie Run.	1,600 " ...	" "
67	On left bank of Culgoa River, $\frac{1}{2}$ mile below Collic's old house, Birie Run.	1,600 " ...	" "
68	Right bank of Culgoa River, $\frac{1}{4}$ mile below Evans' old yard, Kunreberree Run.	1,600 " ...	" "
69	At the junction of Culgoa River and Birie Creek, Kunreberree Run.	1,600 " ...	" "
70	At the junction of the Culgoa River and Birie Creek, Kunreberree East Run.	1,600 " ...	" "
71	On left bank of the Culgoa River, $\frac{1}{4}$ mile below Evans' old portion of Kunreberree East Run.	1,600 " ...	" "
72	On the right bank of the Birie Creek, at Standley's Camp, Milroy Run.	3,200 " ...	" "
73	Right bank of Birie Creek, Milroy North Run.....	3,200 " ...	" "
74	On left bank of Birie Creek, Morven Run.....	3,200 " ...	" "
75	About the centre of Thully's Springs, Thully's Springs Run.	640 " ...	" "
570	County of Wynyard, Parish of Wereboldera, on Tumut River.	10 " ...	13 " 3486
266	County of Lincoln, at Butler's Falls, Macquarie River..	40 a. 3 r. ...	20 " 3538
267	County of Lincoln, at Butler's Falls, Macquarie River..	43 a. 1 r. ...	" " 3606
76	At the Lake, on the road from Bourke to Warrego .....	3 sq. m. ...	27 " "
11	County of Westmoreland, Parish of Bolton, near Kenlis	5 a. 1 r. 12 p.	" "
341	County of Pottinger, Parish of Yarraman, at Lynch's Gully.	156 acres...	3 Nov., 1868, fol. 3970
10	County of Cook, on the Great Western Railway, at the Darling Causeway.	260 " ...	13 " 4067
500	County of Mitchell, Breewarrina Run, Jackson's Water-hole.	180 " ...	20 " 4328
591	County of Goulburn, Parish of Gerogery .....	40 " ...	" " "
53	On the new line of road from Booligal to Wilcannia, on the Darling River.	640 " ...	27 " 4379
54	At Post No. 33, on the road from Booligal to Wilcannia	640 " ...	" " 4380
55	At Post No. 48, on the road from Booligal to Wilcannia	640 " ...	" " "
56	At the crossing of the road from Booligal to Wilcannia over Talyawalka Creek.	640 " ...	" " "
57	On the road from Booligal to Wilcannia, at Catara Plain	640 " ...	" " "
30	On the road from Booligal to Wilcannia .....	640 " ...	" " "
31	On the road from Booligal to Wilcannia, at the termination of Munahro Creek.	640 " ...	" " "
403	At the Jumping Sand Hill, on the road from Booligal to Wilcannia.	640 " ...	" " "
404	On the road from Booligal to Wilcannia, 15 miles north from the Jumping Sand Hill.	640 " ...	" " "
405	At the crossing of the road from Booligal to Wilcannia	640 " ...	" " "
406	3 miles easterly from Abbotsford Home Station, on the road from Booligal to Wilcannia.	640 " ...	" " "
532	Parish of Forest Creek, at the crossing of the road from Albury to Sydney, over the Billabong Creek.	35 " ...	1 Dec., 1868, fol. 4398

Sydney: Thomas Richards, Government Printer.—1869.

[Price, 3d.]

1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, Sec. 4.

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, during the period from 16 December, 1868, to 15 January, 1869.

No.	Locality.	Area.	Government Gazette in which the description is published.
593	County of Goulburn, Mountain Creek Run, Woomargama or Mountain Creek.	.....	6 January, 1868, Fol. 31
594	County of Goulburn, Mountain Creek Run .....	.....	6 " " 32
595	County of Goulburn, Carabobala Run, Mountain Creek.	.....	" " "
596	County of Goulburn, on Woomargama or Mountain Creek.	.....	" " "
342	County of Nandewar, Parish of Narabri, at the Ironbark Camp.	1,024 acres...	12 " 53
5	County of Bathurst, portion 25, parish of Tintern ...	5 " ...	" " "
409	County of Gipps, on the road from Forbes to Wagga Wagga, Cadulgulge Run	69a. 1r. 19p.	" " "
4	County of Cook, at the Mountain Lagoon .....	47 acres...	" " "





1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until Surveyed, for the preservation of Water Supply or other Public Purposes, during the period from 22nd January, 1869, to 12th February, 1869.

No.	Locality.	Area.	Government Gazette in which the description is published.
343	County of Parry, Parish of Tamarang, on Sugar-loaf Creek. Portion 3.	40 acres...	22 January, 1869. Fol. 175
598	County of Waradgery, on the Murrumbidgee River...	33 "	" "
599	County of Hume, Parish of Howlong, at Howlong...	1,020 "	" "
41	County of Hume, Parish of Quat Quatta, on the Murray River.	570 "	" "
32	County of Tara, on Salt Creek, in the District of Darling.	2,560 "	29 " 230



1868-9.

## NEW SOUTH WALES.

## CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict., No. 1, sec. 4.

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, during the period between 15th February and 15th March, 1869.

No.	Locality.	Area.	Government Gazette in which the description is published.
77	County of Gunderbooka, on the Warrego River, at Yarranongany.	320 acres...	23 Feb., 1869. Fol. 475
600	County of Buccleuch, Parish of Wyangle, Killimicat Creek.	80 " ...	" " 476
8	County of Brisbane, Parish of Watt, near Merriwa...	278 " ...	" "
9	County of Brisbane, Parish of Timor, on Splitters' Creek, portion 74.	(about) 34 " ...	" "
71	County of Beresford, Parish of Micalago, portion 26	2 " ...	" "
411	County of Waljeers, at Tom's Lake, on the road from Booligal to Wilcannia.	640 " ...	" "
246	(Extended) on the Dubbo Run, Ulomogo Creek ...	172 " ...	" "
602	County of Wynyard, on Yaven Yaven or Hillas's Creek	(about) 140 " ...	5 March, 1869. Fol. 585
603	County of Wynyard, on Yaven Yaven or Hillas's Creek	216 " ...	" "
281	County of Murchison, Gwydir River, Parish of Bingara.	40 " ...	" " 586
601	County of Goulburn, Parish of Carrabobala, portion 13.	144 " ...	" "
604	County of Goulburn, Parish of Jerra Jerra, at Back Creek, portions 6, 7, and 11.	348a. 2r ...	" " 612
124	County of Clarence, Parish of Ulmarra, at Avenue Point.	320 acres...	" "



1868.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## ROBERT TAYLOR.

(PETITION OF.)

*Ordered by the Legislative Assembly to be Printed, 10 December, 1868.*

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

The humble Memorial of Robert Taylor, Free Selector, Gilmore Creek, County of Wynyard, District of Murrumbidgee,—

MOST RESPECTFULLY SHEWETH:—

That Memorialist selected 100 acres of land on the Rose Bank Run, in the District of Murrumbidgee, on the 22nd February, 1866, and paid the usual moiety to the Land Agent.

That Memorialist had improved the said land to the amount of £250, when he received notice, on 28th January, 1867, from the Department of Lands, that his selection was cancelled, in consequence of improvements said to be previously effected by Mr. Robert Downey, to the amount of £100.

That Memorialist's father and brother then proceeded to Sydney, under considerable expense, for the purpose of obtaining an interview with the Minister for Lands, when that gentleman told them to represent the case to him in writing, which was done, through the medium of a Member of your Honorable House, and, through that gentleman's kind offices, the dispute was referred to arbitration. In following up the instructions of the Minister for Lands, agreeably to letter dated 17th August, 1867, Memorialist named an arbitrator, who made the requisite declaration before a Justice of the Peace, on the following 9th September. The same day Mr. Downey was made acquainted with the steps that had been taken, and was requested to appoint his arbitrator in furtherance to a settlement of the dispute. On the 21st October, Memorialist received a note from Mr. Downey, stating that his arbitrator would attend at his house—"The Killarney Inn." Memorialist went, accompanied by arbitrator and witnesses, when it was agreed to request L. Mandelson, Esq., to act as umpire. That gentleman declined the office. A few days after this, Memorialist's arbitrator sent a note to Mr. Downey, requesting an interview with his arbitrator, and to this no reply was given. Shortly afterwards, Memorialist, accompanied by his father and arbitrator, called upon Mr. Downey, and again solicited an interview with his arbitrator. He replied in coarse and abusive terms—"There is no arbitrator here," and that he would have no more to do with it, but that the Government should settle it.

That Memorialist then communicated the particulars of what had transpired to the gentleman who had kindly interested himself in his behalf; and, by his advice, my arbitrator again addressed Mr. Downey, requesting an interview with his arbitrator, and appointed a time and place for meeting, and to this no answer was returned.

That Memorialist, accompanied by his father and arbitrator, again called upon Mr. Downey, who said that he had already given his answer—not to bother him any more about it; that if the Government thought fit to give me the land, let them give it. On the same day Memorialist's father and arbitrator met Mr. Downey's arbitrator near Tumut, when they agreed to appoint Mr. McGruer as umpire, with an understanding that they were to meet on the following morning at 9 o'clock, at the Killarney Inn. Upon our arrival there at the appointed hour, Mr. Downey said "There is no arbitrator here," that he did not know where he was, nor did he care; that the time for arbitration had passed, and that the Government must settle it. This occurred on the 27th November last.

That Memorialist growing tired of Mr. Downey's evasion and abuse, again addressed the gentleman who had interested himself in his affairs; and by his instructions,  
100—  
through

through letter from the Minister for Lands, my arbitrator, in the presence of witnesses, announced to Mr. Downey to proceed with the case on the 21st December, at my residence, on the Gilmore, requesting the attendance of his witnesses to settle the dispute in question. Memorialist also requested Mr. John Wilkinson, a squatter on the Tumut River, to attend on this date, as for twenty years and upwards he possessed a knowledge of the land in dispute. This gentleman stated on oath, that the extent of the improvements effected by Mr. Downey or any other person did not exceed £3; and with regard to the two-rail fence, he had known part of it to be standing for the last fifteen years, and considered it of mere nominal value. There were also the affidavits of A. K. Taylor and John Taylor, certifying to the value of the improvements not exceeding £15, and the appraiser considered that £12 was the full value; he therefore decreed in Memorialist's favour.

That Memorialist begs to remark, that the whole of the land which Downey's fence enclosed is about twenty-seven and a half acres, of which, twenty acres is forest land, and the other seven and a half acres has been cleared by nature. The remaining portion of the 100 acres has been cleared at Memorialist's expense and by his labour; and Memorialist further begs to remark that, about three weeks after he had selected such land, upon the Government Surveyor stating that there was a portion of the fence belonging to Mr. Downey, on the said selection, due notice was given, through the local journal, to Mr. Downey to remove the same, to which no attention was paid.

That Memorialist, upon the decision of the appraiser, forwarded the documents relating to such, to the Minister for Lands, on the evening of the same day, and in reply, a letter from the Department of Lands, dated 6th May, 1868, states that the Secretary for Lands had revoked the cancellation of the conditional purchase in question, thereby approving of the appraiser's decree, and giving Memorialist full right and title to the selection. Upon receipt of this letter Memorialist commenced ploughing, and sowed twenty acres with wheat, and cleared twenty acres more for corn. At this juncture, a letter from the Department of Lands, dated 23rd June, 1868, states that a document had been overlooked, which again brought the case under reconsideration, and appointing F. W. Vyner, Esq., as appraiser. On the 6th July Mr. Vyner, accompanied by E. G. Brown, Esq., the Representative for Tumut, and Mr. Downey and son, came on the land in question, when he (Mr. Vyner) briefly stated that he did not intend to examine any witnesses that he would see for himself. Upon this occasion, Mr. Brown took a very active part; and when Memorialist's father drew Mr. Vyner's attention to the circumstance of a neighbouring selector having taken up a considerable portion of Mr. Downey's fence, and nothing said about it, Mr. Brown remarked, that the squatter had the option to arrange such matter with the selector. The said selector being within call, denied that he had ever entered into any arrangement with Mr. Downey.

That Memorialist, to his astonishment, received a communication from the Department of Lands, dated 22nd September, stating that his conditional purchase was again cancelled, under a fresh award which gave the value of Mr. Downey's improvements at £75. This amount is Mr. Vyner's return, by which the affidavits of four respectable individuals have been cast aside, and a single person's statement acted upon, to the impoverishment and irreparable injury of the free selector.

That Memorialist most respectfully prays your Honorable House to cause an investigation into the foregoing circumstances, and further prays that he may be allowed to complete the purchase of his selection.

That Memorialist, relying on the equity of your Honorable House, confidently awaits your decision.

ROBERT TAYLOR.

Gilmore Creek,  
Tumut,  
20th October, 1868.

1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

MR. JOHN THOMAS NEILSON.  
(PETITION OF.)

---

*Ordered by the Legislative Assembly to be Printed, 8 January, 1869.*

---

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

The Petition of John Thomas Neilson, of Windsor, in the aforesaid Colony,—

HUMBLY SHEWETH :—

That your Petitioner, in the month of May, 1866, tendered for a new Run of vacant Crown Lands upon the confines of the Albert and Darling Pastoral Districts, under the name of "Menindie East," No. 19, of June, 1866, in due form, and paid the necessary deposit, &c., as required by the Crown Lands Occupation Act of 1861.

That the tender in question was forwarded to Mr. Commissioner Cole, of the Darling District, for his report.

That, upon the 26th July, 1867, your Petitioner was informed by letter—"that his tender for the run called 'Menindie East,' in the District of the Darling, had been declined, the land therein applied for being comprised in the runs known as Wambah, Outer Wambah, and East Wambah, already under promise of lease."

That your Petitioner being aware, by the documents then extant in the Crown Lands Office, that the land applied for by him, and of which he was legally entitled to the lease thereof, embraced no land under lease, or promise of lease, nor applied for under any previous tender, wrote, on the 17th March, 1868, to the Minister for Lands for the time being, asking for a reconsideration of his tender, to which he received a similar reply as conveyed by letter of 26th July, 1867.

That your Petitioner called further attention to this matter, by letter dated 28th July, 1868, but has received no reply thereto.

That your Petitioner has every reason to believe that, since he has made application for the lease of the aforesaid "Menindie East" Run, that the boundaries of the runs adjoining his application have been amended and enlarged, in order to unjustly deprive him of the lease of the aforesaid "Menindie East" Run.

That an injustice has thereby been done to your Petitioner.

Your Petitioner, therefore, humbly prays that your Honorable House may be pleased to take the premises into consideration, and to order a Select Committee to make inquiries in the matter, and to grant such relief as your Honorable House may in your wisdom direct.

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

JOHN THOMAS NEILSON,  
Windsor, N. S. Wales.

---





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

MR. JOHN THOMAS NEILSON.

(CORRESPONDENCE, &c., RESPECTING A RUN UPON THE RIVER DARLING.)

---

*Ordered by the Legislative Assembly to be Printed, 5 February, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 2 February, 1869, That there be laid upon the Table of this House,—

“The Tender of Mr. John Thomas Neilson, for a Run upon  
 “the River Darling, named Menindie East, No. 19, of June,  
 “1866,—and all subsequent correspondence with the Govern-  
 “ment relative thereto; also, the original Tenders for the  
 “Runs known as ‘Wambah,’ ‘Outer Wambah,’ and ‘East  
 “Wambah,’ alleged to embrace the land applied for by  
 “Mr. Neilson,—together with all papers or correspondence  
 “relating thereto.”

(*Mr. Walker.*)

---

## SCHEDULE.

## MENINDIE EAST RUN—PAPERS.

NO.	PAGE.
1. J. T. Neilson's tender for Menindie East ... ..	3
2. Do. letter to Chief Commissioner of Crown Lands, dated 7th June, 1866, in reference to do. ...	4
3. R. P. Raymond to Chief Commissioner of Crown Lands in reference to do. 28 November, 1866 ...	4
4. Commissioner Cole to Chief Commissioner of Crown Lands, reporting on R. P. Raymond's letter (No. 3.) 16 February, 1867 ... ..	4
5. Do. to do., reporting on J. T. Neilson's tender for Menindie East. 16 February, 1866 ...	5
6. J. T. Neilson to Chief Commissioner of Crown Lands, further in reference to do. 14 March, 1867... ..	5
7. Minute of Chief Commissioner of Crown Lands on the subject of J. T. Neilson's tender. 11 April, 1867 ... ..	5
8. Chief Commissioner of Crown Lands to the Commissioner of Crown Lands, Darling District, in reference to his report on do. do. 16 April, 1867 ... ..	6
9. J. T. Neilson to the Honorable the Minister for Lands, in reference to the rejection of his tender. 11 February, 1868 ... ..	6
10. Do. to do., further in reference to do. 17 March, 1868... ..	6
11. The Under Secretary for Lands to J. T. Neilson, in reply to previous correspondence in reference to do. 9 June, 1868 ... ..	7
12. J. T. Neilson to the Chief Commissioner of Crown Lands, further in reference to the rejection of his tender, enclosing description and diagram of Menindie East and Wambah. 28 July, 1868 ... ..	7
13. Minute of the Chief Commissioner of Crown Lands on the foregoing communication, with amended sketch. 12 August, 1868 ... ..	8

## WAMBAH RUN—PAPERS.

1. James Macleod's tender for Wambah, dated 1 January, 1850 ... ..	8
2. Darling Commissioner's report to Chief Commissioner of Crown Lands, recommending acceptance of do. 1 December, 1854 ... ..	9
3. Colonial Treasurer to Chief Commissioner of Crown Lands, reporting payment of first year's rent. 12 April, 1855 ... ..	9
4. Appraisalment of grazing capabilities of Wambah, by George B. Fletcher and Stephen Cole. 12 February, 1859 ... ..	9
5. Commissioner Cole to the Chief Commissioner of Crown Lands, transmitting amended description of Wambah and South Wambah ... ..	9

## OUTER WAMBAH RUN—PAPERS.

1. James Macleod's tender for Outer Wambah, dated 8 August, 1855 ... ..	10
2. Commissioner Cole to Chief Commissioner of Crown Lands, recommending the acceptance of the same. 26 November, 1855 ... ..	11
3. The Colonial Treasurer to do., reporting payment of the first year's rent of do. 14 May, 1856 ... ..	11
4. Appraisalment of the grazing capabilities of Outer Wambah, by George B. Fletcher and Stephen Cole. 12 February, 1859 ... ..	11

## EAST WAMBAH RUN—PAPERS.

1. James Macleod's tender for East Wambah. 27 October, 1857 ... ..	12
2. Commissioner Cole to the Chief Commissioner of Crown Lands, recommending the acceptance of do. 16 March, 1859 ... ..	13
3. Appraisalment of the fair annual value of do., by Stephen Cole. 7 January, 1864 ... ..	13
4. Under Secretary for Finance and Trade to the Chief Commissioner of Crown Lands, reporting payment of adjusted rental for 1865. 7 April, 1865 ... ..	13

## SOUTH WAMBAH RUN—PAPERS.

1. James Macleod's tender for South Wambah. 8 August, 1855 ... ..	14
2. Commissioner Cole's report on do. 26 November, 1855 ... ..	15
3. Treasury report of payment of first rent. 14 May, 1856 ... ..	15
4. Description of South Wambah (enclosure of No. 5 Wambah Run Papers.) 21 November, 1866 ...	15
5. Appraisalment of do. 12 February, 1859... ..	15

# MR. JOHN THOMAS NEILSON.

## Minindie East Run—Papers.

### No. 1.

MR. J. T. NEILSON'S TENDER FOR MENINDIE EAST RUN.

*Tender for a Lease of a new Run of Crown Lands.—Second Class Settled, or Unsettled Districts.*

IN accordance with the provisions of the Crown Lands Occupation Act of 1861, and of the Regulations made in pursuance thereof, I, John Thomas Neilson, of Sydney, do hereby propose to take a lease of the Crown Lands known as Menindie East, in the districts of Albert and Darling, which lands are particularly described in the Schedule annexed to this tender.

2. And, in consideration of such lease, I am willing, and hereby offer, to pay yearly, in advance, the rent of the said Crown Lands, as the same may be determined by appraisalment under the said Act.

3. And I do agree that, in the event of this tender being accepted, and of such acceptance being notified in the *Gazette*, I will, within sixty days after such notification, pay into the hands of the Colonial Treasurer, at Sydney, as and for the first year's rent of the said run, and pending such appraisalment as aforesaid, the sum of ten pounds, together with the sum of twenty pounds, being the assessment payable under the Increased Assessment and Rent Act of 1858; and also the sum of two shillings sterling, by way of premium for the said lease: that is to say—

Rent, pending appraisalment	...	...	...	...	£	s.	d.
Assessment, do.	...	...	...	...	10	0	0
Additional yearly payment, offered by way of premium (if any)	...	...	...	...	20	0	0
	...	...	...	...	0	2	0
Total	...	...	...	...	£30	2	0

And in default of such payments, I agree to forfeit my deposit on this tender.

Given under my hand, this fifth day of May, A.D., 1866,—

JOHN THOS. NEILSON,

Care of MESSRS. LAWSON & CADELL,  
George-street, Sydney.

To the Honorable  
The Minister for Lands, Sydney.

### SCHEDULE referred to in the foregoing Tender.

Pastoral Districts and General Locality.	Name of Run.	Estimated Area in Square Miles.	Estimated Pastoral Capability.	Description of the boundaries of the Run, and the marks or natural features by which such boundaries are indicated. (N.B.—This description must be clear, detailed, and specific.)
Albert and Darling Districts, upon the east bank of the Darling River.	Menindie East.	100, or 64,000 acres.	2,500 sheep.	Commencing on the east bank of the Darling River, at the south-west corner of Blenheim Run, and immediately opposite the junction of Laidley Ponds Creek with the river Darling; bounded on the north by a line east, coincident with the southern boundary of the aforesaid Blenheim Run, and part of the southern boundary of Back Blenheim, 20 miles; on the east by a line south to a point where a line eastward for 20 miles from the north-west corner of Wambah Run would intersect it; on the south by a line west 20 miles to the north-west corner of Wambah Run; and on the west by the river Darling, upwards, to the point of commencement—being vacant Crown Lands existent upon the Darling River, not embraced in any accepted tender, and subject to any adjustment of boundaries that may be necessary.

JOHN THOS. NEILSON.

### Deposit Certificate.

I CERTIFY that the sum of two pounds ten shillings sterling has this day been paid into the Colonial Treasury by John Thos. Neilson, of Sydney, care of Messrs. Lawson and Cadell, George-street, as the deposit on a tender for a run named Menindie East, Albert and Darling Districts.

W. NEWCOMBE.

Colonial Treasury, Sydney,  
5 May, 1866.

UNDER

UNDER the Commissioner's Report, dated 16 February, 1867, that the land herein applied for is comprised in the runs known as "Wambah," "Outer Wambah," and "East Wambah," already under promise of lease,—I recommend that this tender be declined.

67-1580.—Declined, 26 July, 1867.

A. O. MORIARTY,  
24 April, 1867.

## No. 2.

MR. J. T. NEILSON to THE CHIEF COMMISSIONER OF CROWN LANDS.

No. 2, Sea-view Terrace,  
Liverpool-street, Darlinghurst,  
7 June, 1866.

SIR,

Menindie East,  
No. , of June,  
1866.  
Appendix A.

Referring to my tender, named and numbered in the margin, for a run of Crown Lands on the river Darling, contiguous to the boundary between the Albert and Darling Districts, I have the honor herewith to transmit tracing of the run applied for by me, and, in explanation, to state that the northern boundary of the run in question commences where the south boundary of Blenheim Run (No. 33 of Nov., 1848) starts from the Darling, *i. e.*, at a point opposite the junction of Laidley Ponds Creek, and at the southern boundary of the run applied for by me, as before mentioned; commences at a point 5 miles below the junction of Laidley Ponds Creek, and at the termination of the northern and western boundary of Wambah (No. 9 of Feb., 1856), as laid down in the report of Mr. Commissioner Cole upon that tender.

I have, &c.,  
JOHN THOS. NEILSON.

## No. 3.

MR. R. P. RAYMOND to THE CHIEF COMMISSIONER OF CROWN LANDS.

No. 15, Bligh-street,  
Sydney, 28 November, 1866.

SIR,

I do myself the honor to inform you, that I have received a letter from Mr. Jno. Thos. Neilson, requesting me to draw your attention to his tender for a new run on the Darling River, called by him "Menindie East," and to beg that you will give his application your earliest attention.

Mr. Neilson states that the run known as Wambah was originally placed on the Commissioner's tracing 5 miles below the position lately assigned to it on an amended tracing; and that it is now incorrectly shown as adjoining Mr. Phelps' Blenheim Run, whereas the description of "Wambah" clearly indicates the local Commissioner was correct, in the first instance, in placing it where he did.

Under these circumstances, he maintains the country tendered for by him is vacant Crown Lands and open to tender.

I have, &c.,  
R. PEEL RAYMOND,  
Agent.

For the report of Commissioner with reference to the tender referred to.—B.C.,  
29 January, 1867.—A.O.M.  
To be returned.

## No. 4.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Euston, 16 February, 1867.

THERE is no vacant frontage on either side of the Darling River in this district. The tender for "Menindie East" is recommended to be declined, as indicating country already leased as—

Wambah, tender No. 9 of February, 1850; accepted, 28th February, 1855—  
Outer Wambah, No. 45 of September, 1855; accepted, 12th March, 1856—  
East Wambah, No. 103 of December, 1857; accepted, 15th August, 1859.

2. It is difficult to understand how J. T. Neilson can state—"that the run of 'Wambah' was originally placed on the Commissioner's tracing 5 miles below the position lately assigned to it on an amended tracing, and that it is now incorrectly shown as adjoining Mr. Phelps' Blenheim Run," inasmuch as he has never seen the original tracing in my possession on which such runs are marked.

3. It appears to be assumed, that the plan printed in Melbourne by R. P. Counsel, in May, 1860, to illustrate tenders for runs between the Lachlan and Darling, on which the run of Wambah is placed in the manner stated by J. T. Neilson, was the published tracing of the Commissioner; whereas the plan in question was constructed without any reference and unknown to me, and is moreover most erroneous.

4. The frontage of 10 miles between the north boundary of Makenyah or Yenda, No. 30 of February, 1850, and the south boundary of Blenheim, No. 33 of November, 1848, now in the Albert District, has always been occupied as Wambah and South Wambah, and are so charted by me.

5. On reference to tender No. 52 of May, 1865, declined on the 18th January, 1867, it will be seen that a considerable portion of the country included in No. 19 of June, 1866, was previously applied for by John Neilson and Henry Leonard; and, judging from the description given in tender No. 52 of May, 1865, Outer Tyndya, Neilson appears to have adopted the plan above referred to, inasmuch as the starting point in the same is given from a run called Tyndya, laid down thereon as having a frontage to the River Darling.

6. At a subsequent date, it appears to me that Neilson must have ascertained that Tyndya was a back block, and adopting Counsel's plan, he proceeded to frame the description embraced in No. 19 of June, 1866, as "Menindie East," so as to secure to himself the supposed vacant country.

7. Mr. Raymond's letter of the 28th November, 1866, is herewith returned, and a tracing of Counsel's plan, together with a diagram from my own map is forwarded for information. Appendix B.  
Appendix C.

STEPHEN COLE.

#### No. 5.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Crown Lands Office,  
Euston, Darling District,  
16 February, 1867.

SIR,

I do myself the honor to recommend that tender No. 19 of June, 1866, Menindie East, by John Thomas Neilson, should be declined, as indicating country already under lease as—

Wambah, No. 9 of February, 1850; accepted, 28th February, 1855—  
Outer Wambah, 45 of September, 1855; accepted, 12th March, 1856—  
East Wambah, No. 103 of December, 1857; accepted, 15th August, 1859.

I have, &c.,  
STEPHEN COLE,  
Commissioner for Crown Lands.

#### No. 6.

MR. J. T. NEILSON to THE CHIEF COMMISSIONER OF CROWN LANDS.

[Care of R. P. Raymond, Esq., Bligh-street.] Sydney, 14 March, 1867.

SIR,

Having reference to my tender, No. of June, 1866, Menindie East, as well as my explanatory letter forwarded with the tender in question, I respectfully beg to submit that the tender in question does not embrace any land under lease or promise of lease, but embraces an area originally charted in the Commissioners' map as "Tyndya," which has no existence as a run; and the run as applied for by me embraces the frontage thus erroneously charted, and lying between Mr. Phelps' run "Blenheim" and Mr. Reid's run "Wambah," the description of which coincides with its position as originally laid down by Mr. Commissioner Cole, in his original tracing (before-mentioned) showing the position and approximate boundaries of the runs in his district.

I have, &c.,  
JOHN THOS. NEILSON.

#### No. 7.

MINUTE OF THE CHIEF COMMISSIONER OF CROWN LANDS.

It is quite clear that the land applied for by Neilson is the Wambah Run, as originally applied for by James Macleod. In recommending the tender for acceptance, however, the Commissioners proposed an amended description, the effect of which was to make Wambah overlap in its entirety the run called South Wambah, applied for at the same time by the same applicant, and to leave apparently vacant the land actually applied for.

As the land was that originally applied for, and has always been occupied by the lessees of the two runs as the Wambah, for which they paid rent, and as there is no other country available for them supposing this to be vacant, I do not think there can be any question as to the manifest impropriety and injustice that would be perpetrated were they to be now deprived of their run as the penalty of a mere blunder of the Commissioner, for which neither they nor their predecessors are accountable.

The

The proper course will be to correct the error in the description of Wambah, and decline the within tender.

It is difficult to understand how so palpable an error as that committed by Mr. Cole could have occurred originally, or been suffered to remain undetected for so long, had reasonable care and attention been bestowed by him upon matters of such importance.—A.O.M.—11 April, 1867.

Approved.—J.B.W.—29 May.

### No. 8.

THE CHIEF COMMISSIONER OF CROWN LANDS to MR. COMMISSIONER COLE.

Crown Lands Office,  
Sydney, 16 April, 1867.

SIR,

No. 19, of June,  
1866.

With reference to your report, dated the 16th February last, on Mr. Raymond's letter relative to J. T. Neilson's tender for Menindie East, I have the honor to point out that it is quite clear that the land applied for by Neilson is the Wambah Run, as originally applied for by James Macleod.

In recommending this tender for acceptance, however, you proposed an amended description, the effect of which was to make Wambah overlap in its entirety the run called South Wambah, applied for at the same time by the same applicant, and to leave apparently vacant the land actually applied for.

As the land was that originally applied for, and has always been occupied by the lessees of the two runs as the Wambah, for which they paid rent, and as there was no other country available for them supposing this to be vacant, I do not think there can be any question as to the manifest impropriety and injustice that would be perpetrated were they to be deprived of their runs as the penalty of a mere blunder of yours, for which neither they nor their predecessors are accountable.

It is difficult to understand how so palpable an error as that committed by you could have occurred originally, or been suffered to remain undetected for so long, had reasonable care and attention been bestowed by you in a matter of such importance.

I have, &c.,

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

### No. 9.

MR. J. T. NEILSON to THE SECRETARY FOR LANDS.

Cockenzie Bank,  
Windsor, 11 February, 1868.

SIR,

No. , of June,  
1866.  
Menindie East,  
Darling District.

Some time since I received a notification from the Chief Commissioner of Crown Lands, informing me that my tender for a run of Crown Lands, named as in the margin, had been rejected for the reason that it embraced land previously leased.

As the Commissioner of the district has committed some mistake in thus reporting, I respectfully requested to be furnished with a copy of his report on the tender in question.

I have, &c.,

JOHN THOS. NEILSON.

Chief Commissioner of Crown Lands.—12 February.—M.F.  
I see no object in pursuing this correspondence.—A.O.M., 20.

### No. 10.

MR. J. T. NEILSON to THE SECRETARY FOR LANDS.

Cockenzie Bank,  
Windsor, 17 March, 1868.

SIR,

I have the honor to address you in reference to my application, in the usual form, for the lease of a new run of Crown lands, upon the confines of the present boundaries of the Darling and Albert Districts, and being named and numbered as in the margin. The tender being received in due form (the necessary deposit of £2 10s. having been paid) was forwarded to Mr. Commissioner Cole for his report.

Menindie East,  
No. 19 of June,  
1866—Albert  
and Darling  
Districts.

Unfortunately for my interests, and as you are well aware, I had fallen into collision with this subordinate, through his having, in an unguarded and imprudent moment, attempted to fasten upon me the opprobrium of a felonious act, and having necessarily taken upon myself the onus of disproving the same. This officer has further sought

MR. JOHN THOMAS NEILSON.

7

sought to use his influence in erroneously reporting upon this tender for rejection, and, in an incorrect and sophistical manner, to deprive me of the lease of the lands specified in schedule of the tender in question.

The facts are these. The Commissioner is, no doubt, extremely annoyed that I should have made the discovery that there was any vacant Crown lands in his district, and especially land which was considered to form part of a run in which he held a beneficial interest with Mr. James Macleod before its sale to the present lessees; but which land, by letters and diagrams following the tender, I proved to be vacant Crown Lands—i. e., lands not being held under lease or promise of lease, or applied for under any previous tender; and, as such, it was competent for me to tender for a lease of the same, under the 14th section of the Crown Lands Occupation Act of 1861.

I respectfully beg to submit that I am justly and legally entitled to a lease of the run in question, and humbly ask a reconsideration of the tender in question.

I have, &c.,

JOHN THOS. NEILSON.

Chief Commissioner of Crown Lands.—18 March.—M.F.

### No. 11.

THE UNDER SECRETARY FOR LANDS to MR. J. T. NEILSON.

Department of Lands,

Sydney, 9 June, 1868.

SIR,

Referring to your letter of the 17th March last and previous correspondence, respecting your tender for lease of a new un in the Darling and Albert Districts, I am directed by the Secretary for Lands to inform you that, after inquiry into the matter, it appears quite clear that the land applied for by you is the Wambah Run, as originally applied for by Mr. James Macleod, and your tender for the same could not therefore be accepted.

I have, &c.,

MICHL. FITZPATRICK.

### No. 12.

MR. J. T. NEILSON to THE SECRETARY FOR LANDS.

Cockenzie Bank,

Windsor, 28 July, 1868.

SIR,

I beg to acknowledge receipt of communication from your department, dated 9th June last (copy of which is enclosed for your reference), in which I am informed "that the land applied for by me (as per tender in margin) is the Wambah Run as originally applied for by Mr. James Macleod, and your tender for the same could not therefore be accepted." In reply, I respectfully beg to submit that upon reference to the descriptions in the annexure and the accompanying diagram, you will find that a *manifest error* has been committed. You will see that the tender Menindie East (colored yellow) embraces no portion of the Wambah Run (colored red), as now held under promise of lease from the Crown. I may also add that the land applied for by me is vacant Crown lands, according to the documents at present extant in the Crown Lands Office.

See letter from Under Secretary for Lands to Mr. Neilson, dated 9 June, 1868. Appendix D.

It may be proper to remark that the present lessees of the Wambah Run are at present in the enjoyment of nearly double the area for which they pay rent to the Crown.

I have, &c.,

JOHN THOS. NEILSON.

Chief Commissioner of Crown Lands.—31 July.—M.F.

### [Enclosures in No. 12.]

#### DARLING DISTRICT.

MENINDIE EAST:—64,000 acres, 2500 sheep—No. 19 of June, 1866, tendered for by J. T. Neilson. Commencing on the east bank of the Darling River at the south-west corner of Blenheim Run, and immediately opposite the junction of Laidley Ponds Creek with the Darling River; bounded on the north by a line east coincident with the southern boundary of the aforesaid Blenheim Run and part of the southern boundary of Back Blenheim, 20 miles; on the east by a line south to a point where a line eastward for 20 miles from the north-west corner of Wambah Run would intersect it; on the south by a line west to the north-west corner of Wambah Run; and on the west by the river Darling upwards to the commencing point.

WAMBAH:—16,000 acres, 4,000 sheep—No. 9 of February, 1850, leased to R. T. & W. L. Reid. Commencing at a point on the river Darling, 10 miles below the junction of Laidley Ponds Creek with that river or 30 miles above Walshe's hut at Cunyponulla; bounded on the north by a line east, 5 miles; on the east by a line south, 5 miles; on the south by a line west, 5 miles; and on the west by the river Darling, to the starting point.

No. 13.



## No. 13.

## MINUTE OF THE CHIEF COMMISSIONER OF CROWN LANDS.

Appendix E.

THE land already leased is now shown accurately on the sketch supplied by the writer, who had shown a portion of it only, and that incorrectly.

I have, on more than one occasion, gone fully into this case with the writer personally, and he is quite well informed of all the facts. His claim is a preposterous one, quite unworthy of serious attention; and I can see no good in permitting him to waste valuable time in further correspondence with respect to it.—A.O.M.

The Under Secretary for Lands.—B.C., 12 August, 1868.

Approved.—J.B.W., 15 August.

Chief Commissioner of Crown Lands.—B.C., 15 Aug.—G.J.A. (For the U. S.)

## Wambah Run—Papers.

## No. 1.

## MR. JAMES MACLEOD'S TENDER FOR WAMBAB RUN.

*Tender for a Lease of a new Run of Crown Lands.—Intermediate or Unsettled Districts.*

5 February, 1850.

IN accordance with the provisions contained in Her Majesty's Order in Council, published in the New South Wales *Government Gazette* of the 7th October, 1847, and of the Regulations of 1st January, 1848, published in pursuance thereof, I, James Macleod, of Darling District, do hereby propose to take a lease, for fourteen years, of the Crown Lands known as Tally Workah, or Wambah, in the district of Darling River, which lands are particularly described in the Schedule annexed to this tender; and in consideration of such lease I am willing, and hereby offer, to pay yearly, in advance, the minimum rent of ten pounds, with two pounds ten shillings added, for every thousand sheep or their equivalent in cattle above four thousand sheep or their equivalent which the run shall, under the provisions of the said Order in Council, be estimated as capable of carrying; and also, the additional sum or yearly rent, in advance, of one pound one shilling for every thousand sheep, or their equivalent, as aforesaid, by way of premium for the said lease.

Given under my hand, this 1st day of January, A.D., 1850,—

(For JAMES MACLEOD),

DONALD R. MACLEOD.

To the Honorable the Colonial Secretary.

Applicants informed.—9 Feb., 1850.

Commr.—10 Feb., /50.

## SCHEDULE referred to in the foregoing Tender.

Commissioner's District and General Locality.	Name of Run.	Estimated number of Acres.	Estimated capability for grazing.		Description of the Lands by reference to leading geographical features, and marked or determined boundary lines.
			Cattle.	Sheep.	
Commissioner Geo. S. McDonald, Eastern Bank of the Darling, nearly opposite Laidley's Ponds.	Wambah	15,000	200	4,000	This run is on the eastern bank of the Darling River, on or about 30 miles above Walshe's hut. This hut is estimated to be about 100 miles above the junction of the rivers Murray and Darling. The run now applied for to commence where the Creek Tally Workah (native name) joins the Darling, and to extend up the river 5 miles.

(For JAMES MACLEOD),

D. R. MACLEOD.

UNDER the report of the Commissioner, we recommend the acceptance of this tender; subject, however, to the amended description.

JOHN THOMPSON,

H. H. BROWN,

GEO. BARNEY,

2 Jan., 1855.

Appd.—W.D., 26 Jan.

Mr. Macleod, Commr. Cole, Auditor General, and Colonial Treasurer.—28 Feb., 1855.

## No 2.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Crown Commissioner's Office,  
Euston, Lower Darling,  
1 December, 1854.

SIR,

I do myself the honor to recommend for acceptance tender No. 9 of February, 1850 (G. Macleod), and to furnish herewith an amended description of the same.

I have, &c.,  
STEPHEN COLE.

## DESCRIPTION OF WAMBAH.

Estimated area—16,000 acres : Estimated grazing capabilities—4,000 sheep.

COMMENCING at a point on the Darling River, about 10 miles below the junction of Laidley Ponds Creek, or Menindie, with the Darling, or at a point about 30 miles above Walshe's hut at Cunyponulla, and extending up the river about 5 miles ; on the north by a line east about 5 miles ; on the east by a line south about 5 miles ; on the south by a line west about 5 miles, to the starting point on the river.

## No. 3.

THE COLONIAL TREASURER to THE CHIEF COMMISSIONER OF CROWN LANDS.

Revenue Branch, Colonial Treasury,  
Sydney, 12 April, 1855.

SIR,

With reference to your letter, dated 28 Febry. last, No. 55-199, notifying the acceptance of Mr. James Macleod's tender for a station in the district of Lower Darling, called Wambah, I have the honor to report, for the information of His Excellency the Governor General, that the first year's rent of the station in question was paid into this office on the 11th instant.

I have, &c.,  
FRANCIS L. MEREWETHER,  
Colonial Treasurer.

Occupation to be authorized.—26.  
Commissioner and party.—10 May, 1855.

## No. 4.

## APPRAISEMENT OF GRAZING CAPABILITIES OF WAMBAH.

*Queen's Orders in Council, Chapter 2, Section 3.—9 March, 1847.*

WE, the undersigned—George Butler Fletcher, Esquire, acting as valuer for James Macleod, and Stephen Cole, Esq., Commissioner of Crown Lands, acting as valuer for the Government—do hereby estimate the Run of Wambah as capable of carrying 4,000 sheep or their equivalent in cattle.

Wambah—4,000 sheep.

GEORGE B. FLETCHER.  
STEPHEN COLE.

Euston, Lower Darling, 12 February, 1859.

## No. 5.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Crown Lands Office,  
Euston, Darling District,  
31 January, 1867.

SIR,

On the examination of the description of the run embraced in tender No. 9, of February, 1850, accepted under an amended description, 28th February, 1855, it appeared to me that the same had been furnished in error.

A reference to the description in the abovenamed tender will show that the starting point given in the same was "where the Talya Walka (native name) joins with the Darling, and to extend up the river 5 miles," which clearly shows that the amended description does not illustrate the country originally applied for by Mr. Macleod and transferred to the Messrs. Reid.

232—B

Under

Under these circumstances, I deemed it desirable, when on that country in November last, to obtain the sanction of the Messrs. Reid to the amended description herewith enclosed; and, at their request, to make the starting point from the surveyor's marked line cut from Menindie—and these descriptions, so subscribed by them, I have the honor to submit, under approval, may be adopted as the descriptions of—

Wambah, tender No. 9 of February, 1850, accepted 28th February, 1855;  
South Wambah, No. 43, September, 1855, accepted 12th March, 1856.

I have, &c.,

STEPHEN COLE,  
Commissioner of Crown Lands.

[Enclosure in No. 5.]

#### DESCRIPTION OF WAMBAH.

Estimated area—25 square miles: Estimated grazing capabilities—4,000 sheep.

COMMENCING at a tree marked with a broad-arrow on the east bank of the Darling River opposite the junction of Laidley Ponds, or Menindie Creek, with the Darling; and bounded on the north by a line east about 5 miles, to the five-mile peg; on the east by a line southerly about 5 miles; on the south by a line west about 5 miles crossing Undeathi Creek; thence by the Darling River upwards, to the starting point aforesaid.

Tolarno, Darling River,  
27 November, 1866.

WM. L. & R. T. REID.  
STEPHEN COLE,  
Commissioner.

### Outer Wambah Run—Papers.

#### No. 1.

#### MR. J. T. NEILSON'S TENDER FOR OUTER WAMBAH.

*Tender for a Lease of a new Run of Crown Lands.—Intermediate or Unsettled Districts.*

IN accordance with the provisions contained in Her Majesty's Order in Council, published in the New South Wales *Government Gazette* of the 7th October, 1847, and of the Regulations of the Local Government published in pursuance thereof, I, James Macleod, of the Junction of the Darling, do hereby propose to take a lease, for fourteen years, of the Crown Lands known as Outer Wambah, in the district of the Lower Darling, which lands are particularly described in the Schedule annexed to this tender.

2. And in consideration of such lease, I am willing, and hereby offer, to pay in advance the minimum rent below which it is provided by the said Order in Council that no run shall be let, namely, ten pounds per annum, with two pounds ten shillings per annum added thereto for every thousand sheep or their equivalent in cattle beyond four thousand sheep or their equivalent which the run shall, under the provisions of the said Order in Council, be estimated as capable of carrying; and also in consideration of such lease, and by way of premium for the same, I do offer to pay yearly, in advance, the further sum of \_\_\_\_\_ in addition to the amount of the said minimum rent.

3. And I do agree that, in the event of this tender being accepted by His Excellency the Governor General, and of such acceptance being notified in the New South Wales *Government Gazette*, I will, within sixty days after such notification, pay into the hands of the Colonial Treasurer, at Sydney, as and for the first year's rent of the said run, notwithstanding that the lease of the said run may not have been executed, the sum of ten pounds, being the amount, according to my computation, of the grazing capabilities of the run, of the payments which I have above offered to make, viz.:—

	£	s.	d.
Minimum yearly rent below which no run can be let ...	10	0	0
Further payment at the rate of £2 10s. per thousand for the number of stock above four thousand sheep or their equivalent which the run applied for is estimated to be capable of carrying ...			
Additional yearly payment offered by way of premium .....			
Total ...	£10	0	0

Such payment nevertheless to be without prejudice to the subsequent adjustment of the rent according to the second and third sections of the second chapter of the above-mentioned Order in Council.

4. And in consideration of this tender being accepted, and in the event of such payment not being made within the beforementioned period of sixty days, I further agree to forfeit to Her Majesty the sum of twenty pounds by way of liquidated damages, and to forfeit any right acquired by virtue of this tender and such acceptance thereof as aforesaid.

Given under my hand, this 8th day of August, A.D. 1855,—

JAMES MACLEOD.

To the Chief Commissioner of Crown Lands, Sydney.

SCHEDULE

## SCHEDULE referred to in the foregoing Tender.

Commissioner's District, and General Locality.	Name of Run.	Estimated Number of Acres.	Estimated Capability.	Description of the Lands, by reference to leading geographical features and marked or determined boundary lines.
Lower Darling .....	Outer Wambah.	32,000	4,000 sheep.	Commencing at the north-east corner of the Wambah Run, and bounded on the east by a line south, 10 miles; on the south by a line west, 5 miles; on the west by a line north, 10 miles; on the north by a line east to the starting-point, about 5 miles. This is the back country of the Wambah and South Wambah Runs, and is only winter feeding country if rain falls for about three months.

JAMES MACLEOD.

Commissioner and party.—24 September, 1855.

UNDER the report of the Commissioner, we recommend that this tender be accepted.

W. DENISON, February, 1856.  
Accepted, 12th March, 1856.H. H. BROWN,  
GEO. BARNEY,  
January 7th, 1856.

## No. 2.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Crown Commissioner's Office,  
Euston, Lower Darling,  
26 November, 1855.

SIR,

I beg to report herewith on tender No. 45 of September, 1855, and recommend that the same should be accepted. Outer Wambah.

The description of the country and the boundaries appear definite, and the tender is in all respects unobjectionable.

I have, &c.,  
STEPHEN COLE,  
Commissioner of Crown Lands.

## No. 3.

THE COLONIAL TREASURER to THE CHIEF COMMISSIONER OF CROWN LANDS.

Revenue Branch, Colonial Treasury,  
Sydney, 14 May, 1856.

SIR,

With reference to your letter, dated the 12th March last, No. 56-139, notifying the acceptance of Mr. James Macleod's tender for a station, in the district of Lower Darling, called Outer Wambah,—I have the honor to report, for the information of His Excellency the Governor General, that the first rent of the station in question was paid into this office on the 7th instant.

I have, &c.,  
C. D. RIDDELL,  
Colonial Treasurer.Occupation to be now authorized.—20.  
Commissioner and party.—30 May, 1856.

## No. 4.

APPRAISEMENT OF GRAZING CAPABILITIES OF OUTER WAMBAH.

*Queen's Orders in Council, Chapter 2, Section 3.—9 March, 1847.*

WE, the undersigned—George Butler Fletcher, Esquire, acting as valuer for James Macleod, and Stephen Cole, Esquire, Commissioner of Crown Lands, acting as valuer for the Government—do hereby estimate the Run of Outer Wambah as capable of carrying 4,000 sheep or their equivalent in cattle.

Outer Wambah—4,000 sheep.

GEORGE B. FLETCHER.  
STEPHEN COLE.

Euston, Lower Darling, 12 February, 1859.

East

## East Wambah Run—Papers.

## No. 1.

## MR. JAMES MACLEOD'S TENDER FOR EAST WAMBAB.

*Tender for a Lease of a new Run of Crown Lands.—Intermediate or Unsettled Districts.*

IN accordance with the provisions contained in Her Majesty's Order in Council, published in the New South Wales *Government Gazette* of the 7th October, 1847, and of the Regulations of the Local Government published in pursuance thereof, I, James Macleod, of the River Darling, do hereby propose to take a lease, for fourteen years, of the Crown Lands known as East Wambah, in the district of Lower Darling, which lands are particularly described in the Schedule annexed to this tender.

2. And in consideration of such lease, I am willing, and hereby offer, to pay in advance the minimum rent below which it is provided by the said Order in Council that no run shall be let, namely, ten pounds per annum, with two pounds ten shillings per annum added thereto for every thousand sheep or their equivalent in cattle beyond four thousand sheep or their equivalent which the run shall, under the provisions of the said Order in Council, be estimated as capable of carrying; and also, in consideration of such lease, and by way of premium for the same, I do offer to pay yearly, in advance, the further sum of \_\_\_\_\_ in addition to the amount of the said minimum rent.

3. And I do agree that, in the event of this tender being accepted by His Excellency the Governor General, and of such acceptance being notified in the New South Wales *Government Gazette*, I will, within sixty days after such notification, pay into the hands of the Colonial Treasurer, at Sydney, as and for the first year's rent of the said run, notwithstanding that the lease of the said run may not have been executed, the sum of ten pounds, being the amount, according to my computation of the grazing capabilities of the run, of the payments which I have above offered to make, viz. :—

Minimum yearly rent below which no run can be let	... £10 0 0
Further payment at the rate of £2 10s. per thousand for the number of stock above four thousand sheep or their equivalent which I estimate the run applied for to be capable of carrying	... ..
Additional yearly payment offered by way of premium	... ..
Total	... £ _____

Such payment nevertheless to be without prejudice to the subsequent adjustment of the rent according to the second and third sections of the second chapter of the above-mentioned Order in Council.

4. And in consideration of this tender being accepted, and in the event of such payment not being made within the beforementioned period of sixty days, I further agree to forfeit to Her Majesty the sum of twenty pounds by way of liquidated damages, and to forfeit any right acquired by virtue of this tender and such acceptance thereof as aforesaid.

Given under my hand, this 27th day of October, A.D. 1857,—

JAMES MACLEOD.

To the Chief Commissioner of Crown Lands, Sydney.

UNDER the report of the Commissioner, and subject to the amended description of boundaries furnished by him, we beg to recommend the acceptance of this tender.

W. C. MAYNE,  
A. ORPEN MORIARTY,  
GEO. BARNEY,

Accepted.—15 August, 1859.

May 2, '59.

## SCHEDULE referred to in the foregoing Tender.

Commissioner's District and General Locality.	Name of Run.	Estimated Area.	Estimated Capability.	Description of the Lands, by reference to leading geographical features and marked or determined boundary lines.
Stephen Cole, Esq., Lower Darling.	East Wambah.	200 sq. miles.	4,000 sheep.	Commencing at the north-east corner of the Outer Wambah Run, and bounded on the east by a line south, 10 miles; on the south by a line east, 20 miles; on the east by a line north, 10 miles; on the north by a line west to the starting point, about 20 miles. The above is a dry back country, and is only available in a wet winter.

JAMES MACLEOD.

No. 2.

## No. 2.

MR. COMMISSIONER COLE to THE SURVEYOR GENERAL.

Crown Lands Office,  
Euston, Lower Darling,  
16 March, 1859.

SIR,

I beg to recommend for acceptance tender No. 103, December, 1857, East Wambah, as reduced in its area and amended in its boundaries.

2. The description given in the abstract of tender takes the north-east corner of Wambah Run for its starting point; whereas the starting point should be from the north-east corner of Outer Wambah, No. 45,—September, 1855, accepted 7th May, 1856.

3. Subject to the foregoing remarks, I am not aware of any objection to the tender.

## DESCRIPTION OF EAST WAMBAH.

Estimated area—100 square miles: Estimated grazing capabilities—4,000 sheep.

COMMENCING at the north-east corner of Outer Wambah, and bounded on the north by a line east, 10 miles; on the east by a line south, 10 miles; on the south by a line west, 10 miles; on the west by the east line of Outer Wambah Run to the starting point, to which run it adjoins.

I have, &c.,  
STEPHEN COLE,  
Commissioner of Crown Lands.

## No. 3.

APPRAISEMENT OF ANNUAL VALUE OF EAST WAMBAH.

District of Darling.

Name of Run: East Wambah.

Claimant of a Lease: James Macleod.

Under and in pursuance of the provisions in that behalf contained in the Crown Lands Occupation Act of 1861, I, Stephen Cole, the appraiser duly appointed in the matter of the appraisement of the rent of the run known as East Wambah (of which a description is appended hereto), now held, under the promise of a lease from the Crown, by James Macleod, 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 fair annual value thereof for pastoral purposes; and I do hereby appraise such value to be equivalent to the sum of £40 per annum, which said sum I do adjudge and determine shall be the annual rent to be paid for and in respect of the said run, during the term of such lease.

Given under my hand at Euston, this 7th day of January, A.D., 1864,—

STEPHEN COLE.

## DESCRIPTION OF OUTER WAMBAH.

Estimated area—100 square miles.

BOUNDARIES: Commencing at the north-east corner of Outer Wambah, and bounded on the north by a line east, 10 miles; on the east by a line south, 10 miles; on the south by a line west, 10 miles; on the west by the east line of Outer Wambah Run to the starting point, to which it adjoins.

## No. 4.

THE UNDER SECRETARY FOR FINANCE AND TRADE to THE CHIEF COMMISSIONER OF CROWN LANDS.

The Treasury, New South Wales,  
7th April, 1865.

SIR,

With reference to the notice in the *Government Gazette*, dated 31st October, 1864, notifying that the undermentioned run had been appraised, under the Crown Lands Occupation Act of 1861, at its fair annual value for pastoral purposes, I am directed to inform you that the adjusted rental for the year 1865, of the run in question, was paid on 31st December last. Lessees, W. L. & R. T. Reid. District, Darling. Run, East Wambah. £40.

I have, &c.,  
W. NEWCOMBE,  
Pro Under Secretary.

Occupation authorized, 9 June, 1865.

South

## South Wambah Run—Papers.

MR. JAMES MACLEOD'S TENDER FOR SOUTH WAMBAB.

## No. 1.

*Tender for a Lease of a new Run of Crown Lands.—Intermediate or Unsettled Districts.*

IN accordance with the provisions contained in Her Majesty's Order in Council published in the New South Wales *Government Gazette* of the 7th October, 1847, and of the Regulations of the Local Government published in pursuance thereof, I, James Macleod, of the Junction of the Darling, do hereby propose to take a lease, for fourteen years, of the Crown Lands known as South Wambah, in the district of the Lower Darling, which lands are particularly described in the Schedule annexed to this tender.

2. And in consideration of such lease I am willing, and hereby offer, to pay in advance the minimum rent below which it is provided by the said Order in Council that no run shall be let, namely, ten pounds per annum, with two pounds ten shillings per annum added thereto for every thousand sheep or their equivalent in cattle beyond four thousand sheep or their equivalent which the run shall, under the provisions of the said Order in Council, be estimated as capable of carrying; and also, in consideration of such lease, and by way of premium for the same, I do offer to pay yearly, in advance, the further sum of in addition to the amount of the said minimum rent.

3. And I do agree that, in the event of this tender being accepted by His Excellency the Governor General, and of such acceptance being notified in the New South Wales *Government Gazette*, I will, within sixty days after such notification, pay into the hands of the Colonial Treasurer, at Sydney, as and for the first year's rent of the said run, notwithstanding that the lease of the said run may not have been executed, the sum of ten pounds, being the amount, according to my computation of the grazing capabilities of the run, of the payments which I have above offered to make, viz. :—

	£	s.	d.
Minimum yearly rent below which no run can be let	10	0	0
Further payment at the rate of £2 10s. per thousand for the number of stock above four thousand sheep or their equivalent which the run applied for is estimated to be capable of carrying	...	...	...
Additional yearly payment offered by way of premium	...	...	...
Total	£10	0	0

Such payment nevertheless to be without prejudice to the subsequent adjustment of the rent according to the second and third sections of the second chapter of the above-mentioned Order in Council.

4. And in consideration of this tender being accepted, and in the event of such payment not being made within the beforementioned period of sixty days, I further agree to forfeit to Her Majesty the sum of twenty pounds by way of liquidated damages, and to forfeit any right acquired by virtue of this tender and such acceptance thereof as aforesaid.

Given under my hand, this 8th day of August, A.D., 1855,—

JAMES MACLEOD.

To the Chief Commissioner of Crown Lands, Sydney.

## SCHEDULE referred to in the foregoing Tender.

Commissioner's District, and General Locality.	Name of Run.	Estimated Number of acres.	Estimated Capability.	Description of the Lands, by reference to leading geographical features and marked or determined boundary lines.
Lower Darling .....	South Wambah	16,000	4,000 sheep.	Commencing at the southern boundary of Wambah, and extending down the river about 5 miles; on the south by a line, 5 miles; on the east by a line, 5 miles; on the north by the south boundary of my run, Wambah.

Address—

JAMES MACLEOD,  
Junction, Albert District.

JAMES MACLEOD.

UNDER the report of the Commissioner, we recommend that this tender be accepted.

W. D., 10 Feby., /56.  
Accepted, 12 March, /56.

H. H. BROWNE,  
GEO. BARNEY,  
Jany. 7, /56.

## No. 2.

MR. COMMISSIONER COLE to THE CHIEF COMMISSIONER OF CROWN LANDS.

Crown Commissioner's Office,  
Euston, Lower Darling,  
26 November, 1855.

SIR,

I beg to report herewith on tender No. 43 of September, 1855, and to recommend that the same should be accepted.

The description of the country and the boundaries appear definite, and the tender is in all respects unobjectionable.

South Wambah.

I have, &c.,  
STEPHEN COLE,  
Commissioner of Crown Lands.

## No. 3.

THE COLONIAL TREASURER to THE CHIEF COMMISSIONER OF CROWN LANDS.

Revenue Branch, Colonial Treasury,  
Sydney, 14 May, 1856.

SIR,

With reference to your letter, dated the 12th of March last, No. 56-140, notifying the acceptance of Mr. James Macleod's tender for a station, in the district of Lower Darling, called South Wambah,—I have the honor to report, for the information of His Excellency the Governor General, that the first rent of the station in question was paid into this office on the 7th instant.

I have, &c.,  
C. D. RIDDELL,  
Colonial Treasurer.

## No. 4.

## DESCRIPTION OF SOUTH WAMBAH.

Estimated area—25 square miles : Estimated grazing capabilities—4,000 sheep.  
COMMENCING at a marked tree at the south-west corner of the Wambah Run ; and bounded on the north by the south boundary of said run ; on the east by a line south, about 5 miles ; on the south by the north boundary of the Makenyah Run, crossing the Undeathi Creek ; then by the bend of the Darling River, upwards, to the point of commencement.

Tolarno, Darling River,  
27 November, 1866.

W. L. & R. T. REID.  
STEPHEN COLE,  
Commissioner.

## No. 5.

## APPRAISEMENT OF GRAZING CAPABILITIES OF SOUTH WAMBAH.

*Queen's Orders in Council, Chapter 2, Section 3.—9 March, 1847.*

WE, the undersigned—George Butler Fletcher, Esquire, acting as valuer for James Macleod, and Stephen Cole, Esquire, Commissioner of Crown Lands, acting as valuer for the Government—do hereby estimate the run of South Wambah as capable of carrying 4,000 sheep or their equivalent in cattle.

South Wambah—4,000 sheep.

Euston, Lower Darling,  
12 February, 1859.

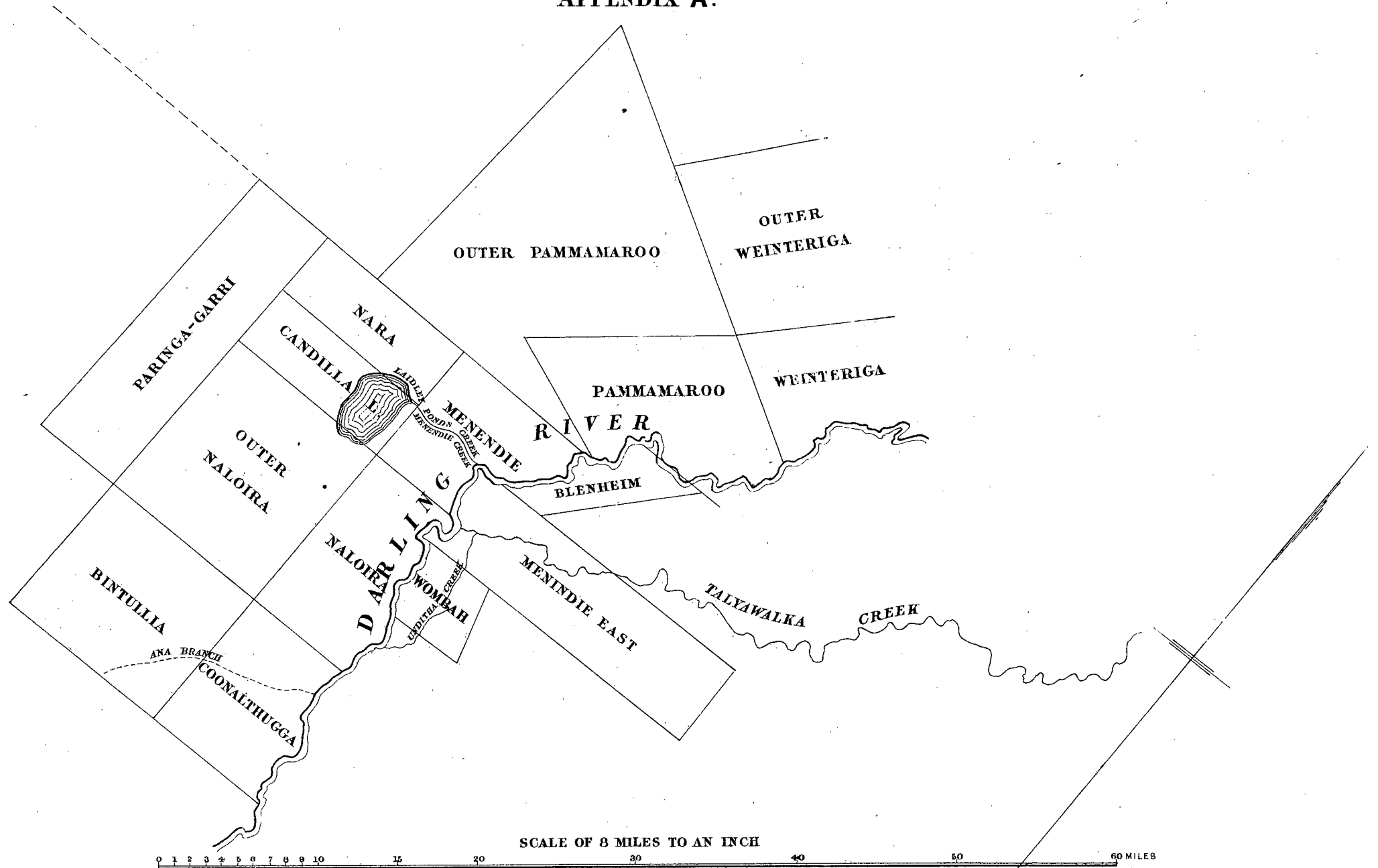
GEORGE B. FLETCHER.  
STEPHEN COLE.

[Five plans.]



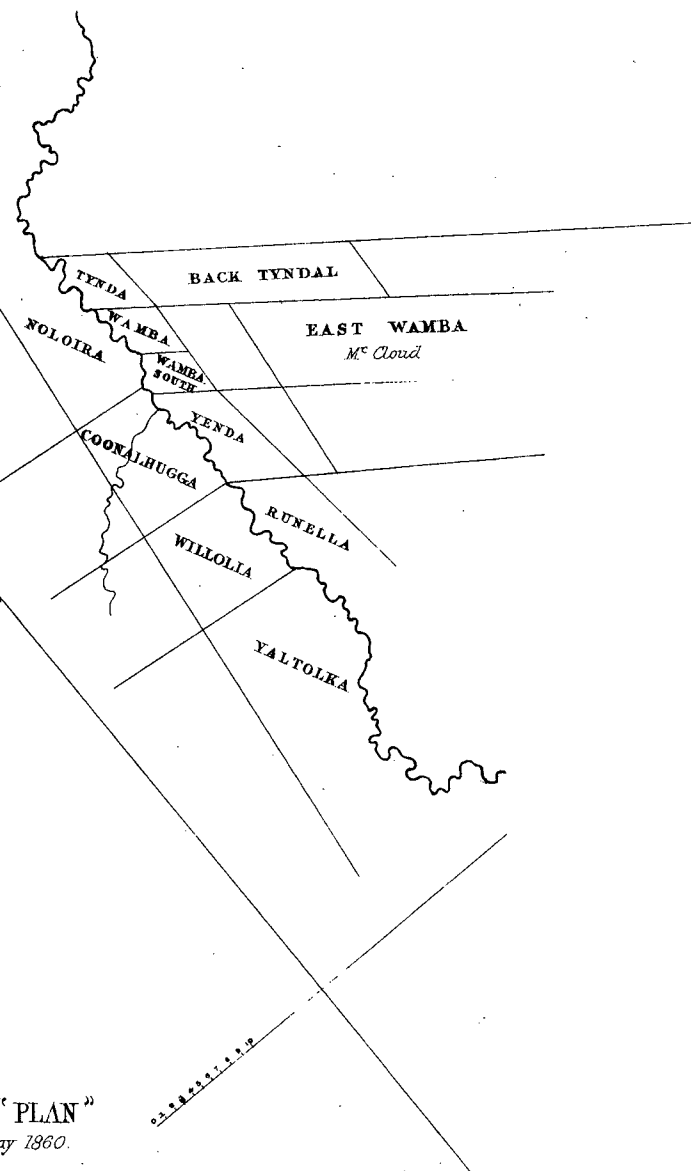


# APPENDIX A.

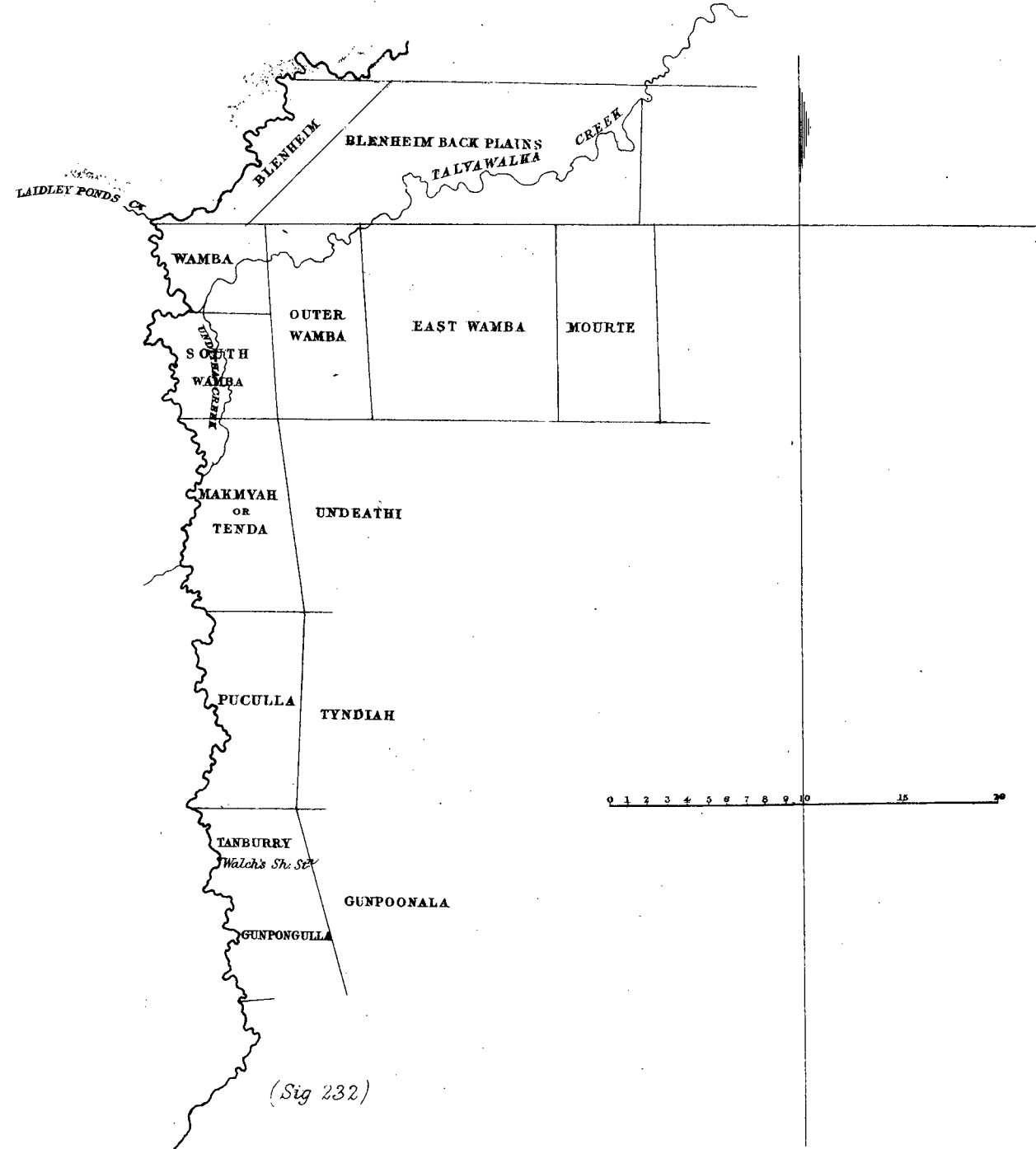


Lith<sup>d</sup> at the Sur. Gen<sup>l</sup>s Office Sydney N.S.W. March 1869.

# APPENDIX B.



# APPENDIX C.

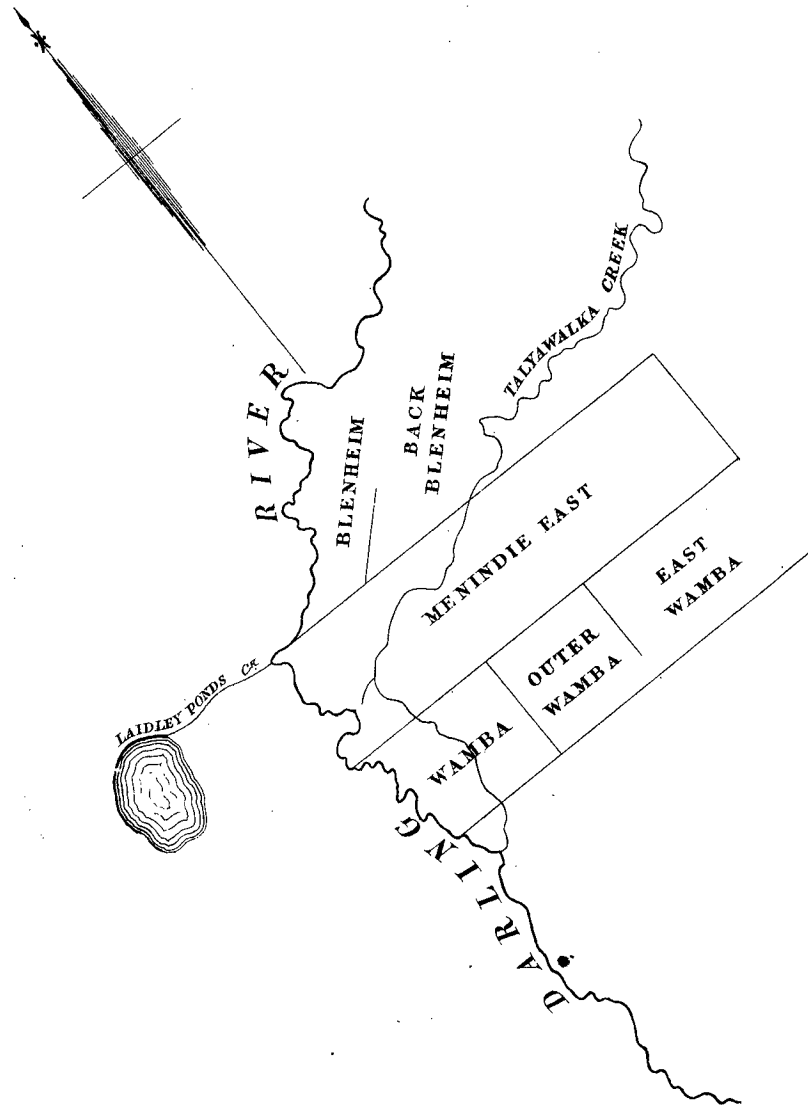


Tracing from R.P. Counsel's "PLAN"  
May 1860.

(Sig 232)

(Sig 232)

(Enclosure of No 12)  
APPENDIX D.

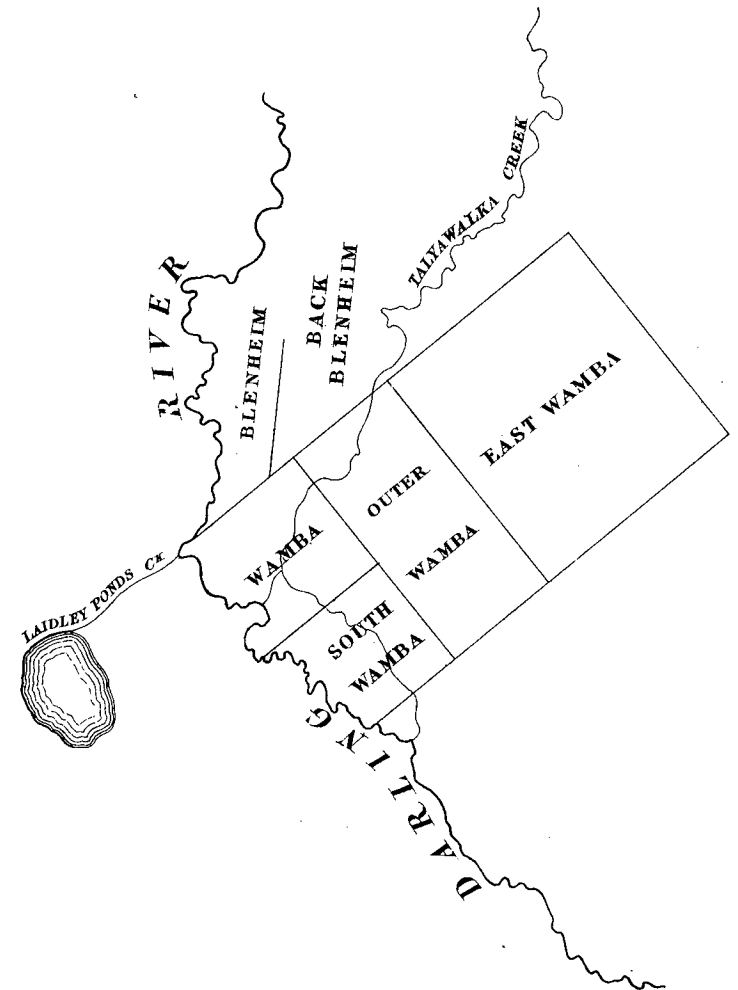


Sketch as sent in by Mr Neilson

(Sig 232)

A

APPENDIX E.



Sketch as altered by Chief Commissioner

(Sig 232)

1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

CROWN LANDS ALIENATION ACT OF 1861.

(PARTICULARS OF APPLICATIONS TO PURCHASE AND RECLAIM LAND UNDER  
9TH AND 12TH CLAUSES OF.)

---

*Ordered by the Legislative Assembly to be Printed, 7 January, 1869.*

---

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 5 November, 1867, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“ A Return stating the names of all applicants to purchase  
“ and reclaim land under the 9th and 12th clauses of the  
“ Crown Lands Alienation Act of 1861, particularizing each  
“ case as under :—

“ (1.) Whether a reserve or a reclamation; the situation,  
“ area, and lineal frontage to the water of the land author-  
“ ized to be sold.

“ (2.) The situation, area, and lineal frontage to the water  
“ of the land refused to be sold, and the reason for such  
“ refusal.

“ (3.) The amount of money paid, and the rate per foot  
“ frontage to the water.

“ (4.) The conditions imposed in the permission to reclaim  
“ land from the water.

“ (5.) The nature and the estimated money value of the  
“ improvements which have been effected since the sale of  
“ the land, up to the 30th September last.

“ Also, a Statement whether any Board or Boards have been  
“ appointed to report on all applications to purchase land  
“ under the Crown Lands Alienation Act of 1861, and if so,  
“ the names of the persons constituting such Boards; the date  
“ of their appointment; their emolument, if any, in connec-  
“ tion with such appointment; together with a copy of all  
“ Executive or Ministerial Minutes, or other documents defin-  
“ ing the duties of such Boards, or approving any regulations  
“ adopted by the same for their guidance and uniformity in  
“ protecting the interest of the public, and carrying out the  
“ provisions of the law; together with a copy of all such  
“ regulations, if any are in existence.

“ Also, a Statement of the situation, area, and lineal water  
“ frontage of all reserves of land abutting on the Harbour of  
“ Port Jackson, including Middle Harbour, Lane Cove, and  
“ Parramatta River; and whether formally dedicated to the  
“ public or not; and if dedicated to the public, the names of  
“ the Trustees, and the purposes of the trust or dedication.”

(*Mr. Tunks.*)

---

# CROWN LANDS ALIENATION ACT OF 1861.

RETURN of Applications made under the 9th clause of the Crown Lands Alienation Act of 1861, up to 30th September, 1867.

Register No.	Names of Applicants.	Reserve or Reclamation.	Situation of Land.	Area.	Lineal frontage to the water.	Amount of money paid.	Rate per foot frontage to water.	Reason for Refusal	The conditions imposed in the permission to reclaim land from the water.	The nature and the estimated money value of the improvements which have been effected since the sale of the land, up to 30 Sept., 1867.	Remarks.
61- 4397 Lds.	Thomas Holt	...	Pymont, Darling Harbour.	a. r. p.	Feet.	£ s. d.	£ s. d.			£	This application has not been disposed of.
64- 9027 s.g.	William M'Quade	...	Potts' Point	1 1 30	800	100 0 0	0 2 6			Nil.	
65-15850 "	Thomas Holt	...	Gwailey Bay	180 0 0	11,220	90 0 0	0 0 13			" 10	
65- 3029 "	Willm. Langford	...	Darling Harbour	0 0 10	36	15 0 0	0 8 4			275	
65-12092 "	John Booth	...	Johnston's Bay, Balmain	0 3 24	525	36 0 0	0 1 4			Nil.	
64-11844 "	Charles Smith	...	Miller's Point	0 1 2	410	63 0 0	0 3 0			50	
65- 1742 "	"	...	Darling Harbour	0 1 34	357	185 12 6	0 10 4				
63- 1384 Lds.	John W. Davison	...	Careening Cove	0 0 18	100	46 5 0	0 9 3				No reason assigned for the refusal of the application.
61-12041 s.g.	Thomas Adam	...	Bullock Island, Newcastle	Not determined				The reclamation proposed would have interfered injuriously with the contemplated wharf extension along Bullock Island.			The land has not been appraised.
68- 1140 Ms.	John F. Hilly	...	Woolloomooloo Bay	0 1 9	214						
	James Edrop—To purchase land on which jetty stands.	...	Darling Harbour					It would be injudicious to grant this application, pending the determination of the Government respecting the wharfs and other works required in connection with the Darling Harbour Branch Terminus of the Great Southern and Western Railway.			The surveyor's report, as to the value of the improvements effected, has not been received.
68- 1696 Ms.	Australian Gas Light Company	...	"	0 2 32	217	166 0 0	0 15 3				
" "	"	...	"	0 0 16	123	23 0 0	0 3 8				
68- 4794 "	John Ryan Brennan	...	Garryowen					Mr. Gordon, the present holder of the Garryowen Estate, declines to purchase.			
62- 6633 Lds.	Thomas Day—To extend wharf into Darling Harbour.	...	Darling Harbour					A compliance with the application would injuriously interfere with the approach by water to the adjoining properties on the south side.			
62-13374 s.g.	Wm. C. Wentworth	...	"	2 0 9	858	50 0 0	0 1 13			5,500	
63- 9827 "	John Cuthbert	...	"	1 1 7	630	75 0 0	0 2 4			1,500	
62- 6455 "	Ed. D. Ogilvie	...	Lawrence								This application has not been disposed of.
64-13320 "	James Edrop	...	Darling Harbour	0 1 14	54	105 0 0	1 18 10			900	
64-15934 "	John Struth	...	"	0 1 28	82	75 0 0	0 18 3			200	
65-15852 "	Willm. Marshall	...	Peacock's Point, Balmain	0 0 3	46	3 3 0	0 1 4			130	
62- 8732 "	Willm. Webb	...	Pymont Bay								No reason assigned for the refusal of the application.
65-12188 "	"	...	Darling Harbour	0 0 14	42	21 0 0	0 10 0			Nil.	
62- 5096 Lds.	"	...	Pymont					The land applied for will probably be required for Railway purposes.			
65-15859 s.g.	Thomas Holt	...	Weenee Bay	327 0 0	2,592	100 0 0	0 0 0			"	
63- 3769 Lds.	Municipal Council of Balmain	...	Waterview Bay, Balmain								This application for the erection of a jetty has not been disposed of.
66-15765 s.g.	Bulli Coal Mining Company	...	Bulli Harbour	0 0 26	24	5 6 0	0 4 5				The surveyor's report, as to the value of the improvements effected, has not been obtained.
64-13816 "	James Milson, junr.	...	Careening Cove	0 0 10	45	6 0 0	0 2 8			Nil.	
64-13815 "	"	...	"	0 0 16	214	8 0 0	0 0 8			"	
63- 600 "	Thomas Smith	...	Pymont Bay	0 0 4	31	4 0 0	0 2 6	It would be injudicious to grant this application, pending the determination of the Government respecting the wharfs and other works required in connection with the Darling Harbour Branch Terminus of the Great Southern and Western Railway.		"	

## RETURN, &amp;c.—continued.

Register No.	Names of Applicants.	Reserve or Reclamation.	Situation of Land.	Area.	Lineal frontage to the water.	Amount of money paid.	Rate per foot frontage to water.	Reason for Refusal.	The conditions imposed in the permission to reclaim land from the water.	The nature and the estimated money value of the improvements which have been effected since the sale of the land, up to 30 Sept., 1867.	Remarks.
63- 558 LBS.	W. F. Norie—To erect a wharf and bath-house on piles.	...	Double Bay ...	a. r. p.	Feet.	£ s. d.	£ s. d.	The applicant is not the holder in fee of the adjoining land.		£	
68- 4666 MS.	Geo. S. Yarnton ...	...	Roselle Bay, Glebe ...	0 0 35	264	...	...	Applicant has forfeited the right to reclaim by non-payment of the purchase money within the six months prescribed by the regulations.			
63- 7510 LBS.	Jas. Pemell & Co....	...	Darling Harbour ...	Not determined	...	...	...	The fee simple of the adjoining land is not vested in the applicants.			
67- 1262 MS.	Liverpool and London Insurance Company.	...	Woolloomooloo Bay ...	...	...	...	...				The Company will accept the land reclaimed as compensation for loss of water frontage.
65- 2643 S.G.	Mansfield & Oakes ...	...	Darling Harbour ...	0 2 5	413	212 10 0	0 10 3½				The surveyor's report, as to the value of the improvements effected, has not been received.
62-15021 "	Thos. Breillat ...	...	"	Not determined	...	...	...				
62-15019 "	"	...	"	0 0 3½	185	23 15 0	0 2 6½			Nil.	
65- 1218 "	John Miller...	...	"	Not determined	...	...	...	The fee simple of the adjoining land is not vested in applicant.			
63- 8077 S.G.	William Grant ...	...	Elizabeth Bay, Pyrmont	...	...	...	...	It would be injudicious to grant this application, pending the determination of the Government respecting the wharfs and other works required in conjunction with the Darling Harbour Branch Terminus of the Great Southern and Western Railway.			
63- 600 "	S. B. and J. Warburton ...	...	Pyrmont ...	...	...	...	...				
65-10558 "	John Degotardi ...	...	Balmain ...	0 0 6½	50	6 15 0	0 2 8½			50	
65-16459 "	E. Beckmann ...	...	"	0 0 7	65	7 0 0	0 2 1½			Nil.	
64-13802 "	Wilkinson, Brothers, and Co.	...	Darling Harbour ...	0 0 2½	152	33 0 0	0 4 4			500	
66-12694 "	H. Gardner...	...	Johnston's Bay, Balmain	0 0 29	165	29 0 0	0 3 6			Nil.	
60- 7965 LBS.	W. Peverly...	...	Balmain	Not determined	...	...	...	The reclamation was made without permission.			
65- 6795 S.G.	Thos. Loxton ...	...	Neutral Bay ...	0 2 33	610	16 19 0	0 0 6½				
65-12189 "	A. B. Smith...	...	North Shore ...	0 0 27	247	13 10 0	0 1 1				
65-18854 "	Jas. Milson, senr...	...	Careening Cove ...	1 0 38	957	29 14 0	0 0 7½				
65-19796 "	Hely & Harper ...	...	Darling Harbour ...	0 2 24	285	156 0 0	0 10 11½				
62- 2738 WKS.	Waratah Coal Company...	...	Newcastle ...	0 1 28	250	102 0 0	0 8 1½				This application has not been disposed of.
65-26724 S.G.	T. A. Dibbs...	...	North Shore ...	0 0 39½	337	19 15 0	0 1 2			60	
67- 1329 MS.	A. H. C. Macafee ...	...	Blackwattle Swamp	Not determined	...	...	...				The land has not been appraised.
67- 1328 "	Alex. McArthur ...	...	"	"	...	...	...				" "
62- 5105 LBS.	P. N. Russell—To extend wharf.	...	Darling Harbour ...	...	...	...	...		That the extension be carried out on piles, and not by filling in.	15	
65-19880 .....	Bank of New South Wales	...	Parramatta River, Hunter's Hill.	0 0 2½	231	1 5 0	0 0 1½				
63- 480 MS.	John Hy. Challis ...	...	Woolloomooloo Bay...	0 2 16	301	168 0 0	0 11 1½			50	
68- 1611 "	Trustees of Mrs. G. A. Lloyd	...	North Shore ...	0 0 11½	117	5 17 6	0 1 0			At the date above specified, the land had not been sold.	
"	"	...	"	0 0 37½	429	18 17 6	0 0 10½			Nil.	
66-18373 S.G.	T. S. Glaister ...	...	Lavender or Hulk Bay	0 0 26	171	16 5 0	0 1 10½				
67- 269 MS.	James Milson ...	...	Hulk Bay ...	Not determined	...	...	...	The site has been permanently reserved as a place of public recreation and for baths.			
66- 8640 S.G.	Willm. McQuade ...	...	Potts' Point ...	0 0 11	142	16 10 0	0 2 3½				
66- 9005 "	G. A. Mansfield ...	...	The Glebe ...	Not determined	...	...	...				The land has not been appraised.
67- 4129 .....	Lord & Dibbs ...	...	Milson's Point ...	"	...	...	...				
66-18389 S.G.	Willm. Williams ...	...	Careening Cove ...	0 0 14½	278	2 3 6	0 0 1½				
66-26660 "	Daniel Bulman ...	...	Darling Point...	0 1 30	163	...	...	It was considered that the proposed reclamation would extend too far into the bay.			
								Mr. Williams was not permitted to purchase the whole of the land for which he applied; it was considered undesirable that he should be permitted to do so.			
								Applicant has forfeited the right to reclaim by non-payment of the purchase money within the six months prescribed by the regulations.			



RETURN, &c.—continued.

Register No.	Names of Applicants.	Reserve or Reclamation.	Situation of Land.	Area.	Lineal frontage to the water.	Amount of money paid.	Rate per foot frontage to water.	Reason for Refusal.	The conditions imposed in the permission to reclaim land from the water.	The nature and the estimated money value of the improvements which have been effected since the sale of the land, up to 30 Sept., 1867.	Remarks.
66-18372 S.O.	A. Hordern...	...	Darling Point...	a. r. p.	Feet.	£ s. d.	£ s. d.			£	
66-19554 "	Joseph Dole ...	...	Lavender Bay...	0 2 13	278	69 15 0	0 5 0			Nil.	
66-20481 "	Mathew Charlton ...	...	Hulk Bay ...	0 0 7	48	3 10 0	0 1 5½			40	
67-2913 M.S.	Wm. Allison ...	...	Pymont ...	0 0 20½	159	18 5 0	0 1 8			Nil.	This application has not been disposed of.
64-2378 L.S.	Jas. and A. Brown ...	...	South channel of the Hunter River.	Not determined				The fee simple of the adjoining land was not vested in the applicants, and at the date of the application the land had been selected under the 22nd section of the Occupation Act.			
65-10921 S.O.	Alexr. Dick...	...	Darling Point...	Not determined.				A road intervened between applicant's property and the land to be reclaimed.			
66-13767 "	John Hughes ...	...	Phoenix Wharf ...	0 0 4	19	14 0 0	0 14 9				The surveyor's report, as to the value of the improvements effected, has not been received. This application has not been disposed of.
65-12646 "	W. S. Friend—To erect jetty ...	...	Hen and Chicken Bay ...								
67-369 M.S.	George King—For Mineral Oil Co.	...	Ball's Head Bay ...	0 3 0	575	18 0 0	0 0 7½			500	
65-6037 L.S.	Robert Symons ...	...	At head of White Bay—Johnston's Bay.	Not determined.				The land will probably be required for public purposes.			
66-7262 "	Jules Joubert—To erect two stone jetties to be connected by a bridge.	...	Tarban Bay ...	"				A compliance with this application would interfere most injuriously with the value of the properties at the head of Tarban Creek. If a road be required it should be on a pile bridge with a swivel in the centre, affording an opening of not less than 35 feet.			
65-6466 "	James Charlton ...	...	Neutral Bay ...								This application has not been disposed of.
65-6765 "	A. W. Reynolds ...	...	Waterview Bay ...	Not determined.				The water in front of applicant's property is sufficiently deep for general purposes, and the land applied for as reclaimed land has not been reclaimed.			
66-7736 "	Marsden and Son ...	...	Pymont ...								This application has not been disposed of.
66-19098 S.O.	Joseph Gould, senr. ...	...	Woolloomooloo Bay...	0 0 15	145	22 10 0	0 3 0½			Nil.	
66-18319 "	Joseph Gould, junr. ...	...	"	0 0 10	89	15 0 0	0 4 4			50	
67-3529 "	Thos. Perkins ...	...	Ballast Point, Balmain	0 3 0	1,406	30 0 0	0 0 5			150	
66-2826 "	W. F. Norris ...	...	Darling Harbour ...	Not determined.				The position in which it was sought to erect the wharf formed part of a public street.			
66-5592 "	J. H. Williams ...	...	"	"				It was considered injudicious to grant this application until the Government had adopted some course with regard to reclaimed land at head of Darling Harbour.			
66-4221 L.S.	John Irwin ...	...	Snail's Bay, Balmain	"				Applicant failed to supply a proper survey.			The application has not been disposed of.
66-4704 M.S.	J. Harris ...	...	Blackwattle ...	"							
2902	F. Peat ...	...	Balmain	"				The applicant was not the owner of the adjoining land. The land applied for was identical with that the sale of which had been refused on Mr. Williams's previous application.			
66-2826 L.S.	Willm. Williams ...	...	Caresing Cove ...	Not determined.				This application was refused in consequence of a non-compliance with the regulations on the part of Mr. Jeanneret.			
67-1943 M.S.	C. E. Jeanneret ...	...	Hunter's Hill ...								
66-4928 L.S.	John Warburton and Son ...	...	Pymont ...								This application has not been disposed of.
68-471 M.S.	W. H. Sawyer ...	...	Waterview Bay, Balmain	0 1 8	105						The land has not been appraised.
68-473 "	"	...	"	0 1 22½	180						
68-472 "	"	...	"	0 1 8½	125						
67-1154 "	C. E. Jeanneret ...	...	Gladesville Estate					These applications were refused in consequence of a non-compliance with the regulations on the part of Mr. Jeanneret.			
"	"	...	Hunter's Hill ...								
68-565 "	J. B. Rundle ...	...	Hen and Chicken Bay, Parramatta River.	3 0 10	363	6 2 6	0 0 4			Nil.	
"	"	...	"	3 2 0	1,202	7 0 0	0 0 1½			Nil.	

## RETURN &amp;c.—continued.

Register No.	Names of Applicants.	Reserve or Reclamation.	Situation of Land.	Area.	Lineal frontage to the water.	Amount of money paid.	Rate per foot frontage to water.	Reason for Refusal.	The conditions imposed in the permission to reclaim land from the water.	The nature and the estimated money value of the improvements which have been effected since the sale of the land, up to 30 Sept., 1867.	Remarks.
67- 2658 M.S.	Chas. E. Jaques ... ..	...	Morpeth, Hunter's River ... ..	a r. p.	Feet.	£ s. d.	£ s. d.	...	...	£	To stand over, pending the settlement of the claims in connection with the extension of the Railway into Morpeth.
68- 562 "	Ann Rose ... ..	...	Pearcock's Point, Balmain ... ..	0 0 5	30	5 0 0	0 3 4	...	...	Nil.	The land has not been appraised.
68- 564 "	Wm. Hy. Rose ... ..	...	" " " " " "	0 0 5 1/2	30	5 10 0	0 3 8	...	...	Nil.	
68- 5321 "	Chas. H. Woolcott ... ..	...	Wolstonecroft's Bay, or Berry's Bay, North Shore.	0 0 4 1/2	89	...	...	...	...	...	
68- 1086 "	M. F. Josephson ... ..	...	Lane Cove ... ..	3 0 0	3,333	3 0 0	0 0 0 1/2	...	...	At the date above specified the land had not been sold.	
66- 7466 M.S.	John McClellens ... ..	...	White Bay, Balmain ... ..	0 0 17 1/2	33	...	...	...	...	...	
67- 7936 S.G.	W. F. Norrie ... ..	...	Blue's Point ... ..	0 1 29	867	...	...	...	...	...	
67- 5384 M.S.	E. W. Cameron ... ..	...	Balmain ... ..	0 1 5	285	11 5 0	0 0 9 1/2	...	...	Nil.	
3288	Thos. Brookes ... ..	...	Lane Cove ... ..	Not determined.	...	...	...	...	...	...	This application has not been disposed of.
66-20823 S.G.	Edye Manning ... ..	...	Carrening Cove ... ..	...	...	...	...	...	...	...	
67- 1094 M.S.	John Blue ... ..	...	Berry's Bay, North Shore ... ..	...	...	...	...	...	...	...	
67- 1202 "	John Macnamara ... ..	...	Between Miller's Point and Dawes' Point.	1 0 23	335	282 0 0	0 16 10	...	...	Nil.	
67- 1091 "	W. Chuter ... ..	...	Berry's Bay, North Shore ... ..	0 0 16	150	...	...	...	...	...	The land has not been appraised.
68- 30 "	Willm. Ray ... ..	...	" " " " " "	0 0 2 1/2	20	...	...	...	...	...	
68- 31 "	Thos. Adamson ... ..	...	" " " " " "	0 0 10	52	...	...	...	...	...	
67- 2429 "	John Ogden ... ..	...	Johnston's Bay, Balmain ... ..	...	...	...	...	...	...	...	This application has not been disposed of.
67- 2989 "	Fredk. Smith ... ..	...	Berry's Bay ... ..	...	...	...	...	Applicant has neglected to furnish the plan required by the Regulations.	...	...	
68- 4802 "	O. S. Evans ... ..	...	Thames-street, Waterview Bay.	0 0 23	69	...	...	...	...	...	
68- 4860 "	O. S. Evans and G. R. Elliott ... ..	...	Campbell-street, Waterview Bay.	0 0 12 1/2	95	...	...	...	...	...	
63-13893 S.G.	Edward Flood ... ..	...	Potts' Point ... ..	0 1 10	372	30 0 0	0 1 7 1/2	...	...	Nil.	
64- 8634 .....	Trustees of the late Fras. John King.	...	Darling Harbour ... ..	0 2 2 1/2	140	150 0 0	1 1 5	...	...	2,030	
65-20354 S.G.	North Shore Steam Ferry Company.	...	Milson's Point ... ..	0 3 10	712	35 0 0	0 0 11 1/2	...	...	1,200	
65-12091 "	Australian Steam Navigation Company.	...	Darling Harbour ... ..	0 1 5 1/2	214	113 15 0	0 10 7 1/2	...	...	Nil.	
65- 6700 "	Edward Lord ... ..	...	Carrening Cove ... ..	0 2 12	621	13 16 0	0 0 5 1/2	...	...	Nil.	
65- 6780 "	The Most Reverend John Bede Foulds.	...	Blackwattle Swamp Cove ... ..	2 1 16	1,684	47 0 0	0 0 1	...	...	...	The surveyor's report, as to the value of improvements effected, has not been received. There is no water-frontage to this land.
66- 2197 "	John Alexander ... ..	...	New Pitt-street, Sydney ... ..	0 0 8 1/2	...	30 0 0	...	...	...	...	This application has not been disposed of.
63-14212 "	C. H. Woolcott, for the Municipal Council of Sydney.	...	At the foot of King-street, Sydney.	...	...	...	...	...	...	...	
66-22303 "	Municipal Council of Balmain—To erect wharfs.	...	In front of Adolphus-street, Johnston's Bay; in front of Cooper-street, Waterview Bay; in front of William-street, Darling Harbour.	...	...	...	...	...	...	...	
68- 1958 M.S.	Geo. Etheridge ... ..	...	Johnston's Bay, Balmain ... ..	0 0 14	94	...	...	...	...	...	
64- 6450 S.G.	P. N. Russell & Co. ... ..	...	Near Barker-street, Darling Harbour.	0 1 21	167	...	...	...	...	...	The land has not been appraised.

There has been no formal appointment of a Board, but all applications to reclaim under the 9th Clause of the Act, or for the rescission of reserves under the 12th Clause, are uniformly referred for the joint report of the Chief Engineer for Harbours and River Navigation and the Surveyor General for the time being.

There is no emolument attaching to the duty performed by these officers in this respect. There has been no Executive Minute or other document defining their duties, nor have there been any formal regulations drawn up by them for their own guidance, beyond a memorandum to the effect, that they would consider themselves justified in reporting in favour of the owners of waterside properties being allowed to improve and utilize the same by the construction of wharfs or other useful works, to such extent as might be practicable, consistently with a due regard to the rights of the public and the requirements of navigation.

The duty to be performed by them, it is conceived, is indicated with sufficient clearness without any such minute or regulations—namely, to see how far a compliance with the individual applications, made in terms of the Act, would or would not be consistent with the public interests.

RETURN of Applications made under the 12th clause of the Crown Lands Alienation Act of 1861.

Register No.	Names of Applicants.	Situation of Land.	Area.	Lineal frontage to the water.	Amount of money paid.	Rate per foot frontage to water.	Reason for Refusal.	The nature and the estimated money value of the improvements which have been effected since the sale of the land, up to 30 September, 1867.
64-11789 S.G.	J. B. Holdsworth ...	Nelson's Bay ...	a. r. p. 3 0 14	feet. 1,353	£ s. d. .....	£ s. d. .....	Conditionally refused, a portion of the land applied for being required by the public for access to the beach.	
62- 4685 "	Eleanor Clement ...	West Ballina, Richmond River...	.....	.....	.....	.....	Applicant's property is bounded by high-water mark of the Richmond River.	
66-14448 "	Sarah S. Kemp ...	Greenhills, Shoalhaven River ...	.....	.....	.....	.....	The alienation of any part of the land would be prejudicial to the public interests.	
67-13935 "	Hy. Carmichael ...	Allotments 1 and 2 of 21a., Seaham.	.....	.....	.....	.....	The land applied for is separated from applicant's property by a street.	
65- 6793 "	Edwd. Lord ...	Careening Cove ...	1 0 30	621	59 7 6	0 1 10½	.....	£3.
65-19881 "	Bank of South Wales ...	Hunter's Hill, Parramatta River	0 0 21	150	7 7 0	0 0 11½	.....	£24.
"	"	"	0 2 35	280	28 15 0	0 2 0½	.....	
"	"	"	1 0 28	528	14 2 0	0 0 6½	.....	
65- 270 "	John Le Gay Brereton ...	Hunter's Hill, Tarban Creek ...	0 2 27	316	20 1 3	0 1 3	.....	Nil.
65- 6794 "	Thomas Loxton ...	Neutral Bay ...	1 1 20	610	45 16 8	0 1 6	.....	The surveyor's report, as to the value of the improvements effected, has not been received.
64- 6148 "	J. S. Stanner ...	Hunter's Hill ...	.....	.....	.....	.....	The land adjoining that applied for is not the property of the applicant.	
67- 848 MS.	W. T. Flanagan ...	Fronting applicant's grant of 2,560 acres, Shannon View Estate, Moruya River.	6 0 6	2,722	55 0 0	0 0 4½	.....	£20.
"	"	"	3 1 14	2,194	22 0 0	0 0 2½	.....	
66- 6932 S.G.	Poupinel and Joly ...	Tarban Creek, Hunter's Hill ...	1 1 17	640	21 14 0	0 0 8	.....	Nil.
"	"	"	1 3 17	825	29 14 0	0 0 8½	.....	Nil.
66- 6919 "	Gabriel de Milhau ...	"	0 0 37	100	5 11 0	0 1 1½	.....	Nil.
67- 269 MS.	Jas. Milson, senior ...	Hulk Bay ...	1 3 0	818	.....	.....	It was recommended by a Select Committee that the Reserve at Lavender Bay be permanently reserved as a place of public recreation and as a site for public baths.	
66-10586 S.G.	"	Careening Cove, Parish of Willoughby.	2 1 0	990	112 10 0	0 2 3½	.....	Nil.
66-18385 "	William Williams ...	"	0 2 19	278	26 16 3	0 1 11	.....	Nil.
65-19298 "	William Roberts ...	Hunter's Bay, Middle Harbour...	1 3 9	907	7 4 6	0 0 1½	.....	Nil.
66-14468 "	Edward Lord ...	Cook's River, Botany ...	13 3 0	5,940*	.....	.....	.....	
68- 5056 MS.	Elizabeth Edwards ...	Middle Harbour, Parish of Willoughby.	1 2 32	1,188	.....	.....	.....	This application has not been been disposed of.
66-21391 S.G.	John Flood ...	Moruya River ...	.....	.....	.....	.....	The applicant was not the holder in fee of the adjoining land.	
66- 4785 LDS.	Bulli Coal Mining Company	Bulli Harbour ...	.....	.....	.....	.....	The Company have failed to furnish a plan shewing the land applied for.	
68- 1270 MS.	M. F. Josephson ...	At Tambourine and Burn's Bays, Lane Cove.	7 0 0	3,333	7 0 0	0 0 0½	.....	At the date above specified the land had not been sold.
67- 3861 MS.	Reba. M. Chepmell...	Tarban Creek ...	0 1 24	165	12 0 0	0 1 5½	.....	Nil.
68- 4733 "	Thos. Brookes ...	Burn's Bay, Lane Cove ...	3 1 30	1,518	.....	.....	.....	This application has not been disposed of.
66- 8668 LDS.	Edye Manning ...	Careening Cove ...	.....	.....	.....	.....	.....	This application has not been disposed of.
67- 1124 MS.	Hunter's Hill Municipality	Hunter's Hill ...	.....	.....	.....	.....	No advantage would result to the Municipality by a rescission of the reservation.	
62-16717 S.G.	Sir H. W. Parker ...	Watson's Bay ...	0 1 20	250	15 0 0	0 1 4	.....	Nil.
65-12080 "	J. J. Gee ...	Hunter's Hill ...	0 3 34	483	38 10 0	0 1 7	.....	Nil.
65-20822 "	William Wright ...	Five Dock Farm, Parramatta River	8 2 30	5,808	104 5 0	0 0 4½	.....	Nil.
64- 6555 "	Trustees for Mrs. H. Westmacott.	Parramatta River ...	6 3 0	4,488	50 0 0	0 0 2½	.....	Nil.

\* The land has not been appraised.

STATEMENT of the situation, area, and lineal water frontage of all Reserves of Land abutting on the Harbour of Port Jackson, including Middle Harbour, Lane Cove, and Parramatta River, and whether formally dedicated to the public or not; and if dedicated to the public, the names of the Trustees, and the purposes of the Trust or Dedication.

Situation.	Area.	Lineal Water Frontage.	Whether formally dedicated or not.	Names of Trustees.	For what purpose dedicated.
	a r. p.	chs. lks.			
PARISH OF WILLOUGHBY.					
Bradley's Head, or Burrogy ... ..	32 0 0	70 0	Not dedicated. ...		
Gurrugal (Between Taylor and Chowder Bays) ... ..	21 0 0	38 0	" ...		
George's Head ... ..	31 2 0	36 0	" ...		
Middle Head ... ..	31 2 0	58 0	" ...		
Parriwi (Shell Cove and Pearl Bay) ... ..	19 0 0	56 0	" ...		
Long Bay (Saltpan Creek) ... ..	7 0 0	21 0	" ...		
Long Bay (Reserved Dock) ... ..	85 2 0	26 0	" ...		
Sailor's Bay (west side) ... ..	4 2 0	9 0	" ...		
Sailor's Bay (Mowbray Point) ... ..	7 0 0	20 0	" ...		
PARISH OF MANLY COVE.					
North Harbour ... ..	17 0 0	25 0	" ...		
Bantry Bay ... ..	40 0 0	17 50	" ...		
North Head (Reserve for Quarantine) ... ..	659 2 0	368 0	" ...		
PARISH OF ALEXANDRIA.					
South Head ... ..	111 2 0	200 0	" ...		
Camp Cove (Reserve for purposes for Harbour Defences) ... ..	0 3 0	5 50	" ...		
Double Bay (The Steyne) ... ..	3 0 35	5 25	Dedicated ...	Woollahra Borough Council	Public recreation.
Garden Island (Naval Reserve) ... ..	4 1 25	30 0	" ...		
NOTE.—The whole island dedicated as a Naval Depot.					
PARISH OF ST. JAMES.					
Government Domain (including Botanical Gardens) ... ..	191 0 0	200 0	Not dedicated ...		
Toboggully, or Bennelong Point (Ordnance) ... ..	3 0 0	43 0	" ...		
PARISH OF ST. PHILIP.					
Dawes Point (Ordnance) ... ..	7 2 11	27 0	" ...		
Commissariat Office and Stores, Dockyard, &c. ... ..	2 0 38	26 0	" ...		
PARISH OF HUNTER'S HILL.					
Tarban Creek (Reserve for Lunatic Asylum) ... ..	162 0 0	74 0	" ...		
Lane Cove (Field of Mars Common) ... ..	6,235 0 0	732 0	Granted ...	D. N. Joubert and E. Laycock	Common for use of residents of Field of Mars and Eastern Farms.
PARISH OF CONCORD.					
Hen and Chicken Bay ... ..	3 2 0	17 50	Not dedicated ...		
PARISH OF FIELD OF MARS.					
Parramatta Park ... ..	252 0 0	126 0	200 acres reserved by Act 20 Vic., No. 35.	James Byrnes, W. Goodwin, Geo. Oakes, A. Payten, and G. B. Suttor.	Public Park.

[Price, Gd.]

Sydney: Thomas Richards, Government Printer.—1869.

1868.

## NEW SOUTH WALES.

## REAL PROPERTY ACT.

(RETURNS FOR 1867.)

Presented to both Houses of Parliament, by Command.

RETURN of the Number of Applications, with amount of Fees, &c., under the Real Property Act, from 1st January to 31st December, 1867.

MONTHS.	No. OF APPLICATIONS.	No. OF PROPERTIES.	AREA.		VALUE.	FEES.			TOTAL.
			Town and Suburban.	Country.		Assurance.	Commissioners.	Certificates and other dealings.	
			a. r. p.	a. r. p.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
January ...	15	22	27 1 16½	874 3 30	11,755 0 0	38 8 10	16 5 0	96 13 0	151 6 10
February ...	27	33	31 3 6½	829 3 31	11,795 0 0	65 16 9	23 5 0	112 5 8	201 7 5
March ...	35	46	38 3 20	1,184 1 16	30,360 0 0	55 6 1	30 15 0	150 5 4	236 6 5
April ...	27	40	20 0 33½	1,232 3 2	11,592 0 0	39 4 10	28 0 0	130 12 8	197 17 6
May ...	20	32	22 2 14	7,936 0 0	33,770 0 0	98 9 6	24 0 0	98 11 0	221 0 6
June ...	29	44	27 2 19	4,174 0 0	21,305 0 0	78 8 0	33 10 0	128 1 0	249 19 0
July ...	24	33	33 3 22½	806 2 19	12,487 0 0	80 5 0	31 5 0	141 4 8	258 14 8
August ...	28	49	66 1 12½	4,276 3 32	22,414 0 0	84 17 10	28 0 0	149 3 0	262 0 10
September ...	30	42	31 1 3	568 3 32	6,442 0 0	35 10 6	26 15 0	169 18 0	232 3 6
October ...	31	44	464 0 9	1,551 0 36	68,353 0 0	158 12 5	47 10 0	116 12 8	322 15 1
November ...	33	41	41 0 16	9,469 1 17	17,743 0 0	81 3 10	37 10 0	155 19 8	274 13 6
December ...	25	33	31 1 33½	2,218 0 0	13,468 0 0	57 2 7	29 10 0	131 18 8	218 11 3
TOTALS ...	324	459	836 2 5½	35,121 0 15	261,484 0 0	879 6 2	356 5 0	1,591 5 4	2,826 16 6

NOTE.—The above Return is exclusive of ten applications which have been withdrawn.

## REAL PROPERTY ACT.

RETURN of Crown Grants registered under the Real Property Act, from 1st January to 31st December, 1867.

MONTHS.	No. OF GRANTS.	AREA.		VALUE.		ASSURANCE.
		Town and Suburban.	Country.			
		a. r. p.	a. r. p.	£ s. d.	£ s. d.	
January ... ..	218	108 2 37½	7,581 2 8	10,059 9 8½	21 0 9	
February ... ..	334	67 1 22½	18,006 0 20½	23,204 19 2	48 13 3	
March ... ..	706	344 0 6½	12,309 0 0	17,607 18 0	36 18 7	
April ... ..	419	410 2 6½	14,549 1 33½	17,403 12 2½	36 0 5	
May ... ..	273	104 3 1½	16,392 2 3½	17,995 10 7	37 1 10	
June ... ..	213	110 0 22½	6,432 0 30	12,643 17 6	26 7 7	
July ... ..	328	241 3 27	14,821 3 24½	16,770 10 2	35 2 3	
August ... ..	507	287 0 30½	18,567 0 19½	23,167 3 8	48 6 1	
September ... ..	525	191 2 10½	21,326 2 32½	24,510 7 2½	51 4 0	
October ... ..	334	335 2 16	17,888 3 5	20,222 12 5½	42 5 4	
November ... ..	336	1,108 2 6	17,640 2 1½	22,448 8 9	46 17 4	
December ... ..	116	74 3 36	3,697 0 34	6,067 10 0	12 5 0	
TOTALS ... ..	4,309	3,385 1 22½	169,213 0 12½	212,101 19 5	442 2 5	

NOTE.—Amount of Consideration Money for Transfers under the Act, for the year 1867 ... .. £ 83,297 8 10

Amount secured by Mortgage under the Act, for the year 1867 ... .. 238,595 4 9

Total area of land under the Act—644,813 acres 2 roods 28½ perches. Total value of land under the Act—£2,175,512 13s. 7d.

Registrar General's Department,  
Land Titles Branch,  
Sydney, 1 March, 1868.

THEO. JAS. JAKES,  
Registrar General.

Sydney: Thomas Richards, Government Printer.—1868.

[Price, 3d.]

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

LAND TITLES DEPARTMENT—MR. W. WRIGHT;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

---

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
24 *March*, 1869.

---

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1869.

[*Price*, 1s. 6d.]

300—*a*

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 43. TUESDAY, 23 FEBRUARY, 1869.

11. Land Titles Department—Mr. W. Wright (*"Formal" Motion*):—Mr. Lyons moved, pursuant to Notice No. 1,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the proceedings of the Land Titles Department, in reference to the application of Mr. William Wright for a Certificate of Title to Land at Five Dock.
- (2.) That such Committee consist of Mr. Burns, Mr. Farnell, Mr. Tighe, Mr. S. Brown, Mr. Lucas, Mr. J. Stewart, Mr. Josephson, Mr. Tunks, and the Mover.
- Question put and passed.

VOTES, No. 61. WEDNESDAY, 24 MARCH, 1869.

2. Land Titles Department—Mr. W. Wright:—Mr. J. Stewart, 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 the 23rd February, 1869; together with Appendix.
- Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings...	2
Progress Report ...	3
Proceedings of the Committee ...	4
Expense of Witness ...	6
List of Witnesses ...	6
Minutes of Evidence ...	1
Appendix ...	29



1868-9.

---

LAND TITLES DEPARTMENT—MR. W. WRIGHT.

---

## PROGRESS REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 23rd February, 1869,—“*with power to send for persons and papers*”—“*to inquire into and report upon the proceedings of the Land Titles Department, in reference to the application of Mr. William Wright for a Certificate of Title to Land at Five Dock*”—have agreed to the following Progress Report,—

Your Committee have examined the witnesses named in the margin, and have the honor to report as follows :—

Your Committee have not arrived at any definite conclusion, and recommend that the inquiry be resumed next Session.

The evidence of the witnesses together with Appendices are herewith annexed.

JOHN STEWART,  
Chairman.

No. 3 Committee Room,  
Sydney, 23 March, 1869.

S. Lyons, Esq., M.P.  
E. G. Ward, Esq.  
F. H. Reuss, Esq.  
W. F. M'Carthy, Esq.  
W. M. Brownrigg, Esq.  
R. D. Fitzgerald, Esq.  
W. G. Pennington, Esq.  
R. M. Pearson, Esq.  
G. K. Holden, Esq.  
Wm. Deane, Esq.

# PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 26 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Lyons,		Mr. Burns,
Mr. J. Stewart,		Mr. Farnell,
		Mr. Tighe.

Mr. J. Stewart, called to the Chair.

Committee deliberated as to their course of proceedings.

*Ordered*,—That the Clerk summon T. J. Jaques, Esq. (Registrar General), and F. H. Reuss, Esq. (Surveyor), for next meeting.

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

TUESDAY, 2 MARCH, 1869.

MEMBERS PRESENT:—

Mr. J. Stewart, in the Chair.

Mr. Burns,		Mr. Farnell,
Mr. Lyons,		Mr. Tighe.

Samuel Lyons, Esq., M.P., a Member of this Committee, examined in his place.

Witness *produced* description of the two properties in question, and other documents, to which he referred during his examination.

Witness *handed in* letter from S. Lyons to the Registrar General, respecting the division between his property and Mr. Wright's, and reply thereto.

*Ordered* to be appended. (*Vide Appendix A 1 and A 2.*)

The Chairman withdrawing from the room, the Chair was taken *pro tem.* by Mr. Farnell.

E. G. Ward, Esq. (*Deputy Registrar General*), called in and examined.

Witness *produced*—First Certificate of Title issued to Mr. William Wright, of Drummoyne, Five Dock; also document cancelling that title. Witness also *produced* Second Certificate of Title to Mr. William Wright, and other documents bearing on the case.

Witness withdrew.

F. H. Reuss, Esq. (*Surveyor*), called in and examined.

During the examination of this Witness, the Chairman re-entered the room, and after the vacation of Mr. Farnell, again took the Chair.

Witness *handed in*—Boundary Survey of North and South Hythe, Five Dock Estate.

Witness withdrew.

*Ordered*,—That W. M. Brownrigg, Esq. (*Surveyor*), and W. F. M'Carthy, Esq. (*Solicitor*), be summoned for next meeting.

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

THURSDAY, 4 MARCH, 1869.

MEMBERS PRESENT:—

Mr. J. Stewart, in the Chair.

Mr. Lyons,		Mr. Farnell.
------------	--	--------------

W. F. M'Carthy, Esq. (*Solicitor*), called in and examined.

Witness *produced* various documents which bore on the case, from which he quoted during his examination.

Witness also *produced* plan of the properties of Messrs. Lyons and Wright (Mr. Huntley's.)

Witness withdrew.

Committee deliberated.

*Ordered*,—That W. M. Brownrigg, Esq., and Robert D. Fitzgerald, Esq., be summoned for next meeting.

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

WEDNESDAY,

WEDNESDAY, 10 MARCH, 1869.

The meeting called for this day was postponed, by direction of the Chairman, until Friday next.

FRIDAY, 12 MARCH, 1869.

MEMBERS PRESENT:—

Mr. J. Stewart, in the Chair.

Mr. Farnell, | Mr. Lyons,  
Mr. Burns.

W. M. Brownrigg, Esq. (*Surveyor*), called in and examined.

Witness handed in description of boundary of George Lyons's 61 acres, Five Dock Estate.

Ordered to be appended. (*Vide Appendix C.*)

Witness also produced tracing of the original plan of the Five Dock Estate.

Witness withdrew.

Robert D. Fitzgerald, Esq. (*Surveyor*), called in and examined.

Witness withdrew.

Committee deliberated.

Clerk directed to summon R. W. Robberds, and W. G. Pennington, Esqs., Solicitors, and Robert M. Pearson, Esq., Principal Draftsman, Registrar General's Department, for next meeting.

Clerk submitted revised evidence of Samuel Lyons, Esq., M.P., as containing an additional statement to that which he made when under examination, which the Committee ordered could form part of his evidence.

The Clerk also brought under the notice of the Committee two documents received from E. G. Ward, Esq., Deputy Registrar General (furnished by desire of the Committee), being the first and second Certificates of Title issued to Mr. William Wright, which were ordered to be appended. (*Vide Appendix, B 1 and B 2.*)

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

WEDNESDAY, 17 MARCH, 1869.

MEMBERS PRESENT:—

Mr. J. Stewart, in the Chair.

Mr. Tunks, | Mr. Lyons,  
Mr. Farnell.

Clerk submitted letter from W. M. Brownrigg, Esq., Surveyor, claiming a fee of £2 12s. 6d. for attending and giving evidence before this Committee on the 12th March.

Committee deliberated.

*Resolved*,—On motion of Mr. Lyons, "That the sum of £2 2s. be paid to W. M. Brownrigg, Esq., Surveyor, for attending and giving evidence before this Committee as a professional witness."

W. G. Pennington, Esq. (*Solicitor*), called in and examined.

Witness withdrew.

R. M. Pearson, Esq. (*Principal Draftsman, Land Titles Department*), called in and examined.

Witness produced plan of original distribution of the properties of George and Samuel Lyons.

Witness withdrew.

Committee deliberated, and directed that G. K. Holden, Esq. (*Examiner of Land Titles*), and R. D. Fitzgerald, Esq., be summoned for next meeting.

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

FRIDAY, 19 MARCH, 1869.

MEMBERS PRESENT:—

Mr. J. Stewart, in the Chair.

Mr. Lyons, | Mr. Tighe,  
Mr. Farnell, | Mr. Burns.

R. D. Fitzgerald, Esq., called in and again examined.

Witness handed in letter from Mr. Licensed Surveyor Huntley to the Surveyor General, reporting on Mr. Samuel Lyons's application for further compensation on the New Gladesville Road, dated June 1, 1868.

Ordered to be appended. (*Vide Appendix D.*)

Witness withdrew.

G. K. Holden, Esq. (*Examiner of Land Titles*), called in and examined.

Witness withdrew.

William Deane, Esq. (*Solicitor*), called in and examined.

Witness handed in copy of agreement of boundary of the properties of Messrs. Lyons and Wright, dated 26 February, 1866; also, copy of certificate of Messrs. Reuss and Huntley, Surveyors, as to position of reserved road dividing the two properties, 19 March, 1866; also, Rule *Nisi* for new trial Lyons v. Wright.

Ordered to be appended. (*Vide Appendix, E 1 to E 3.*)

Witness withdrew.

Committee deliberated.

[Adjourned to Tuesday next, at 11:30 o'clock, to consider Progress Report.]

TUESDAY, 23 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Lyons,                      |                      Mr. Lucas,  
   Mr. Farnell.

In the absence of the Chairman, Mr. Farnell took the Chair.

Mr. Farnell submitted Progress Report.

Same read and agreed to.

Chairman to report to the House.

#### EXPENSE OF WITNESS.

Name of Witness.	Profession.	Number of days under Examination.	Expenses allowed for Attendance.	Total Expenses allowed to Witness.
W. M. Brownrigg...	Licensed Surveyor	One ... ..	£ s. d. 2 2 0	£ s. d. 2 2 0

#### LIST OF WITNESSES.

	PAGE.
Brownrigg, W. M., Esq. ... ..	13
Deane, William, Esq. ... ..	27
Fitzgerald, R. D., Esq. ... ..	15, 22
Holden, G. K., Esq. ... ..	22
Lyons, Samuel, Esq., M.P. ... ..	1
M'Carthy, W. F., Esq. ... ..	11
Pearson, R. M., Esq. ... ..	18
Pennington, W. G., Esq. ... ..	16
Reuss, F. H., Esq. ... ..	8
Ward, E. G., Esq. ... ..	5

1869.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

LAND TITLES DEPARTMENT—MR. W. WRIGHT.

TUESDAY, 2 MARCH, 1869.

Present:—

MR. J. STEWART,  
MR. LYONS,MR. FARNELL,  
MR. TIGHE,

MR. BURNS.

JOHN STEWART, ESQ., IN THE CHAIR.

Samuel Lyons, Esq., a Member of the Committee, examined in his place:—

In discussing the Estimates under the head of Land Titles Examiner, I deemed it my duty, as a Member of the Legislative Assembly, to make a statement of irregularities which had come under my notice, arising out of some neglect of the Land Titles Office. In doing so, I connected Mr. Holden's name with such irregularities. My remarks, not correctly reported, were complained of by him to the Hon. John Robertson, who, in speaking to me on the subject, agreed that I should prove my case by a Select Committee; which having been granted by the Legislative Assembly, my case is as follows:—

S. Lyons, Esq.  
2 Mar., 1869.

1. *Chairman.*] Will you please to state the case? The case is this:—On the 3rd August, 1851, my father died, leaving myself and my brother 61 acres of land each at Five Dock. In consequence of some error in the description in the will, it was agreed between us that we should join in the conveyance of this land to Mr. Want, and that the land should be then subdivided equally and reconveyed by Mr. Want to us. Mr. Brownrigg was the surveyor appointed to carry out this arrangement. He proposed that he should run a road 50 links wide down between the two properties, which we acquiesced in; and for the choice of these two portions of land, two pieces of paper were put into a hat, and my brother drew one and I drew the other. This road is on the deed which I produce. An indorsement appears, by which my brother conveys to me the half of the road that he contributed, and a like indorsement appears on his deed, conveying to me his half of the road. My brother left the Colony, having appointed Mr. Billyard his agent. We had a large plan prepared of the two properties, and offered them for sale, but they were not sold; and, at the same time, we had lithographic plans struck off. Mr. Billyard sold this land to Mr. Wright as 61 acres.

2. Sold your brother's portion? Yes. Mr. Wright immediately went on to the ground. He did not have the land surveyed. He put up a boundary wall, as he supposed enclosing his purchase. The road running down between the two properties was, I believe, cleared; but it was some four years afterwards, I think, that Mr. Wright bought. Some years after Mr. Wright had taken possession, he brought his land under the Land Titles Act, and it struck me then that it was time to inquire as to whether the boundaries were right. I went on to the ground with my surveyor, and found that his wall enclosed the whole of this road. It shut it up completely. I then wrote this letter to Mr. Jaques, on the 24th October, 1865. (*Letter read and handed in. Vide Appendix A 1.*) In reply to that letter, I received this letter from the Registrar General's Department,

S. Lyons, Esq. Department, under date 1st November, 1865. (*Letter read and handed in. Vide Appendix A 2.*) After a great deal of correspondence with Mr. Wright, respecting this disputed road, it was agreed between us that he should appoint a surveyor, and that I should appoint a surveyor, and that the two gentlemen (Mr. Reuss and Mr. Huntley were appointed) should go on to the ground and determine the correct boundaries. In mentioning this agreement to Mr. Reuss, he told me it was quite useless to go on to the ground with Mr. Huntley, unless we both agreed in writing to accept their joint decision. In consequence of that, he gave me a form, which he said had never been disputed during the whole of his professional career. I copied it, and signed one copy myself and sent the other to Mr. Wright, who returned it to me, with his signature, agreeing to that proposition. These documents, I think, are mislaid; but Mr. Reuss will be able to speak on that point. They went on to the land, and found (as I before said) that the whole of this road was enclosed. Then I wrote to Mr. Wright, calling his attention to the result of this survey, and explaining to him that I had no desire to put him to any inconvenience by the removal of his wall, as it would have to fall back on improved land, but that I was quite willing to negotiate with him for compensation. He wrote back to me, asking what amount of compensation I required. I said, that as the portion of the road belonging to me comprised three acres, and as the Government had a few weeks before given me £30 an acre for some land they had taken, I wanted £30 an acre—£90 for the land, and £100 for the total loss of the road—in all £190. Mr. Wright then wrote back to me to say, that having discovered what I wanted, I should have neither the road nor the compensation, but that he was willing to submit the matter to arbitration. I replied, that the matter had gone too far now; that having been asked to name my price, and having done so, I was not disposed to arbitrate any further, and that I should take the matter into the Court. The matter went into the Court. On the first day that the jury were impanelled they were invited by Mr. Wright's counsel to go on to the ground and inspect the land. After they had inspected the land, Mr. Wright invited them into his house to take luncheon; which I objected to, as I thought it was an improper thing for him to invite a jury into his house to take luncheon while the case was pending. However, Mr. Deane, my solicitor, went in. He told me it was a sumptuous lunch, and that I had no chance of a verdict—that he had heard some of the jury express an opinion adverse to my case. The verdict of the jury was, that Mr. Wright had put his wall up according to some pegs which he says he found on the ground, and that it stood in its right place. I moved for a new trial, and a rule *nisi* was granted, on the ground that the verdict was against law and against evidence. Pending the action connected with this new trial, Mr. Wright negotiated with me for a compromise, and he gave me £150, which just cleared my expenses.

3. Your law expenses? My law expenses; so that I lost the road, and lost also my compensation. I produce a survey made by Mr. Reuss, which, I believe, upon examination, will be found to be quite correct. This survey shows that Mr. Wright had 69 acres 3 roods and 30 perches, whereas he had only paid for 61 acres; and that he has 21 chains 25 links frontage to Lyons' Road, whereas he ought, by his deed, to have but 20 chains 75 links. The description of his frontage to this road I will produce. It goes on to say that he has 21 chains to Lyons' Road, less 25 links for half the moiety of the road. This is the description of Mr. Wright's property:—"All that piece or parcel of land situate in the parish of —, county of Cumberland, in the Colony of New South Wales, containing 61 acres, more or less; commencing at the north-west corner of Lyons' Road, at the side of the Parramatta River"—(no high-water-mark could be more distinctly marked than the one referred to here; I have seen it myself, and all the surveyors admit this)—"and bounded towards the east by that road, bearing south 42 degrees west 21 chains; thence toward the south-west by a line bearing north 37 degrees west to the Parramatta River; and on the north and north-east by the Parramatta River to the commencing point; 25 links to be given on the south-west side for the moiety of a road 50 links wide, which is to separate the property of George Lyons from that of Samuel Lyons." Messrs. M'Carthy, Son, and Donovan were the solicitors for Mr. Wright. They prepared a deed, and I conveyed to Mr. Wright the whole of my interest in this road and the land which had been bequeathed to me. In this map (*produced*) there is a Government road, which the Government paid me for; but, under the supposition that this road ran on the north-east side of the wall, they deducted some portion of the compensation money for that part which they thought was already a road. When this matter between myself and Mr. Wright was settled, I applied to the Government for this additional compensation, and, to my surprise, I learnt that the Land Titles Office had issued a fresh certificate to Mr. Wright, showing another road on the north-east side of Mr. Wright's wall, as it stands now.

4. That is on the outside of his wall? On the outside of his wall. That was done on Mr. Wright's application. It appears to me very extraordinary, that the Land Titles Office should have issued a fresh certificate, and marked out a fresh road, without giving me notice of it. I may state, that Mr. Wright, after he bought this land, never had it surveyed. The Land Titles Office never had it surveyed; and even if they had inquired into the survey, they would have found that it had been made by a gentleman who was not licensed under the Act; and, therefore, I conclude that his survey, under any circumstances, would not have been acceptable to the office. The office licenses a number of surveyors under the Act, whose surveys are always accepted by the office as correct. I believe I am the adjoining proprietor of Mr. Wright, and I have no recollection of having received any notification from the office that Mr. Wright was going to bring his land under the Act. The 18th clause of the Real Property Act states:—"The Registrar General shall under such direction as aforesaid or under any order of the Supreme Court cause notice to be published in such manner as by such direction or order may be prescribed that application

application has been made for bringing the land therein referred to under the provisions of this Act and shall also cause copy of such notice to be posted in a conspicuous place in his office and in such other places as he may deem necessary and shall forward by registered letter marked outside 'Land Titles Office' through the Post Office copy of such notice addressed to the persons (if any) whom the Commissioners shall have directed to be served with such notice and to the persons (if any) stated in the declaration by the applicant proprietor to be in occupation of such land or to be occupiers or proprietors of land contiguous thereto so far as his knowledge of the addresses of such persons may enable him and in case such applicant shall have required any such notice to be personally served upon any person named in his application then and in such case the Registrar General shall cause copy of such notice to be so served upon such person"—

S. Lyons, Esq.

2 Mar., 1869.

JAMES SQUIRE FARNELL, Esq., in the Chair.

*Witness continued*.—They are bound to serve all adjoining proprietors with notice under that clause. No such notice was given to me; and, on my first interview with Mr. Holden, in regard to this matter, he admitted that that was a great mistake, and that the whole transaction, to use his own words, was "a gross and unpardonable error."

5. *Mr. Burns.*] On the part of whom? On the part of the office. He called in one of the officers, and, in my presence, spoke in those terms about the way in which the business had been conducted.

6. *Chairman.*] Did you see any notification in the newspapers, or in the *Government Gazette*, in reference to the application made by Mr. Wright to bring this land under the Act? Yes, I did. That was a question Mr. Holden put to me. I admitted having seen the notification; but of course that is a very different thing from receiving a notice, such as I have received in another case. When the proprietor on the other hand brought his land under the Act, I received a notification, with a sketch showing the boundaries.

7. It is usual in the Land Titles Office to send a notice to adjoining proprietors, giving all the particulars, and enclosing a sketch? Yes, I have one here (*exhibited*). This is from the office. It relates to the land on the other side, belonging to Mr. Frith.

8. *Mr. Burns.*] You give them as a sample of what the office is in the habit of doing? Yes.

9. But that has no particular connection with the case in hand? No.

10. *Chairman.*] Are you going to put in the deed? Yes.

11. The original partition deed, or merely a description of it? A description.

12. If you put in one description, I think you ought to put in both? I put in this description of my own land:—"All that piece or parcel of land, situate in the parish of Concord, county of Cumberland, in the Colony of New South Wales, containing 61 acres of land, more or less; commencing on the north-west side of Lyons' Road, at a point 21 chains from the north-west corner of the same on the side of the Parramatta River; and bounded towards the east by Lyons' Road bearing south 42 degrees west 10 chains, more or less; thence towards the south-west by a line bearing west 42 degrees north, to Five Dock Bay; on the west and north-west by Five Dock Bay and the Parramatta River; and on the north-east by a line south 37 degrees east, to the commencing point; 25 links to be given on the north-east side for a moiety of a road of 50 links wide, which is to separate the property of Samuel Lyons from that of George Joseph Lyons."

13. I suppose that is an exact copy? Yes.

14. I see by this map that, although your partition deed says that each brother is to have 61 acres, more or less, the portion now held by Mr. Wright is 69 acres 3 roods and 30 perches? Yes, inclusive of the road since in dispute.

15. And your portion is 61 acres and 1 rood? Yes, by deed; but by actual survey, 60 acres 1 rood.

16. So that there is an excess in both cases? There is an excess in both cases. That goes to prove that the Land Titles Office issue titles for perhaps a larger quantity of land, or a smaller quantity, without knowing it. In this case they did. They issued a title for 61 acres of land in regard to a property which contains 69 acres 3 roods and 30 perches.

17. *Mr. Burns.*] Did they take the original description of the land, without measuring it? I do not think they measured it at all; they took the description.

18. From the former deed? From this deed; but they omitted, it appears to me, the concluding part of the description, where the proviso exists for the surrender of these 25 links to form half the road.

19. *Chairman.*] You have spoken of a Government road that has been proclaimed through your land? Yes.

20. Was that proclaimed subsequently to the deed of partition between you and your brother? Yes.

21. It was not an original Government road? No; it was proclaimed subsequently.

22. When you saw advertised in the newspapers and *Government Gazette* the application of Mr. Wright to bring this land under the Act, did you lodge a caveat? No, I did not lodge any caveat. I thought, of course, that Mr. Wright would get his quantity of land according to the frontages and boundaries given in his deed.

23. *Mr. Burns.*] You did not imagine, from the description you saw in the papers, that Mr. Wright would encroach upon your rights? No.

24. *Chairman.*] When the partition deed was made out between you and your brother, was a survey performed? Mr. Brownrigg was the party who received £80 for dividing these two properties, and furnishing the solicitors with a description.

25. These two properties, which were divided between you and your brother, were surveyed previously by Mr. Brownrigg? Yes.

26. Did you subsequently have this land laid out in allotments? At the same time.

27.

- S. Lyons, Esq. 27. They were called Hythe? Yes, North Hythe and South Hythe.
28. The partition, I suppose, took place previous to the subdivision? Previous to the subdivision.
29. That is, the whole of the land was subdivided in the first instance? It was divided into two equal portions—not subdivided.
30. I want to get at this,—whether, previous to the partition of this land between you and your brother, you both agreed to have the whole of it laid out in allotments? No; we divided the land first, and then it was laid out in allotments for sale.
31. You said something about an action in the Supreme Court, instituted by yourself against Mr. Wright? Yes.
32. What decision was come to in that case? I think this was the view the jury took of it:—That Mr. Wright had gone on to the ground, and found some pegs there, and that he had put his wall up according to those pegs. But I believe Mr. Brownrigg's evidence will show that those were the outside pegs instead of the inside pegs.
33. Were those pegs put in by Mr. Brownrigg? Yes.
34. Was he your surveyor and your brother's? Yes.
35. And the verdict was against you, was it not, in that case? Yes.
36. And you moved for a new trial? Yes.
37. Who was Mr. Wright's solicitor in that case? His solicitors were Messrs. Mc'Carthy, Son, and Donovan.
38. *Mr. Burns.*] In what form did you bring your action against Mr. Wright—was it for damages or for trespass? For trespass.
39. And the decision of the jury was, that Mr. Wright was not a trespasser? Yes.
40. The reason for coming to that conclusion was, that he had put his wall according to the pegs which he found on the ground? Yes; those pegs were driven in some four years before he took possession.
41. Can you tell from what the Land Titles Office took the description they gave in the title to Mr. Wright? They took it from my brother's deed, which would give him 20 chains, less 25 links, to Lyons' Road; whereas they gave him, by the plan I saw in the office, 21 chains, instead of 20 chains 75 links.
42. You say they did not make any survey of the land? Yes.
43. That they gave no notice to the adjoining proprietor? They gave no notice.
44. And that if they had known who made the survey the description of which they copied, they would not have accepted that as a proper survey? Yes.
45. You say that the person who made that survey was not a competent person, under the Act, to make a survey? Yes.
46. Speaking about this action again—you said you moved for a new trial? Yes.
47. And that you got a new trial? A rule *nisi* was granted, on the ground that the verdict was against law and against evidence.
48. Was it after the rule *nisi* had been granted that you compromised the matter with Mr. Wright? Yes. I may state my grounds for proceeding in this matter. I think what I said in the House was, that Mr. Holden aided and abetted this wrong. My grounds for saying that are, that Mr. Wright, on all occasions, told me that he would look to the office to indemnify him; that he did nothing without consulting them, and that in all matters connected with this dispute he got his advice from the office. In several letters that I have he speaks of this matter. In this (*letter produced*) particularly, he says,—“Your letter of the 18th was duly received by me on the 20th, and no time was lost in laying it before the proper authorities at the Land Titles Office.” In all his letters, and in his personal conversation with me, he gave me to understand that in whatever he did he consulted the Land Titles Office, and was guided entirely by them. I felt aggrieved that, after having received his written agreement to abide by a joint survey, he should repudiate it; and, of course, I came to the conclusion that, as he had consulted with the Land Titles Office, they had advised him to repudiate.
49. *Mr. Burns.*] When the action was compromised, from whom did the proposition first emanate? From Mr. Wright. He first offered me one sum; then he offered me another; and the third offer he made was £150.
50. But what reason had you to know that Mr. Wright was advised—Is there anything written to show that he was advised by the Land Titles Office as to the course he took in the matter? In the compromise?
51. No? He has told me, in personal conversations, that he looked to the office—that the office was responsible for the error; and in his letters he speaks of having consulted with the office. I think this letter is the only one I have with me, which says—“No time was lost in laying it before the proper authorities at the Land Titles Office.”
52. What had that letter reference to? To this matter. I wrote to Mr. Wright, on the 28th August, 1866, as follows:—“Mr. Gorman's and Mr. Holden's names were mentioned by you as sole arbitrators. I could scarcely have been expected to accept the services of the latter gentleman in a matter in which you have often said he and his office were culpably neglectful, and whom you have always represented to me as being responsible to you for all loss and inconvenience arising out of the errors of your boundary as given to you from the Land Titles Office. The fact of my letter having been laid before the authorities of that office confirms this.”
53. Did he, in answer to that, or at any time, disclaim being advised by Mr. Holden, in the office, with reference to his course of proceeding? No; he always told me to the contrary.
54. *Chairman.*] When you speak of Mr. Wright having received advice from Mr. Holden, the Land Titles Examiner, do you mean during the time of passing the title under the Act? No, during the time I was disputing with Mr. Wright about the land.
55. After he had got his certificate? After he had received his certificate.



Edward Grant Ward, Esq., Acting Registrar General, called in and examined:—

56. *Chairman.*] I suppose you understand the nature of this inquiry? Hardly. E. G. Ward,  
Esq.
57. Was a certificate issued to Mr. William Wright, of Drummoyne, from your office, some time back? Yes.
58. Will you tell us the date, if you please? I must mention, before we go into the matter of this certificate of title, that it has been the subject of a suit in the Supreme Court—*Lyons v. Wright*—in which the defendant gained a verdict. The date of the certificate is 4th April, 1864. That is the date of the first certificate of title. 2 Mar., 1869.
59. Of course you cannot leave that certificate with us? No. That certificate is cancelled; it is not in existence at the present time.
60. Will you state to the Committee the reason why it was cancelled? It was cancelled, at the request of Mr. Wright, in consequence of the issue of a Crown grant of a road bounding the water frontage of the land. He delivered up his Crown grant, and requested a new certificate of title, including the Crown grant.
61. And a subsequent title was issued? It has been issued.
62. Cancelling the former one? Yes; the words are—"Cancelled and fresh certificate of title issued, at the request of the above-named William Wright. Vol. 51, folio 59."
63. Will you produce the certificate under which Mr. Wright now holds his property? Mr. Wright has his certificate in his own possession. I can produce the Register Book containing a copy. (*Book produced.*)
64. I suppose there is a description of the land in that? There is. It is—"All that piece of land, situated on the Parramatta River, parish of Concord and county of Cumberland, containing 70 acres or thereabouts, commencing on the north-west side of Lyons' Road, at its intersection with the high-water-mark of Parramatta River, and bounded on the south-east by that road bearing south-westerly 2,125 links, more or less, to the south-west side of a stone wall; on the south-west by the south-west side of that wall, bearing north-westerly 49 chains to the river downwards, 49 chains to the river aforesaid; and on all other sides by the high-water-mark of that river, downward, to the point of commencement; as shown on the plan herein, and therein edged red, being part of 1,500 acres delineated in the public map of the said parish, deposited in the office of the Surveyor General; originally granted to John Harris as a Crown grant, dated 1st January, 1806."
65. Is the description in the cancelled deed similar to that? No, I apprehend not; because this contains the Crown grant in addition.
66. A Crown grant? Yes, a Crown grant which Mr. Wright had from the Government, which I now produce, and which was also cancelled, in consideration of its being included in the certificate of title.
67. You use the term "Crown grant" in reference to the water frontage—the land between the original boundary and high-water-mark? Yes.
68. And this deed includes now the land to high-water-mark? Yes.
69. The previous deed did not? No, it could not. The Government had a road a chain wide between this land and high-water.
70. I suppose you do not know anything concerning any dispute about the road? No. The only facts I know in relation to that matter came out at the trial. I was subpoenaed, and I heard the whole of the evidence.
71. You heard the whole of the evidence given at the trial instituted by Mr. Lyons against Mr. Wright? Yes.
72. Who was the verdict in favour of? Mr. Wright.
73. Was not a new trial moved for? I am told that a new trial was moved for, and that it was granted; but I did not see any account of the matter in the papers. The affair was subsequently compromised, I believe.
74. You have heard so? Yes.
75. You do not know anything about it yourself? No.
76. Is the description in the first cancelled deed that you submitted similar to the description of the deed under which Mr. Wright now holds, except that it does not take in the Crown grant? I think there is a difference of a few links in the length of one of the lines, but of that I will not be quite certain. It is a matter always decided by the Examiners of Titles and the draftsman and surveyor to the establishment.
77. *Mr. Burns.*] Do you know whether Mr. Wright was in the habit of obtaining information from the office about the action which was commenced against him by Mr. Lyons? I do not think so.
78. You are not aware that he was advised by the office as to the proceedings he should take? I am not aware. I never gave him any advice. I heard it stated that he thought we had acted very hardly with him in not taking up the action ourselves, instead of leaving him to defend it.
79. You do not know that he, at any time, stated in the office, to any of the officials, that he would hold the office responsible for any damage he sustained in regard to the issue of the certificate and the proceedings subsequently taken? I never heard that he said so. I heard that he said he thought we dealt hardly with him in not defending the action ourselves, and casting the burden on his shoulders.
80. When you issued to Mr. Wright his title, did you take any steps to have the land surveyed? I think there was a survey made.
81. Do you know by whom? I cannot tell by whom; but I think there was a survey made.
82. Do you know whether any information was furnished to the adjoining proprietor, in reference to the issuing of the title? I do not think there is any adjoining proprietor. The land is surrounded by roads.

E. G. Ward, Esq. 83. *Mr. Lyons.*] You had better look at the first certificate of title when you speak about that? It is surrounded by a road. There is a reserved road 50 links wide, and another road—Lyons' Road.

2 Mar., 1869. 84. *Mr. Burns.*] I am labouring under a mistake. It seems that Mr. Ward is not the officer that would be applied to? That is not my branch.

85. *Mr. Lyons.*] Have you with you Mr. Wright's first application to have his land brought under the Act? Yes, I have it here.

86. Will you allow me to see it? Yes (*application produced*).

87. Are you aware that Mr. Holden admitted to me that Mr. Wright's land had never been surveyed? I am not aware of it.

88. Are you aware that he, in my presence, called in one of the gentlemen of the office, and asked whether the land was surveyed? I am not aware of it.

89. And that he received a reply that it was not? I am not aware of it.

90. Is it usual, when you issue an amended title, to send a notice to the adjoining proprietor? No.

91. Then, you amend a title, and increase the quantity of land, and the adjoining proprietor is not informed? I do not recollect any case but this one that has occurred. We have amended a title by direction of the Commissioners.

92. This is an amended title, is it not? Yes; but it is not only that—it includes other land granted to Mr. Wright by a Crown grant. We do not call that an "amended title." We call it a "consolidated title," when we include two or three or more properties in one certificate. No notices are ordered to be sent then.

93. Are you aware that the road which separated Mr. Wright's property from mine consisted of 50 links wide (I am speaking of this road on the first plan)? I do not know whether it is mentioned here or not. (*Witness referred to plan.*) Yes, there is a reserved road 50 links wide.

94. Are you aware that the 25 links on this side were conveyed to me by my brother, and that the 25 links on that side were conveyed to my brother by myself? I am not aware of that. The only thing I am aware of is, that you have the use of the road. A road was taken 25 links out of one side and 25 links out of the other.

95. Would not that make me an adjoining proprietor? No; you have merely the use of it—not the fee of it.

96. Would not that constitute me an adjoining proprietor? No. In many cases, and especially since this has happened, we have sent notices where we are not required by law to do so. We do it to prevent disputes hereafter. If I had known that you (or any one else) were an adjoining proprietor, I should have sent a notice.

97. Does Mr. Wright's deed give him 25 chains to Lyons' Road? I believe it does.

98. Will you produce the partition deed between myself and my brother? I have the conveyance, G. J. Lyons to William Wright.

99. Be kind enough to read the description? "All that piece or parcel of land, situate in the parish of ———, county of Cumberland, in the Colony of New South Wales, containing 61 acres, more or less; commencing at the north-west corner of Lyons' Road, at the side of the Parramatta River, and bounded towards the east by that road bearing south, 42 degrees west 21 chains; thence towards the south-west by a line bearing north 37 degrees west, to the Parramatta River; and on the north and north-east by the Parramatta River to the commencing point; 25 links being given on the south-west side for the moiety of a road 50 links wide, separating the property of George Lyons (the parcel of land now being described) from the property of Samuel Lyons, and which said piece of land is more particularly delineated on the plan, and endorsed on the said recited indenture of 23rd February, 1853." There is a plan, I find, so I expect that no other plan was considered necessary.

100. Do you not understand from that, that my brother's boundary to Lyons' Road is 21 chains less 25 links? Yes, or thereabouts, I should say. I am not quite certain whether the surveyor took his measurement from high-water-mark, or from a chain from high-water-mark, where the Government road begins.

101. Can you inform me who can give the information whether there was a survey or not, because I am certain that Mr. Holden told me there was not? I do not say that there was; the probability is, that there was not.

102. Do you recognize surveys made by surveyors who are not qualified under the Act? Yes, for the purpose of bringing land under the Act, if we think them qualified.

103. Then for what are licensed surveyors appointed? To give us plans of any subdivision under the Act. The clause is very plain on that subject, with regard to the licensing of surveyors. It says:—"Any proprietor subdividing any land under the provisions of this Act for the purpose of selling the same in allotments as a township shall deposit with the Registrar General a map of such township. Provided that such map shall exhibit distinctly delineated all roads streets passages thoroughfares squares or reserves appropriated or set apart for public use and also all allotments into which the said land may be divided marked with distinct numbers or symbols and every such map shall be certified as accurate by declaration of a licensed surveyor before the Registrar General or a Justice of the Peace. Provided that no person shall be permitted to practise as a surveyor under the provisions of this Act unless specially licensed for that purpose by the Surveyor General."

104. That is, after land has been brought under the Act? Yes; and the Act then says:—"The Registrar General may require the proprietor applying to have any land brought under the provisions of this Act or desiring to transfer or otherwise to deal with the same or any portion thereof to deposit at the Registry Office a map or plan of such land certified by a licensed surveyor in manner aforesaid."

105. Have you not in your office a list of surveyors who are licensed? We have. E. G. Ward, Esq.
106. Do you ever accept the surveys of any one whose name does not appear in that list? Yes, sometimes, for the purpose of bringing land under the Act.
107. Do you accept Mr. Brownrigg's surveys? I do not know. There are several 2 Mar., 1869. whose surveys we do not accept, because we have found them so faulty. In some cases, where we find a tolerable plan on the conveyance, we do not require a survey at all; or, in cases where the whole of a Crown grant is surveyed, there we get the tracing from the Government plans.
108. You say that the first title issued to Mr. Wright was issued in accordance with the description in his deeds? I think so; I imagine so.
109. If his deeds say that he shall have 21 chains less 25 links to Lyons' Road, will that show it? I cannot say. My only doubt is, whether we have not given him a chain too little. I think his measurement should commence from the Government road.
110. Which? The Government road which bounded the water.
111. Are you aware that the survey made by Mr. Reuss and Mr. Huntley (both licensed under your Act) went to show that Mr. Wright had enclosed this road? I am not aware. It was decided in the Supreme Court.
112. No, it was not decided in the Supreme Court? Mr. Wright obtained a verdict.
113. Yes—but on the ground that he had put his wall up where he found the pegs? It was shown that he had put his wall up according to the pegs. My only doubt is, whether Mr. Wright ought not to have had a longer line, because the Government have a chain from high-water-mark.
114. The measurement made by Mr. Huntley and Mr. Reuss was from high-water-mark? I do not think they had any business to make it from high-water-mark. There was a chain belonging to the Government there at the time the survey was made. This shows an excess of the lines—not only in Mr. Wright's portion, but also in this.
115. An excess in acres? Yes, and also in length of line.
116. *Chairman.*] If you increase the area, it naturally follows that you must increase the length of line? Nearly all the old grants are in excess, some of them to an enormous extent. I have known as much in excess as 10 acres in 100.
117. Do you know, from the recent survey of Mr. Reuss and Mr. Huntley, whether they have not made this land to contain a larger area than it was previously said to contain? They have.
118. That is, under the deed? They have; there is no doubt of it. Mr. Lyons has 10 chains and Mr. Wright 21 chains and 25 links from the road. That line is wrong. There is half a chain Mr. Lyons has in excess. Mr. Wright has a few links too, and there is the road.
119. By the more accurate survey by Mr. Reuss and Mr. Huntley, they have discovered that there is a greater length of lines from these boundaries than there was originally thought to be? Yes.
120. And, consequently, the area of the land is increased? The length of this line is settled by the deed.
121. Then the survey made by your office was incorrect? I do not think our office made a survey at all.
122. Is it the duty of your office to have a survey made? No; but we may require one. I am not quite certain whether we did or not in this instance; but I should say we did not, looking at that plan. That is a matter which rests with the Examiners of Titles.
123. Are you aware that any surveyor would pronounce that map incorrect at first sight? I am not sufficiently acquainted with surveys to determine. These disputed measurements seem to agree with the measurements in the deeds, so far as the figures go.
124. *Mr. Lyons.*] That cannot be by the deed, because it says 21 chains, less 25 links, whereas this gives 21 chains without deduction? 21 chains, with the right of way, less 25 links. Mr. Wright would have the right of 25 links over your boundary, he being the adjoining proprietor on the other side. I think I have the deed here from Lyons to Wright, settling the whole of the question, as I thought.
125. In that deed you are now looking for, do not I convey to Mr. Wright my interest in this road down here (*road indicated on map*)? You did.
126. Then how is it that the Land Titles Office show another road on this side the wall? There is a Government road there, I think.
127. No, this is the portion (*indicated*). How is it that, after my having compromised the dispute with Mr. Wright, and having conveyed to him the road in dispute, the Land Titles Office show another road here? I do not think it ought to be shown.
128. If that had not been shown there, this inquiry would never have taken place? There was a remedy for you, by applying to the Registrar General to have it corrected. The Real Property Act is framed on the assumption that errors will occur. This road is not described; it is a delineation.
129. It is a gross error on the part of the office—putting that road there? It is a delineation. It may be an error, but I do not say it is. It is shown here as a road 50 links wide, but there is no road mentioned in the description. But if it be an error, the Real Property Act provides a remedy. It says that the Registrar General, upon such evidence as shall appear to him and the Land Titles Commissioners sufficient in that behalf, may correct errors in certificates of title, or in the register book, or in entries made therein respectively, and may supply entries omitted to be made under the provisions of this Act. Provided always that in the correction of any such error he shall not erase or render illegible the original words, and so on.
130. But the whole of the facts of this dispute, and the closing up of that road, were in the possession of the office; and it seems strange that, having the information in their hands,

E. G. Ward, Esq., hands, they should produce a map showing a road where one does not exist? I cannot say that one does not exist. I am not sufficiently cognizant of the matter. These certificates come down to me; they are passed by the Examiner of Titles and initialled, and that is my warrant for signing them.

2 Mar., 1869.

131. *Chairman.*] What do you call that? This is a plan or diagram.

132. Do I understand you to say that in the description there is no right of road? No, no road is described.

133. The fact of its being marked upon this diagram does not make it a road? Certainly not. Our certificates of title have nothing to do with rights of road; the description is the deed.

134. That is merely a diagram? Yes; it does not necessarily give a right of way because it is marked there. I see that the stone wall is specially mentioned as the boundary on that side.

135. Do you find, in passing titles through your department, that many of the old grants measure a great deal more than is specified in the grants? Nearly all of them.

136. And sometimes they contain less? Very seldom.

137. Sometimes? I do not recollect any instance. I know that some of the excesses in the areas of the whole grants have quite astounded me.

138. *Mr. Lyons.*] Who can give us the information whether that property was surveyed before it was brought under the Act? I imagine that Mr. Holden would be able to tell you. I see that Mr. Dick's initials are to this. I think he had more to do with it than Mr. Holden.

139. He told me personally that he had nothing to do with it? I see his initials here—"A. D."

Ferdinand Hamilton Reuss, Esq., called in and examined:—

F. H. Reuss, Esq., 140. *Chairman.*] You are a licensed surveyor? I am a licensed surveyor.

141. Under the Land Titles Act? Under the Land Titles Act.

142. Are your surveys always accepted by the Land Titles Office? There has never been one refused; they have always been accepted.

143. Do you remember a dispute between Mr. Lyons and Mr. Wright, about twelve or eighteen months since, in reference to the boundaries of their respective properties at Five Dock? I do.

144. Were you one of two deputed to survey the land? I was—to ascertain the position of a certain road.

145. And you went on to the ground for that purpose? I went on to the ground for that purpose.

146. Did you make a joint report? We made a joint report.

147. On the boundary? On the boundary.

148. Did you receive any description to go by? We did.

149. What was it? From the deed. In fact we had both deeds.

150. Which deeds do you refer to? Mr. Lyons' and Mr. Wright's.

151. You had the deed of conveyance to Wright? Yes, and the deed of conveyance to Lyons. They matched. There was no discrepancy between them.

152. Did Mr. Lyons and Mr. Wright agree to refer the dispute to your decision? To me and Mr. Wright's surveyor; to me and Mr. Huntley.

153. They jointly agreed to refer the question of disputed boundary to your decision? Yes.

154. Did they do it in writing? I forget whether it was in writing or not. It was done through a solicitor.

155. Did you find your report of the boundaries correspond with the description of boundaries given in Mr. Wright's certificate of title? We had not Mr. Wright's certificate of title at that time. We had only the deeds, and we reported that the road was in a certain position with respect to a certain wall that was built.

156. Did you find the wall inside or outside of Mr. Wright's boundary? It was outside of Mr. Wright's boundary, and included the whole of the road; that is to say, Mr. Wright was in possession of his land and the whole of the road.

157. And, according to your decision, Mr. Wright was a trespasser on Mr. Lyons to the breadth of the road? No; it was a road reserved between them. Mr. Wright's deed shows that his land runs 21 chains from the water along the road. But there is excepted thereout of 25 links for the moiety of a road, which reduces his deed from 21 chains to 20 chains 75 links. But he was in possession of 21½ chains, showing at once that he was in possession of the whole of the road. The opposing surveyor agreed to that.

158. That Mr. Wright had appropriated both halves of the road? That he had possession of both halves.

159. Have you any plan of the survey you made at that time? I can only refer to the plan before the Committee. That is my own copy.

160. Does it clearly show the portion of the road closed on the two properties? It clearly shows the portion of the road taken by Mr. Wright. The double line represents Mr. Wright's wall. This side represents Mr. Wright's property, and the other shows the property of Mr. Lyons. The road referred to in the deed is marked here, showing that it is entirely within Mr. Wright's enclosed boundary. The other mark shows the Government road.

161. I suppose you are well acquainted with the Land Titles Act? Yes, pretty well; I practice under it every day. I have a large business under it.

162. According to the 18th section of that Act, the Registrar General is bound, is he not, to give notice, to the owners of contiguous lands, of applications made to bring property under that Act? Yes. According to the directions conveyed to me, I have to give the names of adjoining proprietors and occupiers as well.

F. H. Reuss,  
Esq.

2 Mar., 1869.

163. Was any notice given to Mr. Samuel Lyons? I cannot tell.

164. He should have had a notice? He should have had one.

165. According to custom, Mr. Lyons was entitled to a notice? Mr. Lyons was entitled to a notice, by the peculiar wording of the deed.

166. According to the Act, and according to the custom of the office, he ought to have got a notice? I do not know about the custom of the office; but according to the wording of the deed he should, because Mr. Wright's land goes up to Mr. Lyons'. If it had been bounded by a road, Mr. Lyons need not have had a notice; but being bounded by the land, and the road having been excepted afterwards, he was bound to have a notice, because he was an adjoining proprietor.

167. Have you any remark to make yourself in reference to this disputed boundary? No.

168. *Mr. Lyons.*] If the Land Titles Office has issued a title to Mr. Wright, with 21 chains to Lyons' Road, is that incorrect? Yes; they have issued him the land and half the road, if it is 21 chains. I have not seen it; but if that is so, they have given him half the road.

169. *Mr. Farnell.*] If, in your capacity as a surveyor, you were called upon to survey this portion of land for the purpose of bringing it under Torrens' Act, and you found that there was a reserved road here, would you think it consistent with your duty to describe this land as being bounded by some land adjacent? I should in all instances which showed adjacent property.

170. But in the description, would you describe this property as being bounded by the other—Would you describe Mr. Wright's as being bounded by Mr. Lyons', when there was a reserved road between the two? I should not. I should simply describe it as being bounded by a reserved road.

171. You would do that under all circumstances? Yes; but in Mr. Wright's deed it is not so described. It is described up to the boundary of the other land, and then the road is excepted, which is a very different thing.

172. There was some mutual arrangement between Mr. Samuel Lyons and Mr. George Lyons? Yes; first the land is described, and then that mutual arrangement is alluded to.

173. Each brother gives 25 links? Yes.

174. Making a total of 50 links? Yes. In such a case, it would be part of my duty to show the adjoining proprietor. In this particular case it would have been my duty.

175. You performed a survey of this land? Yes.

176. Have you surveyed Mr. Samuel Lyons' portion of it? I have surveyed both.

177. You surveyed the whole of it? I surveyed the whole of it.

178. I see by this map that Mr. Wright's portion contains 69 acres 3 roods and 30 links, and that Mr. Lyons' contains 66 acres 1 rood; whereas, according to the will and the original deed there were only 61 acres each? Exactly.

179. Where have you got that extra quantity of land from? It is simply there.

180. That is, these lines are wrong? No; the extra quantity arises out of the shore line. There is a large quantity of shore line, and no doubt when it was first measured it was not measured very carefully. It was very likely taken leaving all these points out in the first instance altogether.

181. Are you aware that there is a reserve of a chain wide all round the shore? Yes.

182. And did you include 1 chain of Government property within the area of Mr. Lyons' land? The area of that is not included in Mr. Lyons' land. I have a note of it so.

183. There are 66 acres 1 rood in Mr. Samuel Lyons' portion, independent of this reserve? This 66 acres includes all the roads.

184. Let us finish about the water reserve first. There are 66 acres 1 rood, exclusive of the water reserve? Exclusive of the water reserve.

185. And are there 69 acres 3 roods and 30 links in Mr. Wright's land, exclusive of the water reserve? No, inclusive.

186. How is it you came to measure Mr. Wright's portion from high-water-mark, when 1 chain is reserved from high-water-mark? The description says, commencing at high-water-mark.

187. Is there not a reserve in the grant, reserving one chain from high-water-mark? Not specially in that grant. It applies generally to all grants. It is not specially mentioned in that grant. The description of Mr. Wright's land commences at high-water-mark, and at nothing else.

188. Still, there is at the same time a general law or rule by which there is an exception in all grants of 1 chain from high-water frontage? Yes; there is at Five Dock, of which this forms a part.

189. Of course we have many grants in this Colony which that reservation does not affect? I suppose so. I know several.

190. You commenced your survey from this point, I believe, on the Parramatta River? Yes.

191. How did you get your data to commence from that point—How do you know that you commenced from the right point? By Lyons' Road and high-water-mark. It is very distinct on the ground. The partition deed says:—Commencing at the intersection of Lyons' Road.



- F. H. Reuss, Esq.  
2 Mar., 1869.
192. But how did you determine Lyons' Road to commence from? Lyons' Road was determined years ago. There is no dispute about this Lyons' Road. I have surveyed at Abercrombie's.
193. *Mr. Lyons.*] Was his defined? It was defined.
194. Down to the water's edge? Yes; there is Mr. Wright's wall alongside.
195. *Mr. Farnell.*] In surveying this, did you find that the length of lines was greater than that given in the partition deed? Do you mean Mr. Lyons' 10 chains?
196. Of both? Yes, it is greater.
197. The whole length is greater? The whole length is greater.
198. Then what would be the length of Mr. Samuel Lyons' frontage, providing you took this boundary which was originally intended by the partition deed? There is no actual position to give it you.
199. But I want to know what will be the length? 10 chains.
200. Not more than 10 chains? It is 10 chains by the partition deed. He was entitled to 10 chains, and I took it.
201. Is it not more than 10 chains from the point where you say Mr. Wright's land terminates, to the outside boundary of Mr. Samuel Lyons' land? This area is taken out to 10 chains.
202. Will you tell me whether it is not more than 10 chains from the termination of Mr. Wright's land, exclusive of the road (that is, presuming it to be the correct boundary, according to your shewing)? There is said to have been a fence here (*point indicated on plan by witness*). That is the reason I did not like to answer your question directly.
203. Have you defined Mr. Samuel Lyons' corner at this point? At 10 chains, but there is said to have been a fence further out than I defined it. I did not take more than his deeds gave him. I did not go beyond the land.
204. I do not see how you can measure one of these allotments without the other? They are both measured. Mr. Lyons' commences at a point 21 chains from the Parramatta River, and thence is bounded by 10 chains.
205. Then you measured 10 chains from this point. This land has been given by will, and divided by partition deed; and, after measuring 21 chains to this point, and taking out the partition road, I want to know whether, from that point up to the boundary of Mr. Samuel Lyons' land, there is more or less than 10 chains? You can answer your own question by me telling you the fact. I have taken from that point 10 chains, and said that is Mr. Lyons' boundary, and defined it there to make it 66 acres and 1 rood. But there is said to have been a fence somewhere further out, which I never could find.
206. How much further out? That I do not know.
207. If you were called upon now to survey this land for Mr. Samuel Lyons, or for whoever owns it now, from this termination of Mr. Wright's portion, would you mark that as the boundary? Yes.
208. The 10 chains? That is what I should do. That is all he is entitled to.
209. *Mr. Lyons.*] And that gives 66 acres? 66 acres 1 rood. If Mr. Lyons took the land to the fence said to be there (I do not believe it is), he would take possession of a piece of land belonging to Mr. Frith.
210. *Mr. Farnell.*] Has Mr. Frith got his land defined in any way? It is unfenced for a tremendous way down.
211. You know, from your experience in surveying, that when land comes to be surveyed accurately, it is generally found to contain a larger area than that specified? Yes, as in this instance; but that only occurs under certain conditions. An old grant or a new grant, defined by four straight lines, never contains much more; but when they are defined by broken lines, or creek lines, you will find that the grant is in excess of the quantity named. That is the reason, no doubt, why both these are in excess.
212. Are you not aware that, in former years, many surveys were performed incorrectly—that the undulations were never allowed for? That is perfectly correct; but at the same time, when the land stated in the grant is between straight lines, it invariably contains the right quantity. It is only when it is bounded by a creek or a river, or where the line gets broken, that the quantities differ materially.
213. Materially! They do differ under any circumstances? They always multiply. If this gives ten and that gives ten, they are always given as a hundred acres.
214. And when you come to measure this land? They exceed.
215. Did you see the original grant of this land? I have never seen the original grant of Five Dock; I have seen descriptions of it. It is to Harris.
216. Then you do not know whether, in the original grant, this land is described by metes, or bounds, or bearings? I believe it is bounded by metes and bounds. The bearings and distances are given. It goes a long way down, including part of the Parramatta Road.
217. Mr. Huntley accompanied you on this survey? Yes.
218. By arrangement between Mr. Lyons and Mr. Wright? By arrangement between them.
219. And did you and Mr. Huntley agree to start from some point as a correct one? Yes; and the conclusion we came to was, that the whole of the road was within Mr. Wright's enclosure, and we both reported so in writing.
220. To whom? I to Mr. Lyons, and Mr. Huntley to Mr. Wright, by a letter mutually signed.

THURSDAY,

THURSDAY, 4 MARCH, 1869.

Present:—

MR. FARNELL, | MR. LYONS.

JOHN STEWART, ESQ., IN THE CHAIR.

William Frederick McCarthy, Esq., examined:—

221. *Chairman.*] You are a solicitor, and member of the firm of M'Carthy, Son, and Donovan? Yes.

222. Under what style was your firm formerly known? Immediately before the name of the present firm, M'Carthy and Son.

223. Was it once named Holden, M'Carthy, and Son? Never. Holden and M'Carthy before that.

224. Is the Mr. Holden who was a member of that firm now Examiner of Land Titles? Yes; Mr. George Kenyon Holden. He was a partner of the firm up to the end of 1862.

225. Had you anything to do, professionally, in an action of Lyons v. Wright? Yes; I was the defendant's attorney.

226. Mr. Wright's attorney? Yes.

227. Was that the first case in which you acted for Mr. Wright? Yes.

228. And the only case? Not the only case; I have had other business.

229. Since then? Since then.

230. Is your firm acting as Mr. Wright's professional advisers now? Yes, I believe so.

231. Did you ever speak to Mr. Holden, or consult with him, about the action between Messrs. Lyons and Wright? I did speak to him once or twice.

232. Did you consult with him professionally? No—not consult with him professionally.

233. *Mr. Farnell.*] What case was it you were engaged in on behalf of Mr. Wright—what was the case? The case of Lyons v. Wright. It was an action brought by Mr. Lyons for the obstruction of a right of way.

234. What was the result of that action? A verdict for the defendant.

235. Was a new trial moved for by Mr. Lyons afterwards? Yes.

236. Was that granted? The rule *nisi* was granted, but it was not argued.

237. A rule *nisi* was granted? A rule *nisi* was granted, calling upon the defendant to show cause why a new trial should not be granted.

238. Did he show cause? No, because the matter was settled.

239. Between Messrs. Lyons and Wright? Yes.

240. Was the whole question involved in the matter a question of boundary? Yes, I think I may say so.

241. Was that the turning-point of the case? Yes.

242. Did the jury go up to view this land? They did.

243. Did you accompany the jury? I did; so did all the parties, Mr. Lyons amongst others, his counsel and witnesses.

244. Did you think any improper influence was brought to bear upon the jury, by Mr. Wright, when they were up there? I am quite certain there was not.

245. Nothing Mr. Wright did or said, you think, influenced the jury in their verdict? Nothing, I am positive.

246. And, so far as you are concerned, as being the attorney for Mr. Wright, you believe that no other person outside of the firm—for instance, Mr. Holden, who is the Land Titles Examiner—had anything to do with the case? Nothing whatever.

247. He did not give you any assistance for the defence? None whatever. I saw Mr. Holden once or twice, the matter having been in the Land Titles Office, to get information in order that I might bring the case into as small a compass as possible.

248. That you procured in the official way? Yes.

249. He being the Land Titles Examiner? Yes.

250. If any other gentleman had been in the same position as Mr. Holden, would you have applied to him in the same way? Of course I would.

251. Have you anything further to state to the Committee? I should like, as I am here, to make a few remarks with respect to a speech made by Mr. Lyons in the Assembly, in reference to this case. I read a report of Mr. Lyons' speech, in the *Sydney Morning Herald* of the 4th February last; and, assuming it to be correct, I think it is a very unfair statement of the whole case. I think there are many suppressions of the truth in it, which ought to have been made known. I will take the liberty of reading the speech, and of making a few comments as I go on. "Mr. Lyons said,—he rose for the purpose of making a grave charge against Mr. Holden, and he did so in order that his statement might be published, and the public placed on their guard. The case was one in which he and his brother were concerned. They made a division of their property, it was surveyed by Mr. Brownrigg, and a road was laid out between the two properties." Now, in the first place, Mr. Brownrigg was employed by Mr. Lyons, and he made a survey under his instructions. The speech goes on,—“His brother sold his property, and the gentleman to whom it was sold put up a boundary fence, according to a lithographic plan.” Well, the “fence” the gentleman put up was a stone wall, and “a lithographic plan” was the lithographic plan prepared by this same Mr. Brownrigg, who was employed by Mr. Lyons. “Some time afterwards, the gentleman was anxious to bring the property under the Land Titles Act. The survey had been made by a person who was not licensed under the Act, and who was, therefore, incompetent. But his survey was accepted by the officers of the Land Titles Department, and the road between the properties was blocked up. He (Mr. Lyons) called upon

W. F.  
McCarthy,  
Esq.

4 Mar., 1869.

W. F.  
McCarthy,  
Esq.  
4 Mar., 1869.

upon Mr. Holden, and explained to him what had been done. Mr. Holden admitted that an unpardonable infringement of the Act had been committed, and offered some suggestions as to how the matter should be settled. It was ultimately agreed that the matter should be referred to two competent surveyors—Mr. Huntley and Mr. Reuss. They decided in his (Mr. Lyons') favour—that the error he had pointed out was correct, and that the Land Titles Office had included and blocked up this road unjustifiably. It was agreed that their decision should be final, and that the matter should be settled in that way. The party owning the adjoining property considered that the money he (Mr. Lyons) asked as compensation for loss of land and the road was too much, and declined to be bound by the written arbitration. The case ultimately went into Court; and, singular to relate, that this gentleman, instead of placing his case in the hands of the attorney who for years had transacted his business, placed it in the hands of Messrs. Holden, McCarthy, and Company." I complain of that statement, because, in the first place, I am informed that the gentleman who had formerly acted for Mr. Wright had merely acted for him in the matter of preparing the conveyance of this particular land; and, in the next place, because there is no firm of Holden, McCarthy, and Company. I think it was an unfair thing to state that in his place in the House, and to endeavour to induce the public to believe that Mr. Holden and ourselves were interested in the defence; "and it was clear to his (Mr. Lyons') mind that Mr. Holden was advising and abetting this wrong. The matter, however, went into the Supreme Court, a jury was impanelled, and the case was argued. But he lost his case, on the grounds of an estoppel." That is utterly incorrect, for on the question of estoppel the Chief Justice decided in Mr. Lyons' favour.

252. *Mr. Lyons.*] The report of the case would show that? I have here the Chief Justice's charge to the jury, and also the report of the case. These are the Chief Justice's remarks:—"The plaintiff himself, however, and his brother, when dividing their properties, or when apportioning both for sale, may have definitely recognized that starting-point or that mark as one further inland than the present high-water-mark, and so have mutually settled the boundary, in fact, at the spot now occupied by the wall complained of. In this point of view, the line of pegs along the course of that wall would be material, and in the same view (as an admission by the plaintiff that such was the proper termination of the stated line from the river), the erection of the defendant's wall without complaint, if the plaintiff knew of such erection during its progress, coupled with his silence for the period then intervening up to the date of his demand—I did not see that at law there was any 'estoppel' by this conduct, but in order to raise the point, if necessary, hereafter, I put two questions respecting the facts to the jury." The case was decided against Mr. Lyons, not on the question of estoppel, as will be seen by reference to the report of the case in the *Herald* of February 22nd, 1867. "The jury, after a few minutes consideration, found a verdict for the defendant. In reply to questions from His Honor, they stated their opinion to be, that the wall was in its proper place, and that it had been built according to the line of pegs laid out by the surveyors, with the plaintiff's concurrence."

253. *Mr. Lyons.*] That was the jury who had the lunch? Who went up to view the land.

254. I had no lunch? You were invited; your counsel went to lunch, and your witnesses.

255. *Mr. Farnell.*] I suppose they were respectable men on the jury? I believe so.

256. Were they such persons as a champagne lunch would influence? I should certainly think not. It was a long and troublesome journey; we walked some miles inspecting this wall, on a very oppressive day; and after the inspection, Mr. Wright invited the whole company to take lunch at his house, Mr. Lyons included. Mr. Lyons declined, but his counsel and witnesses all sat down together. To continue my statement: I think that, in fairness, when Mr. Lyons was in his place in the House, he should have stated other material facts of the case, namely, this,—that the whole property had originally been divided by the late Mr. Samuel Lyons equally among his two sons, that is to say, he gave each of them 61 acres, the whole property being supposed by him to consist of 122 acres. However, after his death there was a partition and survey. It was proved at the trial that the property was surveyed by Mr. Brownrigg, who laid down a dividing road between the two—a road of, I think, 50 links wide—dividing the property.

257. That is taking 25 links from each property? 25 links from each property. It was proved that when Mr. Wright purchased his property, he saw a line of pegs forming the road, and that he built his wall upon the line of pegs nearest the Parramatta River.

258. Did Mr. Brownrigg make the survey, and supply the description for the partition deed, between the two Messrs. Lyons? I really do not know how that was.

259. Because you said something in reference to Mr. Brownrigg having performed the survey, put down pegs, and defined a road. Was that subsequent to the partition deed between the Messrs. Lyons? I think that was a short time before. I understood from Mr. Brownrigg's evidence that he surveyed it for the purpose of partition, and that the road was put down by him as the boundary between the two parties.

260. *Chairman.*] Then the description contained in the partition deed corresponded to the survey made by Mr. Brownrigg? No; strange enough, the description did not correspond, because the line given from the river to the wall was 21 chains, whereas it was really 21 chains 25 links, according to Mr. Reuss.

FRIDAY,



FRIDAY, 12 MARCH, 1869.

Present :—

MR. BURNS,

MR. FARNELL,

MR. LYONS.

JOHN STEWART, Esq., IN THE CHAIR.

William Meadows Brownrigg, Esq., examined :—

261. *Chairman.*] You are a licensed surveyor, practising in Sydney? I am.
262. How many years have you been engaged in that occupation? Thirty years.
263. Do you remember surveying a property belonging to the Messrs. Lyons, at Five Dock, for the purpose of partitioning it? I do. I surveyed several properties for them.
264. Were you instructed to divide the property into two equal parts? Yes.
265. Did you do so? I did.
266. Did you describe the boundaries of each portion to the lawyer employed? I did.
267. You supplied the solicitor (Mr. Want) with the boundaries of each portion? My instructions being to reserve a road 50 links wide—that is to say, taking 25 links off each portion, so as to admit of a road of 50 links along the dividing line between the two portions; that is, the portion of Mr. Samuel Lyons and the portion of Mr. George Lyons.
268. Did you furnish the boundary lines, for the description of the property, to the solicitor? I did, of each portion.
269. And that description formed the title of each property? Of each property.
270. Have you got any description of the property partitioned to Mr. George Lyons? To both. I have a copy here. (*The witness read the same. Vide Appendix C.*)
271. You hand that in as a description of Mr. George Lyons' portion? Yes.
272. As contained in the deed? Yes. That was sold to Mr. Wright.
273. What length to Lyons' Road was Mr. George Lyons entitled to? 21 chains, less 25 links, for the moiety of a road 50 links wide, separating his from Mr. Samuel Lyons' portion.
274. What is the starting point of the measurement? High-water-mark. This is the starting point for the whole of the Five Dock Estate of all the subdivisions. I have had a great deal to say to the measurement of portions of the Five Dock Estate, within the last thirty years.
275. According to the copy of the title, George Lyons seems now to hold a frontage of 21 chains to Lyons' Road. This is a copy of the certificate of title issued to Mr. Wright, from the Land Titles Office (*handing the same to witness*)? This would not be right.
276. You say that certificate of title is incorrect? It is incorrect, inasmuch as they give the whole length of the line, 21 chains, whereas there ought to be 25 links broken off from the moiety of Mr. George Lyons. It ought to be 20 chains 75 links, and not 21 chains. You will observe that the deed gives the full length of 21 chains, but then there is the proposed 25 links to be taken off each portion to form the road of 50 links.
277. How could that mistake have occurred in the description of a deed passing through the Land Titles Office? That I cannot say.
278. There was no diagram, showing the boundary, in the deeds conveying the property to George and Samuel Lyons? I am not sure. The deed itself will show that.
279. *Mr. Lyons.*] In the plan you hold in your hand, is not the reservation with regard to the road totally ignored—Will you kindly read it? (*The witness read the same.*) This is not right; it is 21 chains, less 25 links, therefore the length of the line is strictly 20 chains 75 links.
280. You see nothing in that certificate of title having reference to a road beyond the delineation on the map below? "To a reserved road 50 links wide." No; this ignores the existence of the road of 50 links, as agreed on between the two parties, Messrs. George and Samuel Lyons.
281. Then, by that certificate, you say the Land Titles Office has given Mr. Wright more frontage to Lyons' Road than he is entitled to in his deed, and that the road, as represented there, does not stand in its right position? Certainly not; they give him the full length of 21 chains, and then place the road of 50 links the other side of that, which is quite wrong.
282. This is the amended title issued to Mr. Wright since he and I have settled our dispute about the road. Will you be kind enough now, as a professional witness, to say what that delineation at the bottom of the copy of the certificate represents—as a surveyor of thirty years' standing, would you call that a delineation or a road? Here it says, "a road 50 links wide." It is not only a delineation, but it is put down in letters what it means.
283. *Chairman.*] That road is in the wrong place? It is.
284. *Mr. Farnell.*] You say that you surveyed this land for the purpose of having it divided—of partitioning it between the two brothers, the Messrs. Lyons? Yes.
285. When you wrote these descriptions for the preparation of the deed, did you write them from actual survey made? An actual survey, not only made by myself, but subsequently made by my late partner; and subsequently again made when they were marked out by an assistant I had at the time.
286. That survey would not have anything to do with the description of this partition deed? No.
287. I understood you to say that you took your commencing point from high-water-mark at Parramatta River? Yes.

W. M.  
Brownrigg,  
Esq.  
12 Mar., 1869.

W. M.  
Brownrigg,  
Esq.  
12 Mar., 1869.

288. Are you aware that there is a reservation in the grant out of which this land is taken? There is generally a reservation in grants having a water frontage of 100 feet.
289. Are you aware that there was a particular reservation in this particular case? I am; but I was not until recently, when the case was before the Supreme Court.
290. Then, if you took as a starting point high-water-mark at Parramatta River, that would not be the correct starting point? It would, according to the manner in which the whole Five Dock Estate was divided.
291. You included this reservation in the area of this land? I did.
292. What was the area of each of these portions when you measured them? Sixty-one acres, or thereabouts, each.
293. Are you aware that a recent survey of this property has been made by Messrs. Reuss and Huntley? I am not. I am aware that Mr. Reuss made some survey for Mr. Lyons.
294. Do you know what the area of this water frontage would be, taken from that portion of this original grant to Harris? Very considerable, if you took 100 feet all round.
295. I think a chain —? A chain would not be 100 feet.
296. I am aware of that; but I think only a chain was allowed? A chain would not be 100 feet; they could not allow less than what is by the grant laid down. If it says 100 feet, there is nothing to alter that 100 feet.
297. However, supposing it to be 100 feet—if you were to take that out of this area, it would not leave 61 acres? No, to neither of them; it would make a considerable reduction in the whole area, if you went to take 100 feet—that is, a chain and a half all round; I dare say it would be a mile and a half round at least.
298. From what source did you get your data to commence the survey in the partition of this land? From a tracing taken from the original plan of the Five Dock Estate, which plan has been in my possession twenty-five years at least, and which plan was produced at the Supreme Court at the late trial. It is attested by Mr. Uhr as a true copy of the original plan.
299. Was there any particular mark from which you started—a marked rock, or anything of that kind? If I do not mistake, I think there was a fence up at the time, at one side or the other; a fence or the remnant of a fence.
300. Was that fence, at high-water-mark, acknowledged to be the correct boundary between the property of the Messrs. Lyons and the neighbouring proprietors? Always.
301. Strictly speaking, there was no defined point to start from? Yes there was, because it is the south-west corner of Lyons' Road; and Lyons' Road was laid down, and laid down on the ground then. As far as my recollection serves me, I think it was the property opposite that was fenced.
302. *Mr. Lyons.*] Mr. Abercrombie's? Yes.
303. *Mr. Farnell.*] Lyons' Road then was defined? Yes.
304. Could you, without the assistance of any person to go and show you this particular land, from any documents in your possession, or that you might obtain from the Surveyor General's Office, define the point from which you started? The Surveyor General can give no information about the subdivision of private property.
305. You merely surveyed this piece of land as being portion of a grant? As being portion of a grant.
306. You did not survey the whole original grant, to ascertain whether this land was in its proper position? No; it would take a long time to go over that.
307. *Mr. Lyons.*] How many acres did that grant contain? Some thousands, I think—something very large. I forget now; but it was a very considerable extent.
308. *Mr. Farnell.*] I do not know whether you are aware that, from a recent survey by Messrs. Reuss and Huntley, the area of this land has been increased. For instance, Mr. George Lyons' property is said to contain 70 acres 2 roods 37 perches, and Mr. Samuel Lyons' the same. If the area has been increased by a recent survey, would it not necessarily follow that you would have to increase the length of the line on Lyons' Road? No; because there may be an incorrectness in calculating the area. The area was stated in the will to be 61 acres.
309. Did you, from actual survey, ascertain that it contained 61 acres, or did it contain more? I actually surveyed the land, and my calculation for one portion was 59 acres 2 roods and 8 perches, and for the other was about the same—very nearly the same.
310. *Chairman.*] Did that include the portion reserved as a road? Yes. If two surveyors are going round a tortuous line of that kind, one may, perhaps, say—"This is high-water," when you get to a certain place; and the other may say—"This is high-water-mark"; and a great deal will depend upon the way in which the surveyor treats the high-water-mark, as regards the difference in the area.
311. *Mr. Farnell.*] From your experience as a surveyor of some years, you are aware, as a matter of fact, that we have no correct data to start from, scientifically determined, anywhere in the county of Cumberland? In what way do you mean?
312. I mean a point defined upon scientific principles? If a description is put into my hands, and a commencing point given, I take that point for granted. You might dispute the correctness of the streets in Sydney upon the same principle. Thus, if a description were given, "commencing at the corner of Macquarie and Hunter streets" how are you really and truly to determine that it is the corner of Macquarie and Hunter streets, except by existing boundaries. It might otherwise be objected that it is not right; it ought to be a little more to the east, or a little more to the west, and thus endless disputes might be raised.
313. *Mr. Burns.*] Can the natural boundaries of this estate determine the real boundary to start from? Coupled with the description from the will, where it is stated, commencing

mening on the Parramatta River as a natural boundary, and the south-west boundary a known road that had existed for years.

314. Then, from having these natural boundaries to guide you, you had not the same difficulty that you would have had in other parts of the county of Cumberland? No; because where there are not natural boundaries, you may have to go three or four miles to obtain a proper starting point.

315. *Mr. Farnell.*] I understood you to say that you obtained your data for the commencement of your survey from the will? Yes; from the will, and from the plan that was in my possession of the estate.

316. Then, the correctness of your survey depends upon the correctness of the information given you by the will? Yes.

317. *Mr. Burns.*] Would you not also be guided by the original plan? Yes, of the original subdivision of the estate, of which this is a true copy, and which I have had in my possession twenty-five years.

318. *Mr. Farnell.*] You say that the data for your commencing point of the survey of this land you obtained from the will and from the map to which you have referred—The correctness of your survey will, therefore, depend upon the correctness of the data obtained from those sources? And the information derived on the spot from the parties. I know there was an existing fence there. I went up the road a considerable distance, and found fences dividing the properties.

319. You did not ascertain this starting point yourself, but your data was obtained from information procured from the description given by the will and map? And an existing road which existed on the ground, and which road exists now, according to the position detailed upon these documents.

320. Could you state for a fact that that road is in the correct position? I believe it to be so.

321. Is this land undulating or level land? It dips all down to the river; it is very broken land.

322. Undulating? No; it inclines towards the river. It gets very rough in some parts towards the river.

323. I suppose the land would make a considerable angle to the horizon, would it not? Yes, there is a great dip.

324. What instrument did you survey this land with? A circumferentor.

325. Had the circumferentor a tangent scale on it? Yes.

326. Did you take the undulations of the ground or the elevations? Yes; you can do that with a circumferentor and a chain.

327. I want to know whether you did so or not? Of course. What is the use of measuring land without making allowances?

328. Are you not aware that many surveyors survey without making allowances? Yes; I have often found it out in the early surveys made by Government. They have gone up hill and down dale without making any allowance; but the original survey of Five Dock was made by a scientific surveyor,—Captain Wilson, of the Royal Engineers.

329. Was he employed as a surveyor by the Government? He was both in the public and private employ; and I know he took a great deal of pains over that survey, for I was in the Colony at the time. I have great faith in Captain Wilson.

330. I understood you to say that there was no marked rock in the Parramatta River? Yes.

331. You took an old fence? Yes; and then I surveyed, and run up to see whether it was a continuation of Lyons' Road. That line runs, I dare say, a mile and a half.

332. According to your survey of the land, and the description given by you in the partition deeds, you have no doubt the Land Titles Office has given a title to more land than it should have done? No doubt; for they have taken the same bearings—the same length of line as I describe in my description, without the deduction of the 25 links reservation.

333. A Mr. Frith has some land adjoining this land, has he not? I am not aware.

334. Do you know whether the south-west corner of Mr. Samuel Lyons' land was fenced? No; I do not think there was any fence there.

335. Not when you surveyed it? No; but I think higher up I found fences of other property, the bearing of which, I think, corresponded nearly with the same line. Such is my recollection.

336. If a line were measured from that fence you speak of, or the trace of a fence, up to the road dividing Mr. Samuel Lyons' property from Mr. George Lyons'—taking into consideration the road—and said to be 10 chains 25 links, would that be correct? No. Do you mean where the stone wall exists?

337. Yes. When you surveyed the property, was there any fence on the south-west line? I think there was, but I am not sure.

Robert David Fitzgerald, Esq., examined:—

338. *Chairman.*] You are engaged in the Survey Department? Yes.

339. Do you remember Mr. Samuel Lyons applying for compensation from Government for land taken for a road at Five Dock? Yes, additional compensation.

340. Was the application complied with? No, it was not.

341. On what ground was it refused? I considered that the boundaries of Mr. Wright's property had been fixed by the Real Property Act, and the certificate of title under that showed part of the road outside; and on that ground I recommended that no further compensation should be given to Mr. Lyons. The Minister of Lands approved of that.

R. D.  
Fitzgerald,  
Esq.

12 Mar., 1869.

W. M.  
Brownrigg,  
Esq.

12 Mar., 1869.

- R. D. Fitzgerald, Esq.  
12 Mar., 1869.
342. Then there was some compensation given to Mr. Lyons? Yes.
343. *Mr. Lyons.*] Do you recognize that (*handing a document to witness*)? The road was a chain wide, and Mr. Lyons was given compensation for more than half the road at a chain wide, and for the remainder at 50 links wide.
344. As what would you describe this—would you describe it as a delineation or as a road? As a road.
345. Will you examine the description of this title—that is a certified copy of Mr. Wright's amended title? There is no reference to a road on that side; there is on the other side.
346. Which side? On the eastern side; on the southern side no road is described.
347. Do not you think if no road exists there, it is a singular thing that the Land Titles Office should show a road there? I think they decidedly intended to show a road there.
348. Mr. Ward, in his evidence the other day, said there was no written description appearing on the title, and that that could not be considered as anything more than a delineation—Do you understand that? Yes.
349. *Chairman.*] But it gives Mr. Wright no title to a road? I should say this gives Mr. Wright and any one else a title to a road. It was on that ground I made the representation I have stated; at least, it was on that ground I did not go into the matter any further. I considered that the road was a settled matter.
350. Mr. Ward says that the plan is incorrect, and the certificate of title shows a road where there is none? I consider this shows a road where, under the Real Property Act, it was determined there was a road.
351. *Mr. Lyons.*] You, as an officer of the Land Department, say it does show a road? Yes.
352. *Chairman.*] You reported, in consequence, that Mr. Lyons was not entitled to compensation for the loss of a road? Yes. I reported that there was no necessity to go into his claim for compensation—that he was not entitled, on the showing of the plan.
353. *Mr. Farnell.*] Is this road you speak of, delineated at the foot of the certificate, a proclaimed road? This is proclaimed.
354. The whole of it? The part shown on the plan as a 1-chain road is proclaimed.
355. The continuation of the road dividing Mr. Samuel Lyons' property from Mr. Wright's property—is that a proclaimed road or a private road? It is a private road for about half the length of the boundary.
356. The old side line? The old side line.
357. What is the width of that? 50 links.
358. Do you know whether that road was reserved by the proprietors of the adjacent land, for the purposes of a road for their own convenience? I do not know it of my own knowledge.
359. I understand you to say that Mr. Lyons put in a claim for compensation for the portion of the road proclaimed through his property of a chain wide? He put in a claim for extra compensation for half of it.
360. For half the road? Yes.
361. That is, for 50 links? Yes.
362. Did he receive compensation for 50 links? Yes.
363. Did anybody receive compensation for the other 50 links? No.
364. Did anybody apply? No, till Mr. Lyons recently applied.
365. Through whose property did the other 50 links wide of this road run? The 50 links was supposed to be composed half of Mr. Lyons' and half of Mr. Wright's, which was considered to be dedicated to the public.
366. Do you know for a fact whether it was dedicated or not? No, I do not. I know a doubt has been thrown over the dedication of it.
367. If this road were not dedicated to the public, he would have been entitled to compensation for 75 links? Yes, for 25 links more than he got.

WEDNESDAY, 17 MARCH, 1869.

Present:—

MR. FARNELL, | MR. LYONS,  
MR. TUNKS.

JOHN STEWART, ESQ., IN THE CHAIR.

William George Pennington, Esq., examined:—

- W. G. Pennington, Esq.  
17 Mar., 1869.
368. *Chairman.*] You are a solicitor in the Supreme Court of New South Wales? Yes.
369. How long have you been so? In this country, about twenty years. Here, and in the old country, nearly thirty years.
370. Did you recently act as Examiner of Titles to the Land Titles Office? I did.
371. During what period? From June, 1867, to July, 1868.
372. Will you be good enough to explain to the Committee the usual way of proceeding, as to describing boundaries of land placed under the Titles to Land Act—Are the boundaries described in the certificate of title the same as those in the deed by which the applicant holds his land? The party making his application is required to state clearly the boundaries of the land, and to give the names of the adjoining owners and occupants.

W. G.  
Pennington,  
Esq.

17 Mar., 1869.

373. Then the boundaries described in the certificate of title are, word for word, the same as those in the deed by which the land is held? Certainly. If the boundaries are unobjected to, upon the application being complied with, the licensed surveyor's certificate is always taken; but in ordinary cases, where the boundaries are very clearly shown by the deeds, it is not the practice to call for a diagram.

374. Is it the custom of the office to make any survey of properties, where there is any doubt about the boundaries? Certainly—it is always required.

375. Always? Always required where there is any doubt about the boundaries, because the licensed surveyor is sworn to give a faithful certificate. It is upon the condition of getting it; and therefore the office always relies upon the licensed surveyor's certificate.

376. Then the diagram usually appended to the certificate of title only shows what is described in words? Yes.

377. Will you look at this certificate of title, dated 4th April, 1864 (*handing B 1 to the witness*), and say whether the description in the words corresponds with the description in the diagram? Yes.

378. The two correspond? I think the description seems to correspond with the diagram.

379. Do you observe the road marked in the diagram on the north-west side of the property? Yes.

380. No such road is mentioned in the verbal description? "Commencing on the Parramatta River at the north-west corner of Lyons' Road and bounded on the east by a road bearing southerly 21 chains to a reserved road." That is correct, according to the diagram.

381. Does the verbal description mention any road on the north-west side? On the north-west side. This (*pointing to the diagram*) I call the north-east side.

382. *Mr. Lyons.*] Does that certificate of title describe the land as being bounded on the north-east side by a reserved road? "Bounded on the east by that road bearing southerly 21 chains to a reserved road."

383. Does that describe the property as being bounded by a reserved road? "On the south by that road"—that reserved road "bearing westerly to the Parramatta River." That description is quite correct.

384. *Chairman.*] So far, the verbal description corresponds with the chart? It appears to me to do so.

385. That copy of the certificate of title is a copy of the title given to Mr. Wright? So it appears. I have seen it before. I was not in the office at the time it was issued. It usually bears the signature of one of the Examiners.

386. *Mr. Lyons.*] Will you be kind enough to read that description, handed in by Mr. Brownrigg, who prepared the partition deed (*Appendix C*)—Will you also look at the first certificate of title? (*The witness examined the same.*) This description of Mr. Brownrigg seems to include the road.

387. Does Mr. Brownrigg give a description of 21 chains, less 25 links? He gives 21 chains, less 25 links, for a reserved road on the south-west.

388. According to the descriptions in the title, is that correct? I do not think it is; it does not seem to follow this description, if Mr. Brownrigg's road is correct; because the road ought to be taken out of the land of the applicant.

389. *Chairman.*] Out of the land certified to belong to Mr. Wright? Yes.

390. *Mr. Lyons.*] Do the office ever accept a title without knowing who has surveyed the land—Would they be justified in accepting a title without knowing who surveyed the land? No, certainly not. Unless it is a clearly reliable survey they never accept it.

391. Would the office be justified in accepting a survey from a surveyor to whom they had refused a license? Certainly from one who had not been licensed.

392. Whom they had refused to license? I cannot answer that question. I have known instances in which a survey has been taken by a person who was not a licensed surveyor.

393. I am speaking of a person who had applied for a license and been refused? I could not answer that question. I know only of one instance of a person having applied and been refused, and that was the case of Mr. Brownrigg.

394. You see the reserved road between these two properties? Yes.

395. The adjoining property would be my property? Yes.

396. Would you consider me as an adjoining proprietor, and entitled to a notice from the office, if that road came into existence by half of it having been granted by my brother to me, and half granted by me to my brother? I should think so.

397. You would consider me as an adjoining proprietor, and entitled to notice from the office, of Mr. Wright's intention to bring his land under the Act? Certainly; because the property is not bounded by the road. I do not know what view the office would take of it.

398. That road is 50 links wide—25 links was granted by my brother to me from his portion, and 25 links was granted by me to him, to form that road of 50 links wide? Yes. You asked me just now whether you ought to have had notice. According to the practice of the office, if the road was shown on the diagram on the south side, they would not consider you entitled to notice.

399. Suppose the deed showed that half that road had been conveyed to me for a money consideration? If that appeared pretty clearly upon the documents produced in the office, you ought to have had notice.

400. *Mr. Tunks.*] Would that appear as a formally dedicated road in the plans transmitted to you, if it were so? We should not make any difference, I think. No matter whether it was a road dedicated to the public, or a right-of-way for two private individuals, it would be just the same.



W. G.  
Pennington,  
Esq.

17 Mar., 1869.

401. *Mr. Lyons.*] I produce the second certificate of title issued to Mr. Wright (*handing the same to witness*)? I see this is 21 chains 25 links, but in the other case it is only 21 chains.

402. Do you think that I, as an adjoining proprietor of that land, was entitled in the second case to a notice from the office? I do not know for what purpose this amended certificate was issued. I see now this is 70 acres. I suppose Mr. Wright purchased some other land.

403. He purchased some other land from me? And he got a consolidated certificate for the two.

404. *Mr. Farnell.*] I may inform you, also, that Mr. Wright purchased a water reserve from the Crown.

405. *Mr. Lyons.*] And the reserve of the road conveyed to him—upon that he applied for a new certificate of title. Do you think, under these circumstances, I should have been entitled to notice from the office? It appears in one of these descriptions that there was 61 acres, and in the other 70 acres. If the 9 acres was under the Act or under the Crown Lands Act, I do not think, according to the practice of the office, you would have been entitled to notice.

406. Do you notice that the reserved road of 50 links wide has been shifted in these two certificates? Yes, I observed that they give a line here of 21—25 in the new certificate.

407. Do you think they were justified in shifting the line without giving me notice? No, I do not think so.

408. *Mr. Farnell.*] Is not the matter respecting which you are now being questioned, more a question of survey than one within your province as Examiner of Titles? Yes, I think it is.

409. You were asked a question as to whether the Land Titles Office had done right in issuing the second title and shifting a road from the lines—Do you know, for a matter of fact, whether they have shifted the road or not? No, I do not.

410. *Mr. Lyons.*] Do you see in the first title issued the road is 21 chains from high-water-mark, 21 chains frontage to Lyons' Road? Yes.

411. In the other it is 21 chains 25 links? Yes.

412. Does not that shift the road? Yes, I think so.

413. *Mr. Tunks.*] The 21-25 you allude to are merely figures in the plan—Is there any starting-point indicated? The starting-point I think is high-water-mark at the Parramatta River. I confess I cannot understand why it should be 21-25 in one case and not in the other.

414. *Mr. Lyons.*] You said, I think, that this matter was not adjudicated when you were in office? Yes. The second certificate appears to have issued when I was in office, but I do not see my initials on it.

415. Is it usual to initial the certificate? Yes.

416. And that second certificate is not initialled at all? No. One of the Examiners always initials the certificates.

417. *Mr. Farnell.*] These are only copies? He initials the certificate and copy. This is not the copy to which I refer, but is merely a certified copy of the record.

Robert Mead Pearson, Esq., examined:—

R. M. Pearson,  
Esq.

17 Mar., 1869.

418. *Chairman.*] What is your designation? Principal Draftsman to the Land Titles Office.

419. *Mr. Lyons.*] Can you tell the Committee whether there is any record in the office of the survey of the different properties that are taken under the Land Titles Act? No; we do not keep a record of them. If there is any survey, it is kept in each particular package.

420. Can you answer the question, as to whether Mr. Wright's property was surveyed by the office, for the issue of the first certificate of title? It was not.

421. Is it usual for the office to accept the survey of a surveyor who has not been licensed by the office? Yes, we often do so if the property is not within the city, and if we have a plan which we consider sufficiently reliable to make use of.

422. Do you know whether Mr. Brownrigg ever applied to the office to be licensed by the office? I do not.

423. He is not a licensed surveyor? Not under the Act. They do not apply to the Land Titles Office in the first instance, but to the Surveyor General; so that I should not know if he had applied.

424. *Mr. Farnell.*] He is not registered under the Land Titles Act? No.

425. *Mr. Lyons.*] Can you say whether the office would accept a survey laid out by Mr. Brownrigg, without having it resurveyed by its own officer? Yes, we should, in particular instances, if we thought it reliable. Of course it would depend upon the examination of the plan.

426. Do the office, before they take a title, require to know by whom the survey has been made? If a survey had been made, a plan would be furnished us with surveyor's name attached thereto. In that case, the office would know when it came under the examination of the surveyor and draftsman who surveyed it.

427. *Mr. Lyons.*] If a person makes an application to have his property brought under the Act, and produces a deed of the property with plan on it, how can you know by whom the survey was prepared? In that case I could not tell.

428. *Mr. Tunks.*] If an individual made an application, and referred to a Government survey, you would not put him to the cost of a survey? No. So much depends upon where the land is, and the nature of the plan furnished. R. M. Pearson,  
Esq.
429. Supposing it referred to No. 43, Balgowlah? Then it would depend upon my own judgment. 17 Mar., 1869.
430. *Mr. Lyons.*] You were not at the head of the Land Titles Office when Mr. Wright applied to the office for his first certificate? No.
431. Who was? Mr. Charles Arthur.
432. Who has the regulation of notices to be sent out to adjoining proprietors? Mr. Ward solely.
433. You have nothing to do with that department? Nothing, excepting furnishing tracings to accompany notices. If there are not sufficient furnished, he sends to me for more.
434. Did you prepare this amended plan of Mr. Wright's? I prepared it for the draft certificate.
435. Did you, in preparing that amended certificate, include in the area a strip of land conveyed by me? Yes; I saw the deed.
436. From me to Mr. Wright? Yes.
437. And from that deed you gave Mr. Wright additional frontage? No; I did not take the deed into consideration, further than as a settlement of a dispute without reference to where the land was.
438. How is it that in the first certificate it states 21 chains, and in the other 21 chains 25 links? That was caused by the addition of the land you conveyed to him to outside the wall. We had a survey then of the exact distance of the wall from the water; and believing the deed before referred to to be a settlement of the dispute between you and Mr. Wright, we gave him the full distance from the water to outside the wall.
439. You see on the first plan the reserved road between the two properties of 21 chains. Can you explain how that road—the road between myself and Mr. Wright's property—having been conveyed to him, another road is shown in this amended certificate? In the second certificate, we took the decision of the Supreme Court as settling where the road was. That was my principal guide in the preparation of that new certificate. Believing that the dispute was wholly settled, and that the object was to fix carefully the position of Mr. Wright's land, I gave him to the outside of the wall.
440. Are you aware that, in the case of *Wright v. Lyons*, a new trial was applied for, and a rule *nisi* was granted, upon the ground that the verdict was against law and against evidence? I did not know what the reasons for giving it were; but I always understood that a new trial was granted, and that it was afterwards settled between you and Mr. Wright for a consideration, and that the deed referred to just now was supposed to be the final settlement of it.
441. By whose instructions was the road shifted in the second certificate? I do not know that it was by any person's instructions. I believed the road to be there when the draft was prepared.
442. You call that a road? Yes, decidedly.
443. Has Mr. Ward made a mistake if he has called it a delineation? I do not know what Mr. Ward's opinion is.
444. Does that road appear in the description of the property above? No.
445. Ought it to appear? Not necessarily. If it had not been for the wall, I should have made use of the road in the description; but, to make it quite clear, I used the south-west side of the wall.
446. Upon second consideration, seeing that the dispute between myself and Mr. Wright was going to a new trial upon the grounds of law and evidence, and that I conveyed to him the whole of my right to a disputed road—do you still think that road is rightly placed there? I do; I think the Supreme Court clearly fixed its exact position, and that neither Mr. Wright nor yourself had any power to shut it up.
447. In issuing that new certificate of title, do you know whether I, as an adjoining proprietor, was entitled to notice? Not according to the rule laid down by Mr. Ward, that those on the other side of a road do not have notice—that has always been the rule.
448. Do you know how that road comes into existence? Through the partition deed.
449. Do you know that that road is 50 links wide? Yes.
450. Do you know that the partition deed bears an indorsement by which half of that road is conveyed to me, and the other half is conveyed to my brother? No, I did not know that there was such an indorsement on it. I do not remember. I remember only the description, in which 25 links was deducted from each.
451. You do not remember anything about a grant being on the partition deed? No.
452. Do you think you ought to have seen that in drawing up the description? I should have done so had I examined the original application, but this was done by Mr. Arthur; it was unnecessary for me to refer to them.
453. *Mr. Tunks.*] What is the area of the land that has apparently been taken from Mr. Lyons? An acre and four perches.
454. What is the probable value of that quantity of land there? I do not know of any land having been sold there to guide me. I think it might be about £30.
455. *Mr. Lyons.*] Was not the starting-point of each of these descriptions high-water-mark? Yes.
456. *Mr. Farnell.*] Is not the length of the road you have just calculated 49 chains? Yes.
457. In this description of Mr. Huntley, is it not given as 49 chains 10 links? Yes, that also is taken from high-water-mark.

- R.M. Pearson, Esq. 458. *Mr. Tunks.*] Is not the mean taken between neap and spring tides? Yes.
459. If the water extended a mile at high-water, would not that make the position of high-water-mark somewhat doubtful? Yes, if the land were very flat.
- 7 Mar., 1869. 460. Is the road you are speaking of now called the Five Dock Road? Half of it. It is a chain wide, part of the way down; and the rest is 50 links. The chain-wide road is dedicated.
461. That is, the road leading to Five Dock Point? Yes.
462. Is any portion of that road only 50 links wide? No. Where the Government road branches off—from there to the river, along the wall, is 50 links wide. Along the remainder of the wall, 50 links were, I think, taken by the Survey Office, and considered as a public road.
463. *Mr. Furnell.*] Do you know whether Mr. Brownrigg ever surveyed this land? I do not, excepting that there is a subdivision of his, and therefore I suppose he may have surveyed it.
464. A subdivision plan of the whole estate? There is a plan, though I do not know whether he surveyed it or not.
465. Do you know whether he, at any time, marked out this particular road between the properties of the two brothers—Messrs. Samuel and George Lyons—in that subdivision? Not for certain. The subdivision shows that he has put a road there, but the exact distance is not given. That is the road (*pointing to the plan*), and he is supposed to have surveyed this and cut it up into certain allotments.
466. Do you know whether these allotments were all marked or pegged out, or the road defined in any way? Yes, I believe it was pegged the whole length—evidence to that effect having been given at the trial; and the pegs were found on both sides of the road, and the wall was built along one line of pegs.
467. The pegs were placed there by Mr. Brownrigg? Yes, if he surveyed it.
468. This action in the Supreme Court was a dispute as to the position of this road? Yes.
469. Has the verdict of the Supreme Court decided that the road where it is now placed is in its true position? Yes, that was the decision.
470. And that Mr. Wright placed his wall on the correct boundaries, as laid down by some surveyor—Mr. Brownrigg, or someone else—who was employed by Messrs. Lyons? Yes.
471. There is a difference in the length of lines given in the two certificates of title. The description in the first certificate does not contain the same length of lines on the Lyons' Road as that in the latter certificate? No, it does not.
472. Can you now inform the Committee what is the length of the line, from a point at high-water-mark, running south-westerly to the south-west line of Mr. George Lyons' road, now Mr. Wright's, that side being the north-east side of the reserved road? That would be 21 chains 25 links.
473. Then, how far would it be from that point to the centre of this reserved road? 25 links further on.
474. And 25 links from that point again in the same direction would be the whole width of the reserved road, 50 links? Exactly.
75. From the point at the centre of the road, could you tell us the distance to the south-west side-line of Mr. Samuel Lyons' property? I think, from memory only, it would be something more than 10 chains—10 chains and 70 or 80 links. I remember seeing Mr. Huntley's plan, on which it was more than 10 chains.
476. This is Mr. Huntley's plan—(*handing the same to the witness*)—will you look at it? 10 chains 50 links.
477. To the south-west boundary line of Mr. Samuel Lyons' property? Yes.
478. You are aware, I suppose, that Mr. Huntley and Mr. Reuss recently surveyed this land? Yes, I heard so.
479. Have you seen a plan similar to that prepared by Mr. Huntley from that survey? Yes, we have one in the office.
480. Have you any doubt, as far as you are able to judge, of the correctness of that plan of Mr. Huntley's? No, I have not; he is a careful surveyor.
481. If those lines were surveyed some years ago by Mr. Brownrigg, and a description were made from that survey, giving the length of the lines as 21 chains and 10 chains, respectively, to these two different properties, it would not be very extraordinary if, from recent and more careful survey, the lines should be lengthened, or even shortened? I think not, considering the locality.
482. There was a Crown reserve on this land—water frontage? Yes, a chain wide.
483. Mr. Wright has applied to purchase that from the Crown? Yes, he has purchased it.
484. I believe he included that in the certificate of title? Yes.
485. Which accounts for the large increase in the area of the land? Yes, that makes a considerable difference.
486. Are you aware that the area of land given by the partition deed to each of the brothers is 61 acres? —
487. What is the area given by your certificate to Mr. Wright? 70 acres.
488. Is the reserved road separating the property of Mr. Samuel Lyons from that of George Lyons, correctly delineated upon the plan accompanying the certificate? Yes.
489. As being on the south-west side of Mr. Wright's wall? Yes.
490. The Government, you are aware, have proclaimed a road 1 chain wide a certain distance down the side of this wall? Yes.
491. And have had to compensate the parties through whose land it ran? Yes, in all cases.



492. Do you know for what width of road Mr. Lyons received compensation? No, I do not, but I should think for 50 links. R.M. Pearson,  
Esq.
493. *Mr. Tunks.*] Nor what amount of money he received? No.
494. *Mr. Farnell.*] Do you know anything of a deed between Mr. Lyons and Mr. Wright for the purchase of any portion of this reserved road? I saw the deed when it came out of the office. It was produced for the consolidation of Mr. Wright's certificates—the old certificate and the new grant for the water frontage. 17 Mar., 1869.
495. You have no difficulty in coming to the conclusion that the position of the road is rightly defined now? I think so; and I always have thought so.
496. *Mr. Lyons.*] Then, if the road in the first certificate is rightly placed, it is wrongly placed in the second? That must have been the case; but if no survey was made at the time, that would account for that. I believe, if a survey had been made, and the road had been shown to exist in its present position, we should have given the extra links in the first certificate.
497. *Mr. Farnell.*] In your experience as Chief Draftsman of the Land Titles Office, does it not often occur that the lines of many of these old grants and surveys that were made many years, when they come to be surveyed, are found to be much longer or shorter? In almost every case longer. I have never known them to be shorter. In one application which has just come to me for report, one boundary is 6 chains, and another 11 chains, longer than in grant.
498. *Mr. Farnell.*] In fact, in the olden times they did not survey very accurately—they did not take into consideration the undulations of the ground? Very often they did not survey it at all.
499. *Mr. Lyons.*] That shows the necessity of the office having its own survey? If there is so much more land, it is to the advantage of the applicant to have a survey; but where it is a whole Crown grant, it is unnecessary to put the applicant to the expense.
500. This is only a small portion of a grant? Yes.
501. *Mr. Farnell.*] If I had a grant from the Crown of 100 acres, a certificate would be issued to me under the Land Titles Act? Yes.
502. If I wanted to sell 50 acres of that 100, it would not be necessary to employ a surveyor? No; if the boundaries were regular.
503. You having the area and data in the office, it would not be necessary for me to have it subdivided by a surveyor? No, we would rather do it in the office if practicable. In some cases it would not be so. We should then keep a record of how much had been sold.
504. *Mr. Tunks.*] It is the object of your department to facilitate the transfer? We do so in every instance. In the case of the 100-acre grant, we should have a plan of it in the office, and on that plan we should mark the transfer of the piece or pieces sold, and edge them with green; so that by reference to it, it could be seen in a moment how much had been sold.
505. *Mr. Farnell.*] Then the person who might purchase any of this land would have the length of his lines given to him, and he might either measure it himself or employ some other person to do so, from the measurement given in the Land Titles Office? Yes, and the matter would be so clear that there could be no possibility of mistake.
506. *Mr. Tunks.*] Then, in this view of the matter, the original owner of a 100-acre grant, which really contains 120 acres, may see 100 acres but no more? Exactly; or if he had a survey made, and showed clearly that there were 120 acres, and if required produce other evidence as to his possession, we would give him the 120 acres.
507. *Mr. Farnell.*] When the Government sell land they chart it, do they not, and you have access to those charts, or have them in your office? Yes, we have copies of many of them.
508. My question does not refer to surveys made years ago, but to recent surveys? Yes, we have many copies of both old and new.
509. That is, where you have correct lines given and the correct area of land, persons can divide their land for purposes of transfer without difficulty? Yes.
510. In such cases, persons would have no difficulty in subdividing land without the agency of a surveyor, except to get some one who understood surveying to mark it out on the ground? No.
511. There would be no danger, then, of any person getting a certificate for more than he was entitled to? It would be impossible.
512. *Mr. Lyons.*] Did you ever hear that Mr. Huntley and Mr. Reuss had been appointed by Mr. Wright himself to go on to our ground and determine where the road ran? Yes, I heard such was the case.
513. Did you hear the result of the joint survey? No, I never saw Mr. Reuss' survey, and I did not hear the result of it.
514. *Mr. Farnell.*] I would call your attention to the map produced before the Committee, prepared by Mr. Reuss, and to that prepared by Mr. Huntley (*the witness referred to the same*)—Do you notice the bearings of the line given of Lyons' Road, that the bearing given by Mr. Huntley on the line is south 42 degrees west, while that given by Mr. Reuss is north 44 degrees east; showing a difference of 2 degrees in the bearing. The length of the line is the same by both surveyors? Yes.
515. I will also call your attention to the south-west boundary line of Mr. Samuel Lyons. The bearing given by Mr. Huntley is north 48 degrees west, the length 28 chains 12 links; while that given by Mr. Reuss is west 44 degrees north 27 chains 90 links; being a difference of 4 degrees. Could you give us any information as to these discrepancies? There must be some considerable difference in the instruments, or careless reading.

- R.M. Pearson, Esq. 516. These discrepancies, as shown in these two different maps, would make a great difference in the position of this piece of land, would it not? It would make only a slight difference.
- 17 Mar., 1869. 517. It would alter the shape of the figure of the piece of land to some extent? Slightly; but the length of the lines being so short, it would not make much difference.
518. Which, in your opinion, would be the more reliable survey to go upon? I think they are both careful men. I should not prefer one before the other.
519. These errors may not have arisen from any want of ability on the part of the gentlemen employed? No; but from a difference in the instruments, or careless reading.
520. The lines are measured from the water, and the discrepancy in their length may have arisen from the want of any definite point to start from at the water's edge? Yes; the difference in the length of the line would arise from the uncertainty as to high-water.
521. *Mr. Lyons.*] You have never seen the high-water-mark at the bottom of Lyons' Road? No.
522. And you do not know that it is clearly defined by rocks? No; I have never been on either of the allotments.
523. *Mr. Tunks.*] Has the Survey Department any mode of adjusting the chains and instruments used by licensed surveyors? They usually employ Mr. Tornaghi to repair and keep them in order.

FRIDAY, 19 MARCH, 1869.

Present:—

MR. BURNS,	MR. LYONS,
MR. FARNELL,	MR. TIGHE.

JOHN STEWART, Esq., IN THE CHAIR.

Robert David Fitzgerald, Esq., examined:—

- R. D. Fitzgerald, Esq. 524. *Mr. Farnell.*] Did you receive a summons to attend here to-day, and to produce a report received by the Surveyor General from Mr. Huntley? Yes.
525. Do you hand in that report? I do. (*The witness handed in the same. Vide Appendix D.*)
- 19 Mar., 1869. 526. Is that a report asked for by the Surveyor General from Mr. Huntley in reference to compensation for some road at Five Dock? It is.
527. *Mr. Lyons.*] Is that for additional compensation, or with reference to the original claim? Additional. I may mention that the recommendation I made happens to be in that letter, on which the Minister for Lands acted.

George Kenyon Holden, Esq., examined:—

- G. K. Holden, Esq. 528. *Chairman.*] You are Examiner of Titles in the Land Titles Office? I am.
529. Do you remember an application made by Mr. Wright to get a portion of land placed under the Land Titles Act? I do.
- 19 Mar., 1869. 530. Was the certificate of title granted to Mr. Wright ever disputed? An objection was made to it by Mr. Lyons, some time after the certificate was issued.
531. What was the nature of the objection? I should like to have the letter written by Mr. Lyons—I prefer referring to the documents—I have the answer to it, which would show what the letter was.
532. Perhaps this letter (*handing a letter to the witness*) would assist your memory. It is a letter from your department, dated 1st November, 1866. Will you look at it, and see if that is it? (*The witness examined the letter.*) That is the letter written in answer to Mr. Lyons. I now find I also have here Mr. Lyons' own letter of the 28th October, 1865. (*The witness produced it.*)
533. It is alleged by Mr. Samuel Lyons, the adjoining proprietor, that you have included a portion of his land in the title you gave to Mr. Wright? As to the words "adjoining proprietor,"—in point of fact he is not, strictly speaking, a contiguous proprietor—and, therefore, it was not incumbent upon Mr. Wright to point him out as such in his application. Had he done so, notice would have been given to Mr. Lyons; and the question, if deemed important, would have been raised before the issue of the certificate.
534. He was not considered an adjoining proprietor, because there was a road or right-of-way between his property and Mr. Wright's? That was the case—not that it was at that time a matter of consideration by me or by any officer of the department, but it prevented his being referred to as such in the application, according to the form given in the Act. Mr. Wright not being obliged to notify him as an adjoining proprietor, we got no notice of the fact; and, consequently, Mr. Lyons got no notice.
535. Then, the description of Mr. Wright's property, in the certificate of title, corresponded with the description given in the deed lodged on his application? Corresponded with the plan of the property upon that deed, which deed bore the signatures of both Mr. Samuel Lyons and Mr. George Lyons.

536.

536. The deed by which Mr. Wright held his title to that land had an indorsement upon G. K. Holden, Esq.

537. Conferring a right-of-way? That plan was identical in all respects with the plan of our surveyor, placed upon the certificate of title. 19 Mar., 1869.

538. There was no difference made whatever? No difference whatever.

539. Either in the verbal description or the description by diagram? I believe, none. I had nothing personally to do with this—that was a matter for the draftsman.

540. You have, I presume, a clear recollection of the facts of the case, from the matter having been repeatedly brought before your notice? Yes.

541. *Mr. Lyons.*] After I had written this letter to you, dated 1st November, 1865, I had several conversations with you respecting it? You had some conversations with me.

542. In your own office? In my own office, I believe.

543. Do you remember saying to me, in the office, that you had made a mistake in not giving me notice? I remember expressing regret that you had not received notice. I at first thought the omission was a mistake, but I afterwards discovered that it was not.

544. Are you aware that, in issuing the first certificate of title to Mr. Wright, the office completely overlooked the indorsement granting half the road to me? There was no indorsement granting half the road to you.

545. Not on the face of the deed? No; but giving a right of way over it—arranging for a right of way.

546. The half-road found by myself was granted to my brother, and the road found by my brother was granted to me? It was not granted as land, but granted as a right-of-way. It was arranged between you that each should have a right-of-way.

547. Would not that, in your opinion, make us contiguous proprietors? No, decidedly not; at least, it was not so treated by the draftsman, and it was not so treated in the application. There may have been ambiguity about it, but it was not so treated. The road appeared, on the face of the plan, as separating your land from your brother's; and, therefore, it was concluded that there was no adjacent proprietor. If, in this, there were any mistakes, the plan on your deed, signed by yourself, was that which misled.

548. Do you know by whom the plan was made? I do not. I was asking respecting it only yesterday, but could get no clue to it. I have it here (*producing the plan*). You may know—I do not.

549. Is it not a part and parcel of the duty of the office over which you preside, to remedy errors made by surveyors not licensed under the Act? I do not exactly understand in what state of the matter, and for what purpose.

550. I want to know, if a title is sought to be brought under the Act through your office, whether it is the duty of the office to ascertain whether the surveys are correct or not? As a general rule, unquestionably; but, in this case we have a survey already made, and attested by the only parties interested at the time,—namely, yourself and brother.

551. Then, in the office, you never inquire whether these surveys are correct or not? I can best answer that by reading one of the regulations, in a circular letter. "No. 1.—Instructions for guidance in bringing Land under the Act." Section 7 points out certain cases in which a plan may be furnished for a small fee, at the expense of the applicant, through the Survey Office. "In all other cases," section 8 goes on, "a plan must, *in general*, be furnished by a surveyor specially licensed by the Surveyor General for the purposes of the Act, verified by declaration before the Registrar General or a J.P." It is, however, provided by the same section that this rule may be relaxed, when it is shown that the deed surrendered, or the map already deposited, contains an accurate description of the land. Whether or not to make requisition for another expensive survey, is left generally to the draftsman to determine. In this case, I have the means of showing what was the course taken by the office. Here is my own draft of requisitions, one of which calls for "The plan showing lines of subdivision." I see a note in the margin by the draftsman, now deceased, Mr. Arthur—"Produced"—from which the Examiners were entitled to infer that he was satisfied on that point, and the matter proceeded on that assumption.

552. Does not the printed form of application, supplied to the parties wishing to bring their land under the Act, state this—"If the land comprises a portion only of a grant, an accurate plan must accompany that application, either annexed or indorsed. It is also desirable, and in many cases absolutely necessary, that this plan be prepared and certified by one of the surveyors licensed under the Act?" That accords with what I have already read as the rule of the office.

553. Are you aware that the office never made any inquiry, and never knew that this land had not been surveyed? I am aware of nothing more than I have disclosed. I have disclosed all the part I took in the matter.

554. Can you tell me who is responsible, if a mistake is made by the office, through accepting an inaccurate survey? The Act provides for responsibility by an insurance fund, if the case is of such a nature as to entail a wrongful injury.

555. Which is the officer responsible—who is to blame? That would be for the Government to determine upon, investigating the merits of each particular case. It would depend upon the peculiarity of each case, and the particular duty that would, under the circumstances, devolve upon each individual officer administering the Act. In this case, the main duty of this investigation would devolve upon the draftsman who reports that he is satisfied.

556. Did you ever advise Mr. Wright in this matter of dispute between him and myself? Mr. Wright complained to me that we did not enforce his view of the matter, and he received precisely the same answer that we gave to yourself, namely, that under the peculiar circumstances of the case, the action of this department had not in any manner altered

- G. K. Holden, Esq.  
19 Mar., 1869.
- altered the position of either party. Therefore, all we have been saying about responsibility is beside the purpose. There could be no responsibility in this case, because the certificate issued had not in the slightest degree, according to its legal interpretation, altered your position. This was manifested by the fact of your bringing an action, and carrying it to a conclusion, and obtaining or suffering a verdict. The whole matter was thoroughly investigated upon its independent merits; for, as far as regarded this right of road, the certificate had no operation whatever. The policy of the Legislature has been to render any errors in the certificate in matters of this kind (and it must be apparent that it is impossible always to avoid such errors) actually inoperative.
557. *Chairman.*] Mr. Wright's certificate of title gave him neither more nor less land than he had before? Neither more nor less, as regards area. As to any right of way, the certificate of title was wholly inoperative, and left the parties in precisely the position they stood before, as is pointed out in the letter I have put in.
558. Then, if there were any doubt at all, it was derived from the original deed dividing that property? It was—if there was any doubt that remained open to litigation, and has been litigated, and has been settled.
559. Has Mr. Samuel Lyons placed his portion of land under the Land Titles Act? No. If you will allow me, I will go a little further into the question whether I advised Mr. Wright. Mr. Wright, as I said, complained that we did not support his views by maintaining the certificate as granted. The same explanation was given to him as was given to Mr. Lyons thereupon. I had some conversation with him upon the subject; and if I went at all beyond my province in the matter, it was in advising him to submit to pay compensation for any portion of the land.
560. Rather than enter upon litigation? Rather than enter upon litigation. Mr. Wright appeared to me to adopt that view, and I know that he made some application to Mr. Lyons in the nature of an offer of compensation. If Mr. Lyons had accepted that offer in that stage of the matter, compensation would have been made, on the assumption that Mr. Wright had been a trespasser, although I know he asserted at the same time that he was not so.
561. If Mr. Samuel Lyons applied to place the land under the Land Titles Act, would you give notice to Mr. Wright of his application? It would depend upon the nature of Mr. Lyons' application. If Mr. Lyons had not disclosed Mr. Wright as an adjoining proprietor—which he might not, in consequence of the intervention of the road—we should not, unless our attention were pointed to it. I admit that, if my attention had been pointed to this by the draftsman, and I had anticipated the possibility of a dispute, I should have requested the Registrar General to have forwarded a notice to Mr. Lyons.
562. Then, litigation between Mr. Lyons and Mr. Wright might have occurred, although this land had never been placed under the Land Titles Act? Exactly. The point was not in the least degree altered or affected by the issue of a certificate.
563. The litigation arose from the ambiguity in the deed of partition? In the deed of partition, taken in connection with the plan thereon and the surveyor's marks on the land.
564. *Mr. Lyons.*] Are you aware, referring to this grant, that there is an indorsement on the deed that a money consideration passed between myself and brother for this road? I only see 5s.
565. You see 5s.? Yes.
566. Do you still say that the grant, having passed from one brother to another, does not make us contiguous proprietors? I would say that, according to the plan on the deed, you are not contiguous proprietors.
567. I am referring to the grant of the road—to the indorsement on the other side? The grant of road does not constitute you contiguous proprietors, but tends to make you otherwise.
568. Are you aware that, by that grant, I conveyed to my brother my half, and that he conveyed to me his half? No, I am not aware of it.
569. Does not that grant of road show that? It shows you conveyed a right of way—
570. For a money consideration? I do not call 5s. a money consideration. It is always inserted when no consideration passes; it is only nominal. The only effect of that is that you establish a road between your two properties.
571. You are aware that this dispute between myself and Mr. Wright was taken into the Supreme Court? I am.
572. And that a verdict was given for the defendant? I am.
573. Are you aware that a rule *nisi* was applied for and a new trial granted, upon the ground that the verdict was against law and against evidence? My impression is—I can only speak of my impression from reading the reports in the newspapers, and so on—my impression is, that a new trial was granted solely on the ground that Mr. Wright had committed himself by reference to arbitration, assuming that he had trespassed; and that he was thereby precluded from proving, as the fact was afterwards proved on the trial, that he had not trespassed. I considered, according to what appeared to me on the face of the report in the newspapers, which is all I know about it, that the merits of the case had been decided on the trial by the jury, but that a new trial\* was applied for, because the jury was not entitled to go into the merits, on account of Mr. Wright having submitted to reference to arbitration; and that was the ground taken up by your counsel, and the ground upon which a rule *nisi* was granted. That was my impression of the facts.
574. The matter being in that state, are you aware whether judgment was given in that case? I am not.
575. Do you consider that a trial standing in that state was finally adjudicated? The thing speaks for itself. Of course, it was open to you to prosecute your application for a new trial.

576.

\* NOTE (on revision):—There was no actual grant of new trial—only a rule *nisi*.

576. Are you aware that Mr. Wright made one or two applications to me to settle the matter amicably? I believe Mr. Wright was from the first extremely anxious to settle the matter amicably on any reasonable terms. As far as I know, from any communication I had with him, he certainly was so; and as far as I meddled in the matter, it was to persuade him to do so, even though he might thereby submit to some injustice; and it was only under the pressure of what he considered an exorbitant demand that he went into Court.

G. K. Holden,  
Esq.

19 Mar., 1869.

577. Do you remember what my first demand was—was it not £190? As far as my memory of the facts goes, Mr. Wright offered to compensate you for the assumed encroachment on the same terms that the Government had compensated you.

578. £30 an acre? I do not know; but whatever you were to get from Government, that is what I understood to have been his offer to you.

579. Are you aware that he eventually gave me £150? I am aware that eventually, in order to put an end to litigation, he paid £150, to avoid paying more costs. A great many costs were due, and you were willing to accept £150, and he was willing to give it rather than continue the litigation. But up to the last, I apprehend, he fully asserted, as he did at first—though he did not then consider that he had the means of proving it—that he had built on the right line. He only discovered the means of proving it by degrees as the action proceeded; and then he discovered, ultimately, not only that the compensation you asked him was excessive, but that he was not bound to pay you anything.

580. The result of that compromise was, that I conveyed to him the disputed piece of land? Yes.

581. After that he applied for a second certificate? He applied for a consolidated certificate, having in the meantime purchased from Government a piece of road running round the water, which, if it had been before regarded, might have altogether altered the view of the measurement; because, taking that road into consideration, and excluding it from the measurement, it would give the whole of the 21 chains palpably and clearly to Mr. Wright.

582. Would your office have been justified in making a starting-point for themselves, irrespectively of the deed put in as part of the title? I do not know what the office would have done. I am not bound to state what the office would have done under circumstances that have not taken place.

583. I will call your attention to Mr. Wright's first certificate of title. You will see there that the road is placed 21 chains from the Parramatta River—"Commencing on the Parramatta River at the north-west corner of Lyons' Road."

584. I refer to the plan showing 21 chains fronting to Lyons' Road—Is that road placed in its right position there? That is a question of survey. It is a matter upon which I should have consulted with the draftsman before I formed an opinion; but if it had been before discovered that the existence of the Government road would reconcile the facts of the case, the probability is the road would have been inserted upon the plan, and that would have made the 21 chains palpably right. And if we had gone into all these particulars, it would have disclosed that Mr. Wright's 61 acres was 69 acres, and that your 61 acres was also 69 acres. I am now speaking in the light of subsequent discoveries.

585. Does not that go to show that the office never had the property surveyed? I have told you already that the draftsman appears to have adopted and been satisfied with the plan on your own deed.

586. Whether it was right or whether it was wrong? Of course he was then satisfied it was right. I am not the draftsman.

587. In issuing Mr. Wright's second or amended certificate you conveyed to him? I conveyed to him.

588. The office issued a title giving him the whole of the road in dispute. They gave him up to his wall, it being apparent by the verdict of a jury that he was entitled to his wall, and in addition to that, by your subsequent conveyance to him, to clear up all doubts. The office refused to give him an apparent 5 links more, because you had not palpably conveyed it to him. To show the punctiliousness of the office in that matter, the measurement put before us was 21 chains and 30 links, and we were so punctilious in the matter that we refused to give him more than 21 chains 25 links.

589. That verdict given in the case of Lyons v. Wright might have been disturbed, might it not, by a new trial? Why should I be asked such a question as that?

590. I ask you as a lawyer whether the verdict might not have been disturbed by a new trial? You ask me as a lawyer whether a new trial might have disturbed the verdict. Of course it might.

591. Upon that doubtful verdict, was the officer justified in shifting the road? It is not for me to say that it was a doubtful verdict.

592. It was not a final verdict? It was not a final verdict, so long as the motion for new trial was pending.

593. *Mr. Farnell.*] It is final until it is reversed? Yes, *prima facie*.

594. *Mr. Lyons.*] Did you ever advise Mr. Wright? I advised Mr. Wright to settle the matter if he possibly could.

595. Did you advise Mr. Wright to take his case to Messrs. M'Carthy, Donovan, & Co.? I believe not; but if I had done so, I should have been as much entitled to do so as a perfect stranger. I was no party to the transaction, but a mere spectator. I believe the extent of my advice was, that if he did not feel inclined to give this amount which he thought exorbitant, the proper course was to enter an appearance, to endeavour to settle it, or to pay money into Court. Whatever I did advise at the first was, with a view simply to postpone the matter, in order that the negotiation for a compromise might



G. K. Holden, Esq.  
19 Mar., 1869. continue. Then he afterwards discovered he could disprove your claim *in toto*. In consequence of the discoveries he made, stimulated by your refusal to receive reasonable compensation, the case went on, and the result was that he succeeded; the jury being of opinion that he had not trespassed at all.

596. Who is responsible for the issue of that second certificate—is it the draftsman or the Examiner?—If that certificate is wrong, who is responsible for it? If it is wrong to the prejudice of any one, the Act points out the remedy.

597. What particular officer of the department would be responsible? The Act will point out—I am not bound to.

598. I have a copy of the Act here. Will you be kind enough to point out in which clause the Act points to a particular officer? In the first place, I should say, if there is a misdescription it can be remedied under clause 126; and it would have been remedied in the first instance, if it had been a misdescription that would have affected the interests of any one; but as it was not, there was no cause to resort to any remedy. I think, before I answer this question, I ought to be acquainted with the nature of the error you assert existed.

599. The nature of the error I believe to have existed is that, in the first plan, the road is put 21 chains from the Parramatta River, and on the second certificate it is shifted to the other side of 21 chains 25 links? But then, be it so or be it not so, the delineation of that road does not affect anybody's rights or interests. It is equally open to them to resort to the Supreme Court to assert and enforce their rights, whatever they are, precisely as if the certificate had not issued. That being the case, there is an end of the question.

600. *Mr. Farnell.* Is it the fact that, in the second certificate, there is an area of land taken in—some chain of water frontage. That would increase the length of the line on that road? It does materially.

601. *Mr. Lyons.* I beg to call your attention to the fact that the second certificate clearly points out that the starting-point is high-water at Parramatta River, which does not appear in the first certificate. The first certificate states, 61 acres “commencing at Parramatta River at the north-west corner of Lyons’ Road. The second certificate says—“commencing at the north-west side of Lyons’ Road at its intersection with the high-water-mark of the Parramatta River”? The second may be more minute, because it is the result of the actual survey which you say ought to have been made before.

602. *Mr. Farnell.* Mr. Lyons has said something with reference to one description being given, in the first certificate of title issued to Mr. Wright, as starting at a point on Lyons’ Road—That is so? Yes.

603. The second certificate gives a description as starting from high-water-mark. In the first certificate it would not have been correct to have described it as starting from high-water-mark? Precisely.

604. If it had been described in the first certificate as starting from high-water-mark, it would not have been correct, as it would have included Crown land? Yes; that was purchased afterwards, at considerable expense, by Mr. Wright, from Government—nine acres.

605. *Mr. Lyons.* How do you account for the office not broaching that subject in their first correspondence on the matter? The attention of the draftsman was not called to it, I presume. It is not my department.

606. *Mr. Farnell.* You are the head of the department? I am, and I do not wish to evade any responsibility that belongs to me as head of the department; but, at the same time, if I am accused of improper motives, it will be proper for me to show in what degree my action in the matter is limited.

607. You would not be responsible for any error committed by the draftsman in his capacity as draftsman? I should say not, unless I had some means of control.

608. If any error, from want of knowledge or neglect on the part of the draftsman, were discovered, and it was made known to you, you would recommend that he should be dismissed, and that some other should be appointed? Yes, if the case were such as to require it. Do not, however, let it be understood that I attribute any error in this case. If I did, it would only be in reference to a gentleman now no longer alive.

609. The deed that was given in to the department in the first instance, for the purpose of obtaining a certificate of title for Mr. Wright, had a delineation on it? Had a delineation, and that was adopted by the department as the plan. In fact, the department has been subject to frequent complaints, on the ground that the parties applying for a certificate of title have been put to the expense of £10 or £20 for a survey. It was, therefore, not to be done hastily or inadvertently, without sufficient reason; and, I apprehend, the reason the plan on the deed was adopted as sufficient in this case was, that it was considered to be thoroughly settled between the parties themselves.

610. In the diagram given in the deed, Mr. Lyons is not, strictly speaking, an adjacent proprietor—the road divides the two proprietors? It was open to the applicant to regard him as not being so, because the road ran between; and not being so, he is not stated as the adjacent proprietor in the application. The form of application requires that the applicant shall state the names and addresses of the occupants and proprietors of all land contiguous to the land in respect to which the application is made. If this road had not been between, it would have been incumbent to have mentioned Mr. Lyons as contiguous proprietor; and, in the routine of the office, Mr. Lyons would have got a notice. This peculiarity of the case did not occur to my mind; so that, when Mr. Lyons complained to me, I said—“You got notice—this matter should have been settled before the application was complied with”; and I was considerably annoyed at first on discovering that Mr. Lyons had not notice, until it was explained that he was not a contiguous proprietor, and was not named in the application of Mr. Wright, and for that reason no special notice was sent to him.

611. The usual notices were inserted in the *Government Gazette* and the daily news-papers? Yes; and if Mr. Wright had inserted Mr. Lyons' name as contiguous proprietor, Mr. Lyons would have had a sketch sent to him. In fact, these sketches being sent to contiguous proprietors often lead to explanations that are satisfactorily dealt with before the certificate issues. G. K. Holden,  
Esq.  
19 Mar., 1869.

612. It is not the duty of your office to correct surveys; but when persons endeavour to bring land under the operation of the Act, if the department is not satisfied with the survey then presented, they may call upon the person to have a survey made by some surveyor licensed under the Act? Yes, in some cases we insist upon it; but this rule may be relaxed when it is shown that the deed surrendered contains an accurate description of the land; and here there was such a description, signed by both parties.

613. The object of the law is to facilitate the transfer of land? Yes.

614. *Mr. Lyons.*] Then, if the office accepted that sketch on the partition deed as accurate, were they not bound to accept the starting-point of the surveyor who made that plan? The plans are identical.

615. Then, if the office accepted that plan as an accurate sketch, would they not be bound to accept the starting-point taken by the surveyor who made that plan? They do accept it as far as they can.

616. *Mr. Farnell.*] If the plan were produced at the office, and the draftsman discovered any inaccuracy, he would advise the Examiner of Titles to that effect? He adopts the plan.

617. In this action between Mr. Lyons and Mr. Wright, you had nothing whatever to do with it, I presume? Nothing more than I have said already,—that I was inclined to persuade Mr. Wright to come to an amicable settlement if possible.

618. You did not advise with the firm of Messrs. M'Carthy, Donovan & Company, in the matter at all? Not in the least. Mr. M'Carthy called upon me once for information, and I gave it to him. Mr. Deane, Mr. Lyons' solicitor, called upon me for information, and I gave it to him. I did not utter a syllable in the presence of either one that the other might not have overheard. I gave all the information that would throw light upon the subject, both to Mr. Deane and to Mr. M'Carthy. I believe I expressed myself in the same terms to both.

619. You gave information as Examiner of Titles? Yes, information of which I was possessed in my official position, throwing light upon the subject; but the evidence elicited on the trial was elicited from surveys I had nothing to do with.

620. I believe Messrs. Lyons and Wright consented to have a survey made of this land? Yes, I believe they did. I took no part in the matter—I was desirous to see it settled, to prevent the trial.

621. The trial was subsequent to these surveys? Yes.

622. The evidence of the surveyor was taken at the trial? Yes.

623. The jury gave a verdict in favour of Mr. Wright? Yes. After hearing the evidence of the surveyor, showing that the road was on the original line as agreed upon between the two brothers.

624. And that Mr. Wright's wall was on the right position? Yes.

It was here signified to the witness that the Committee did not desire to put to him any further questions. Before withdrawing, he addressed the Committee as follows:—

I think I am entitled to make this observation:—My motives have been impugned, and I should like the Committee to state whether anything has transpired in the course of this inquiry upon which any possible imputation of improper motives could be founded with respect to anything I have done; and, if so, that the matter may be thoroughly investigated.

William Deane, Esq., examined:—

625. *Chairman.*] You are a solicitor of the Supreme Court of New South Wales? I am.

626. You were solicitor for the plaintiff in the case of Lyons v. Wright? Yes.

627. A case of a disputed road at Five Dock? Yes.

628. Do you produce the papers connected with that case? I produce the first agreement between Messrs. Wright and Lyons, signed by those two gentlemen, to submit the question to the arbitration of Messrs. Reuss and Huntley. (*The witness handed in the same. Vide Appendix E 1.*)

629. Can you tell the Committee what was the result of this reference to arbitration—Are they both licensed surveyors under the Land Titles Act? I am not certain whether Mr. Reuss is. Mr. Huntley is—I do not think Mr. Reuss is. The gentlemen made their award certifying that "the position of the reserved road dividing Mr. Wright's and Mr. Lyons' properties, according to the description furnished to us, to be on the north-eastern side of Mr. Wright's present wall."

630. That is to say, Mr. Wright's present wall entirely shut up that road? The same wall forms the south-western boundary of the side wall. I put in a copy, because the original is lost. (*The witness handed in the same. Vide Appendix E 2.*)

631. You are prepared to state that that is a correct copy of the original award? Yes. The original was produced at the trial, and admitted by the defendant. The original was lost at the trial.

632. *Mr. Lyons.*] The dispute was tried, and the verdict was given for the defendant? Yes.

633. A new trial was then applied for? A rule nisi was applied for and granted, amongst other grounds, upon the ground that the verdict was against evidence and against law.

W. Deane,  
Esq.  
19 Mar., 1869.

- W. Deane, Esq.  
19 Mar., 1869.
634. What is that document you now produce? The original rule *nisi*. (*The witness handed in the same. Vide Appendix E 3.*)
635. There were other grounds? There were other grounds.
636. While the new trial was pending, negotiations were entered into by the plaintiff with the defendant to settle the matter? Yes.
637. And it was ultimately settled by Mr. Wright paying £150? Yes, for the disputed road.
638. Which was conveyed to him? Yes.
639. Through your office? Acting on the part of Mr. Lyons, the conveyance of course being prepared by the purchaser's solicitor.
640. The original demand made upon Mr. Wright was £190? I think it was, but I am not certain.
641. Do you consider that verdict, the rule *nisi* having been given, was a decision on the matter? No, certainly not. A verdict is not conclusive until a judgment follows upon it.
642. There was no judgment in this case? There was no judgment, and there is no judgment now in this case.
643. In settling the matter, did you not understand that the plaintiff and defendant in that action had decided to close up the road altogether, by conveying to Mr. Wright—that the parties, both plaintiff and defendant, had decided that the road should be closed up altogether? I was under the impression, although it formed no part of the agreement. It was intimated at the time that Mr. Wright's object in purchasing was to close up the road, as he thought it unnecessary.
644. Have you had any experience of the Land Titles Office? Yes, I have brought several properties under the Land Titles Office.
645. Do you consider it rather an unusual thing for them, in dealing with Mr. Wright's second certificate of title, to shift the road? Without notice to any other party who was interested, I think very unusual.
646. If the road dividing the property of Samuel Lyons from that of George Lyons came into existence by grant from one brother to the other, for a money consideration, would you consider those parties contiguous proprietors—For instance, if the two brothers were to plan out a road, and each to contribute half the road, and then to convey these half roads, to form a road of 50 links, to each other, for a money consideration, should you consider them contiguous proprietors? Yes, I should; because the road belongs solely to themselves, and no other person has any right over it.
647. *Mr. Farnell.* Is not this decision of the Supreme Court final, until it is reversed by some other decision? No; a verdict in the Supreme Court is not final until it is followed by judgment, because a new trial is always liable to be granted, or the verdict reversed for plaintiff or defendant, as the full Court may decide.
648. Would it be competent for Mr. Lyons to proceed now and move for a new trial? No, in consequence of his having parted with his interest in the land in dispute.
649. The matter is finally settled? The matter is finally settled as between Mr. Lyons and Mr. Wright. Still, there is no judgment in the case, and never has been.
650. Do you know what area of land was conveyed in this case? I cannot remember now.
651. Do you remember the description of land and of the road conveyed? I am not prepared to say. I can only say that it was 50 links wide; but I do not know the length of the side lines.
652. Then, Mr. Samuel Lyons has conveyed to Mr. Wright the whole of this reserved road? Yes, the whole of this reserved road.
653. If Mr. George Lyons sold his share of the property, would not the party to whom he sold it be entitled to the use of this reserved road? Yes.
654. And the adjoining proprietor could not shut it up without he purchased his consent? Certainly not.
655. Then, to all intents and purposes, it would be a road dividing two proprietors, after the land had passed into the hands of strangers? Yes.
656. Then, in that case, they would be contiguous to the adjoining land? Still, the two proprietors would be the only persons who would have a right over the road. No other person would, if they chose to object.
657. If it were sold to a number of persons, each one of those persons would be entitled to use this road? Yes, each one; and to agree among themselves to exclude others.
658. We have had some evidence that this road is dedicated—Are you aware whether it is or not? I am quite certain it is not. It has not been dedicated; but I believe a public road has been dedicated alongside of it, but I am not very clear.
659. A public road has been proclaimed adjacent to this road? Yes.
660. Making the whole road one chain wide? Something of that kind.
661. Fifty links out of Mr. Samuel Lyons' property, and 50 links, a portion of this reserved road, it has been stated, has been conveyed to Mr. Wright? Something of that kind, I believe; but I am not very clear upon that point.



# LAND TITLES DEPARTMENT—MR. W. WRIGHT.

## APPENDIX.

(To Evidence given by Samuel Lyons, Esq., M.P., 2 March, 1869.)

### A 1.

Samuel Lyons, Esq., to The Registrar General.

Sydney, 227, George-street,  
24 October, 1865.

Sir,

On the 4th April, 1864, Mr. William Wright, of Drummoyne, Parramatta River, whose land adjoins my own, brought his property, bearing that name, under the Real Property Act; the description of his boundaries terminating with a proviso that 25 links of the said land should form part of a road, 50 links wide, which separates the two properties.

The deed of partition between my brother and myself, from which Mr. Wright derives his title, is endorsed with a conveyance to me of the said 25 links.

I desire to call your attention to the fact that neither the proviso nor the conveyance have been recognized by your office, and that the boundaries shown in the plan now exhibited there are incorrect.

I would be glad to know from you how this error is to be remedied, and by whom.

Awaiting your reply,—

I remain, &c.,  
SAMUEL LYONS.

### A 2.

The Deputy Registrar General to Samuel Lyons, Esq.

Registrar General's Department,  
Land Titles Branch,  
Sydney, 1 November, 1865.

Sir,

I have to acknowledge the receipt of your letter of the 28th ultimo, with reference to the property of Mr. William Wright, of Drummoyne, Parramatta River, the said property being under the provisions of the Real Property Act.

Your letter has been submitted to the Examiners of Titles; and they have advised the Registrar General that there is nothing in the certificate of title granted to Mr. Wright which can operate to the prejudice of your title to the adjacent land, which was allotted to you by the partition deed you refer to, or your right over the road thereby reserved between the two lots conveyed to you and to your brother, under whom Mr. Wright claims.

25 links are reserved out of each lot for a road; but you are in error in assuming that the 25 links within your brother's boundary was "conveyed" to you.

If this were true, 25 links of your land would have been conveyed to your brother, as the same language is employed in both cases.

The effect of the partition deed was to give to each a right of way over 25 links of each other's land, making together a road of 50 links wide.

Whether Mr. Wright has or has not trespassed on this road is a question the raising of which by you is not precluded in any way by the certificate, as no right of way (even if not mentioned) is thereby barred.—See section 40 of the Real Property Act.

Besides which, in the present case, the land of Mr. Wright, as described in his certificate, is bounded by a reserved road.

And even if there were any error which was not within the exception of section 40, Mr. Wright, as the original applicant, would remain liable to any person injured thereby.

For all these reasons, the Examiners of Titles are of opinion that no action of the Registrar General is required in the matter.

I am, &c.,  
E. G. WARD,  
Deputy Registrar General.

(To Evidence given by E. G. Ward, Esq., Deputy Registrar General, 2 March, 1869.)

### B 1.

#### CERTIFICATE OF TITLE.

(C.)

New South Wales.

Register Book, vol. IV, folio 175.

WILLIAM Wright of Drummoyne Parramatta River in the Colony of New South Wales Esquire is now seised of an estate in fee simple subject nevertheless to the reservations if any contained in the grant hereinafter referred to and also subject to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in that piece of land situated in the parish of Concord county of Cumberland and Colony aforesaid containing sixty-one acres or thereabouts Commencing on the Parramatta River at the north-west corner of Lyons' Road and bounded on the east by that road bearing southerly twenty-one chains to a reserved road fifty links wide on the south by that road bearing westerly to the Parramatta River and on the west and north by that river downwards to the point of commencement

commencement as shown on the plan hereon and therein edged red being part of one thousand five hundred acres in the district of York-place delineated in the public map of the said parish deposited in the office of the Surveyor General which were originally granted to John Harris by Crown grant dated the first day of January one thousand eight hundred and six.

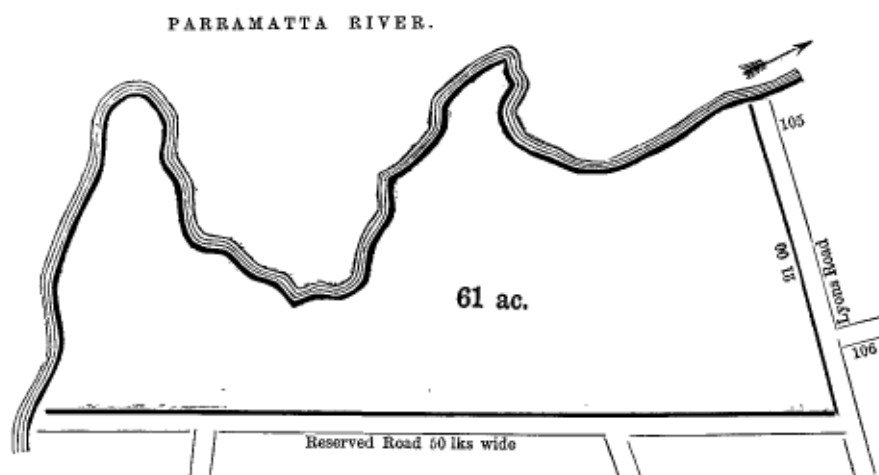
In witness whereof I have hereunto signed my name and affixed my seal this fourth day of April one thousand eight hundred and sixty-four.

CHRIS. ROLLESTON, (L.S.)  
Registrar General.

Signed in the presence of Charles Arthur }  
the fourth day of April 1864,— }

CHAS. ARTHUR.

*Diagram showing 61 acres in the parish of Concord, county of Cumberland, 1864.*



Cancelled, and fresh certificate of title issued, at the request of the above-named William Wright.  
Vol. 41, folio 59.

Exd.—C.J.M.

E. G. WARD, Dep. Registr. Genl.

I hereby certify the above writing and plan to be a true copy of Register Book, vol. IV, folio 175.

E. G. WARD, Dep. Registr. Genl.

## B 2.

### CERTIFICATE OF TITLE.

(C.)

New South Wales.

Register Book, vol. LI, folio 59.

[Reference to last Certificate—vol. IV, folio 175 ; and vol. XXXVIII, folio 192.]

WILLIAM Wright of Drummoyne Parramatta River Esquire is now the proprietor of an estate in fee simple subject nevertheless to the reservations if any contained in the grants hereinafter referred to and also subject to such encumbrances liens and interests as are notified hereon in that piece of land situated on the Parramatta River parish of Concord and county of Cumberland containing seventy acres or thereabouts Commencing on the north-west side of Lyons Road at its intersection with the high-water-mark of the Parramatta River and bounded on the south-east by that road bearing south-westerly two thousand one hundred and twenty-five links more or less to the south-west side of a stone wall on the south-west by the south-west side of that wall bearing north-westerly forty-nine chains to the Parramatta River aforesaid and on all other sides by the high-water-mark of that river downwards to the point of commencement as shown on the plan hereon and therein edged red being part of one thousand five hundred acres delineated on the public map of the said parish deposited in the office of the Surveyor General originally granted to John Harris by Crown grant dated the first day of January one thousand eight hundred and six.

In witness whereof I have hereunto signed my name and affixed my seal this thirty-first day of August one thousand eight hundred and sixty-seven.

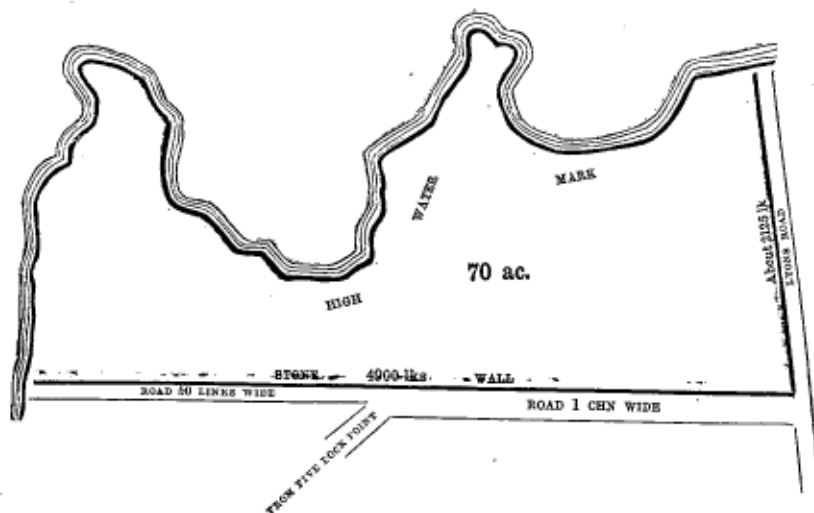
E. G. WARD,  
Deputy Registrar General.

Signed the 31st day of August, 1867, }  
in the presence of,— }

CHAS. J. MUDDLE.

Exd.—C.J.M.

## PARRAMATTA RIVER.



I hereby certify the above writing and plan to be a true copy of Register Book, vol. LI, folio 59.  
E. G. WARD, Dep. Repr. Genl.

(To Evidence given by W. M. Brownrigg, Esq., Surveyor, 12 March, 1869.)

C.

FIVE DOCK ESTATE.

Geo. Lyons—61 acres.

COMMENCING at the north-west corner of Lyons' Road at the side of the Parramatta River and bounded towards the east by that road bearing S. 42° W. 21 chains towards the south-west by a line bearing N. 37° W. to the Parramatta River and on the north and north-east by the Parramatta River to the commencing point 25 links being reserved on the south-west side for the moiety of a road which is to separate the property of Geo. Lyons from that of S. Lyons.

(To Evidence given by R. D. Fitzgerald, Esq., 19 March, 1869.)

D.

Mr. Licensed Surveyor Huntley to the Surveyor General.

Bell's Chambers, 171, Pitt-street,  
Sydney, 1 June, 1868.

Sir,

In reply to your B.C., No. 68/4, dated May 20, 1868, I have the honor to place the following facts before you, for your consideration in this case:—

1. The road in question passes through lot 104 of the original subdivision of Harris' acres.
2. This lot 104 was left to two brothers, George Joseph and Samuel Lyons; and, in deed of partition, and also in separate descriptions of the two brothers' properties, provision is made for the before-named road.
3. G. J. Lyons being in England, S. Lyons, acting for self and brother, subdivided both properties; and on many lithographs still extant, this and many other roads are shown.
4. Mr. William Wright purchased the whole of G. J. Lyons' share of original lot, and erected a substantial stone wall along his boundary, on the lines shown by the pegs there placed by the surveyor employed by Mr. Samuel Lyons to subdivide both properties.
5. Some years after this, Mr. S. Lyons claimed compensation for the loss of the road said to be enclosed by Mr. Wright, which the latter gentleman resisted, and justly, as the verdict and judgment of the Supreme Court show.
6. It was proved during this trial, which occupied the Court during the 18th, 20th, and 21st February, 1867, that each held, exclusive of road as at present existing, 10 acres more ground than described, the difference between the two areas being only 7 perches; and moreover, the very pegs indicating the road, and placed there by Mr. Lyons, by his agent the surveyor, were found and identified.
7. A new trial being granted, Mr. Wright paid Mr. Lyons £120, and obtained from the Land Titles Office an amended title and description, on the diagram of which a road is shown throughout the entire length of Mr. Wright's southern wall.

I have, &c.,

A. S. HUNTLEY.

I have seen the copy of deed granted to Mr. Wright, at Land Titles Office; and, according to that deed, there is a road 50 links wide outside Mr. Wright's land.

It is for part of this road that Mr. S. Lyons claims compensation. As the question has been thus decided at the department referred to, where it was, I believe, thoroughly investigated, I cannot recommend any further compensation to Mr. Lyons.

25th June, 1868.

ROBT. D. FITZGERALD.  
(For Surveyor General.)

(To

(*To Evidence given by William Deane, Esq., 19 March, 1869.*)

E 1.

WE, the undersigned, hereby agree to abide by the decision of Messrs. Reuss and Huntley, as to the position of the boundary line dividing our properties at Five Dock.

WILLIAM WRIGHT.  
26th Feb., 1866.

SAMUEL LYONS.  
17th Feb., 1866.

E 2.

COPY CERTIFICATE.

WE, the undersigned, hereby certify that we have ascertained the position of the reserved road dividing Mr. Wright's and Mr. Lyons' properties at Five Dock, according to the description furnished to us, to be on the north-eastern side of Mr. Wright's present wall, and that said wall forms the south-western boundary of said road.

Sydney, 19th March, 1866.

F. H. REUSS, Surveyor.  
A. S. HUNTLEY, C.E.

E 3.

In the Supreme Court of New South Wales.

Between Samuel Lyons, plaintiff, and William Wright, defendant.

Tuesday the fifth day of March, in the year of our Lord one thousand eight hundred and sixty-seven.

UPON hearing Sir William Montagu Manning of counsel for the plaintiff, it is ordered that the defendant do, upon notice of this rule nisi to be given to his attorney, show cause, upon the day fixed according to the practice of this Court for the hearing of New Trial Motions, why the verdict for the defendant should not be set aside and a new trial had between the parties, on the grounds following, that is to say :—

1. That the verdict was against the evidence and also against law, on the ground that the question depended solely on the deeds in evidence and on the length of line mentioned in those deeds.

2. That the Judge before whom the case was tried was in error in telling the jury that the award in evidence was not binding.

3. That his Honor was wrong in leaving to the jury any question as to estoppel, or as to any supposed admission or acquiescence by conduct of the plaintiff.

By the Court.

Messrs. Deane and Deane,  
Attorneys for plaintiff,  
104, Elizabeth-street.

D. B. HUTCHINSON,  
Prothonotary.

FILED copy hereof in the Supreme Court, and served copy thereof on M'Carthy, Son, & Donovan, by leaving same with Mr. M'Carthy, junr., at same time showing this original, this eighth day of March, A.D. 1867.

A. M.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

# SUPERANNUATION ACT OF 1864.

---

## STATEMENT

OF

## RECEIPTS AND DISBURSEMENTS

IN THE YEAR

1868.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
3 *February*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

[*Price*, 6d.]

183—A

1869.

CIVIL SERVICE SUPER-  
(27 VICTORIA,  
STATEMENT of RECEIPTS and

PARTICULARS OF RECEIPTS.	AMOUNT.	TOTAL.
	£ s. d.	£ s. d.
TO BALANCE, 31ST DECEMBER, 1867 :—		
Cash in the Treasury ... ..	105 16 10	
Debentures in ditto ... ..	10,300 0 0	10,405 16 10
„ DEDUCTIONS from the SALARIES of PUBLIC OFFICERS, at the rate of 4 per cent. per annum, from 1st January to 31st December, 1863... ..	9,974 8 7	
„ INTEREST ON INVESTMENTS IN DEBENTURES ... ..	521 4 8	10,495 13 3
„ PROCEEDS of DEBENTURES, to the amount of £4,000, sold for the purpose of meeting claims on this Fund		3,980 0 0
<div style="position: absolute; top: 0; right: 0; width: 100%; height: 100%; border-left: 1px solid black; border-bottom: 1px solid black;"></div>		
Carried forward ... ..	£	24,881 10 1

## ANNUATION FUND.

No. 11.)

## DISBURSEMENTS in the Year 1868.

PARTICULARS OF DISBURSEMENTS.	ANNUAL RATE OF PENSION.	PERIOD FOR WHICH DRAWN.		AMOUNT DRAWN.	TOTAL.
		From	To		
	£ s. d.			£ s. d.	£ s. d.
BY PENSIONS PAID:—					
Stephen Greenhill, late Chief Clerk in the Pay Branch of the Treasury	600 0 0	1 Jan., 1868	31 Dec., 1868	600 0 0	
John Crook, late Harbour Master, Sydney	433 8	1 Jan., 1868	31 Dec., 1868	433 6 0	
Charles Wilkinson, late Clerk in the Treasury	350 0 0	1 Dec., 1867	30 Nov., 1868	350 0 0	
M. D. Ferguson, late Accountant in the Government Printing Office	266 0 0	1 Dec., 1867	30 Nov., 1868	266 0 0	
R. A. Hunt, late Superintendent of the Money Order Office	576 0 0	1 Jan., 1868	31 Dec., 1868	576 0 0	
J. H. Crummer, late Police Magistrate, Port Macquarie	254 6 8	1 Sept., 1867	29 Dec., 1867	83 8 0	
John Kingsmill, late Sheriff's Bailiff, Maitland	192 0 0	1 Dec., 1868	30 Nov., 1868	192 0 0	
J. G. Lennon, late Chief Clerk in the Revenue Branch of the Treasury	344 0 0	1 Oct., 1867	30 Sept., 1868	344 0 0	
Nicholas Nelson, late Clerk in the General Post Office	297 10 0	1 Oct., 1867	30 Sept., 1868	297 10 0	
E. C. Brewer, late Sheriff's Bailiff, Sydney	121 6 8	1 Dec., 1867	30 Nov., 1868	121 6 0	
Robert Brindley, late Draftsman in the Survey Department	310 0 0	1 Dec., 1867	30 Nov., 1868	310 0 0	
J. R. Humbley, late Clerk in the Audit Office	236 10 0	1 Dec., 1867	30 Nov., 1868	236 10 0	
Samuel Morgan, late Clerk in the Survey Department	138 13 4	1 Dec., 1867	30 Nov., 1868	138 13 0	
W. H. Christie, late Postmaster General	785 6 8	1 Dec., 1867	30 Nov., 1868	785 6 0	
George Brett, late Tide-waiter, Customs	103 16 8	1 Dec., 1867	30 Nov., 1868	103 16 0	
W. C. Still, late Landing Surveyor, Customs Department	536 0 0	1 Dec., 1867	30 Sept., 1868	446 13 4	
John Wells, late Under Secretary for Finance and Trade	714 13 4	1 Dec., 1867	31 Dec., 1868	774 4 9	
William Vallack, late Chief Clerk, Chief Secretary's Department	624 0 0	1 Nov., 1867	31 Oct., 1868	624 0 0	
Thomas Jones, late Sheriff's Bailiff, Bathurst	144 0 0	1 Nov., 1867	31 Oct., 1868	144 0 0	
William Thompson, late Official Postmaster, Bathurst	138 0 0	1 Dec., 1868	30 Nov., 1868	138 0 0	
T. K. Abbott, late Secretary, General Post Office	420 9 4	1 Oct., 1867	30 Nov., 1868	490 10 7	
John Stiles, late Clerk of Petty Sessions, Yass	144 13 4	1 Dec., 1867	30 Nov., 1868	144 13 0	
E. H. Statham, late Storekeeper, Lunatic Asylum, Parramatta	115 17 4	1 Dec., 1867	30 Nov., 1868	115 17 0	
John Brown, late Sheriff's Bailiff, Parramatta	178 13 4	1 Dec., 1868	30 Nov., 1868	178 13 0	
Lewis Gordon, late District Surveyor, Bega	313 6 8	1 Dec., 1867	30 Oct., 1868	287 3 10	
Thomas Brown, late Sheriff's Bailiff, Sydney	145 6 8	1 Aug., 1867	5 July, 1868	135 2 10	
John Chippindall, late Gaoler, Bathurst	168 0 0	1 Dec., 1867	30 Nov., 1868	168 0 0	
John Wallace, late Gaoler, Maitland Gaol	133 0 0	1 Dec., 1867	30 Nov., 1868	133 0 0	
E. Rogers, late Clerk of the Peace, Cumberland	576 0 0	1 Jan., 1868	30 Sept., 1868	432 0 0	
F. Campbell, late Superintendent, Lunatic Asylum, Tarban	407 6 8	1 Jan., 1868	30 Nov., 1868	373 7 2	
W. R. Davidson, late Surveyor General	960 0 0	17 Mar., 1868	30 Nov., 1868	678 14 2	
J. E. Turner, late Landing Waiter, Customs	126 10 0	15 Feb., 1868	31 Oct., 1868	89 15 8	
S. Cole, late Commissioner of Crown Lands, Darling District	417 0 0	11 June, 1868	30 Nov., 1868	196 18 4	
S. Elyard, late Clerk, Colonial Secretary's Office	384 0 0	18 Aug., 1868	30 Nov., 1868	110 9 0	
T. McMahon, late Shipping Officer, General Post Office	127 3 4	1 Sept., 1868	30 Nov., 1868	31 15 9	
J. Prout, late Sheriff's Bailiff, Sydney	55 4 0	20 Sept., 1868	30 Nov., 1868	10 17 8	
A. T. Ross, late Coast Waiter, Broken Bay	123 6 8	1 Oct., 1868	30 Nov., 1868	20 11 0	
					10,562 2 1
BY GRATUITIES, GRANTED UNDER CLAUSE 7, TO THE FOLLOWING OFFICERS, WHO HAVE RETIRED, FROM ILL HEALTH, VIZ:—					
Charles Smith, late Line Repairer, Electric Telegraph Department				50 0 0	
Robert Pizey, late Assistant Operator, Electric Telegraph Department				20 0 0	
William Mundy, late Locker, Customs				281 5 0	
Thomas Topham, late Railway Station Master, Maitland				37 10 0	
Archibald J. Chisholm, late Chief Clerk, Roads Department				162 10 0	
					551 5 0
Carried forward				£	11,113 7 1

STATEMENT of RECEIPTS and

PARTICULARS OF RECEIPTS.										TOTAL.
										£ s. d.
Brought forward ... ..										24,881 10 1
TOTAL ... ..										£ 24,881 10 1

The Treasury, New South Wales,  
25th January, 1869.

GEORGE LAYTON,  
Accountant.



## DISBURSEMENTS in the Year 1868.

PARTICULARS OF DISBURSEMENTS.	AMOUNT DRAWN.	TOTAL.
	£ s. d.	£ s. d.
Brought forward ... ..	.....	11,113 7 1
By GRATUITIES, GRANTED UNDER CLAUSE 10, TO THE RELATIVES OF THE UNDERMENTIONED DECEASED OFFICERS, VIZ. :—		
William Clarke, late Accountant, Government Printing Office ... ..	75 0 0	
Thomas West, late Railway Station Master, East Maitland ... ..	150 0 0	
James M. Chapman, late Landing Waiter, Customs ... ..	150 0 0	
James H. Crummer, late Police Magistrate, Port Macquarie ... ..	670 16 8	
John O'Meara, late Clerk of Petty Sessions, Muswellbrook ... ..	116 13 4	
Alexander Dick, late Examiner of Land Titles ... ..	333 6 8	
William Rae, late Railway Station Master, Branxton ... ..	183 6 8	
T. Gratton, late Clerk, Colonial Secretary's Office ... ..	1,000 0 0	
Henry Moggridge, late Superintendent of Roads ... ..	349 18 6	
		3,029 1 10
By MISCELLANEOUS :—		
Brokerage on the Sale of £2,000 Debentures ... ..	10 0 0	
Refund of Improper Deductions ... ..	14 14 0	
		24 14 0
„ DEBENTURES issued for realization ... ..	.....	4,000 0 0
		18,167 2 11
„ BALANCE ON 31ST DECEMBER, 1868 :—		
Cash in the Treasury ... ..	414 7 2	
Debentures in the Treasury ... ..	6,300 0 0	
		6,714 7 2
TOTAL ... ..		£ 24,881 10 1

With the exception of the first three, the whole of the Pensions granted under this Act, as above shown, have been reduced by 4 per cent., in accordance with the sixth clause thereof.

SAUL SAMUEL,  
Treasurer.



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE  
ON  
CLIFTS' COAL PROPERTIES LEASING BILL;  
TOGETHER WITH THE  
PROCEEDINGS OF THE COMMITTEE,  
AND  
MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
21 *January*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Pric* 6*d.*]

173—A

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 23. FRIDAY, 15 JANUARY, 1869.

3. Clifts' Coal Properties Leasing Bill ("*Formal*" *Motions*) :—
- (1.) Mr. Lee moved, pursuant to *Contingent Notice*, That so much of the Standing Orders be suspended as would prevent the Clifts' Coal Properties Leasing Bill being proceeded with.  
Question put and passed.
- (2.) Mr Lee then moved, pursuant to Notice,—
- (1.) That the Bill to enable William and Samuel Clift, of West Maitland, to grant Mining Leases, be referred to a Select Committee, for consideration and report.
- (2.) That such Committee consist of the following Members, viz. :—Mr. Piddington, Mr. J. Stewart, Mr. J. Campbell, Mr. Farnell, Mr. Dodds, Mr. Nowlan, Mr. Burns, and the Mover.  
Question put and passed.

VOTES, No. 26. THURSDAY, 21 JANUARY, 1869.

4. Clifts' Coal Properties Leasing Bill :—Mr. Lee, 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 January, 1869.  
Ordered to be printed.

\* \* \* \* \*

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Report ... ..	3
Proceedings of the Committee ... ..	4
Witness... ..	4
Minutes of Evidence ... ..	5

1868-9.

---

CLIFTS' COAL PROPERTIES LEASING BILL.

---

REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 15th instant, "*the Bill to enable William and Samuel Clift, of West Maitland, to grant Mining Leases,*"—beg leave to report to your Honorable House,—

That they have examined the witness named in the margin,\* <sup>W. H. Mullen, Esq.</sup> (whose evidence will be found appended hereto); and that, the Preamble having been proved to the satisfaction of your Committee, 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 leave to lay before your Honorable House the Bill without amendment.

BENJAMIN LEE,  
Chairman.

No. 3 Committee Room,  
Sydney, 20 January, 1869.

---

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 20 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Lee,           |           Mr. Burns,  
                          |           Mr. Farnell.

Mr. Lee called to the Chair.

Printed copies of the Bill *referred*,—together with the original Petition for leave to introduce the same,—before the Committee.

Present for the Promoters—W. H. Mullen, Esq., *Solicitor*.

William Henry Mullen, Esq., *Solicitor for the Bill*, called in and examined.

Witness *produced* a copy of the Will of the late S. Clift—and also a lease made by W. Clift in favour of Messrs. G. Vindin, and J. R. Mitchell, dated 23rd June, 1868.

Room cleared.

Committee deliberated.

Preamble read and considered.

Motion made (*Chairman*), and *Question*,—That this Preamble stand part of the Bill,—*agreed to.*

Mr. Mullen called in and informed.

Clauses 1 and 2 read and agreed to without amendment.

Schedules 1 and 2 read and agreed to without amendment.

Chairman requested to report the Bill without amendment to the House.

WITNESS.

					PAGE.
William Henry Mullen, Esq., <i>Solicitor</i>	...	...	...	...	5

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

CLIFTS' COAL PROPERTIES LEASING BILL.

WEDNESDAY, 20 JANUARY, 1869.

Present:—

MR. LEE, | MR. BURNS,  
MR. FARNELL.

BENJAMIN LEE, ESQ., IN THE CHAIR.

William Henry Mullen, Esq., called in and examined:—

1. *Chairman.*] You are Solicitor for the Petitioners for this Bill, Messrs. William and Samuel Clift? Yes. W. H. Mullen,  
Esq.  
20 Jan., 1869.
2. The preamble of the Bill states that certain land has been devised to them, by the will of the late Samuel Clift, for their lives, and to their children, if any; and that the will does not contain the power of granting leases. Is that the case? It is. The will gives no power to grant leases beyond the lives of the devisees.
3. The preamble also sets forth that coal has been discovered on these lands. Is that the case? It is.
4. Have the coal mines been worked? They have, under a lease from Mr. Samuel Clift, granted during his life, which lease has expired.
5. Do you produce the will, or a copy of the will? I produce a copy of the will. (*Produced.*)
6. Is it an attested copy? It is a copy made in my office, from the original will, which I can swear to as correct.
7. Are you aware of the contents of the original will? Yes. The whole of the original will and codicils is in my handwriting.
8. Are you able to state, from your own knowledge, that no power to grant leases existed in the original will? Only for the life estate.
9. Would the fact of being enabled to grant longer leases for these lands be of advantage to the devisees? No doubt of it; and, in proof of that, I produce a lease which has been made by William Clift, in favour of Messrs. George Vindin and John R. Mitchell, for a period of fourteen years, subject to this Bill passing, dated 23rd June, 1868. (*Lease produced.*) I can state that, from the amount of money which is to be spent on the property, and the royalty to be received, its value will be enhanced, in my estimation, from (say) £50 to be worth £1,000.
10. No lease could be granted at present on such advantageous terms to the devisees? No. The parties taking the lease do not feel justified in spending the amount of money they will have to do, simply on the life estate; and, unless they can have the fourteen years' lease now proposed to be granted to them, they will not take the land. They will have to build engine-houses, sink new shafts, make a line of railway, and altogether expend about £20,000 on the land, before they can make it available to its full extent.
11. I see by the Bill you seek for powers to grant leases for twenty-one years? Yes.
12. Are you aware what is the age of the youngest child—Have both these parties children? William Clift's youngest child I believe to be about two years old. Samuel Clift is not married.

- W.H. Mullen, Esq.  
20 Jan., 1869.
13. The lease is for fourteen years? Yes.
  14. The interests of the children will not be damaged by the issue of these leases? No, because by getting power to give leases, the property will be enormously increased in value.
  15. Would the rights or interests of any party concerned be damaged? No, I think not; quite the contrary.
  16. *Mr. Burns.*] These lands, I believe, are close to the Great Northern Railway? It goes through them.
  17. These mines, then, would act as feeders to the railway? To a very great extent.
  18. Does any land intervene between the land where these mines are and the railway? No, the lands adjoin the railway.
  19. You are not aware of any opposition to this Bill? None whatever.
  20. Of course, regular notice of the intention to apply for the Bill has been given in the papers? Yes, it has been given twice. In the first place Mrs. Parnell's name was included in the first Bill, but after the notice had been given, Mr. Parnell did not care about his land being included, and then fresh notice was given in the name only of William and Samuel Clift.
  21. *Chairman.*] Are you aware of any petitions or objections, on the part of any person, after the publication of these notices? None whatever.
  22. *Mr. Burns.*] The effect of the Bill will be to enhance the value of the property to all parties concerned? No doubt of it.
  23. *Mr. Farnell.*] Is there any one interested in this property except Samuel and William Clift? They have a life interest under the will, and after their decease it goes to their children. All they can do now, is to grant leases for their lives; but the gentlemen who propose to take the lease require to be secured in the event of their decease, as they intend spending a very large amount of money.
  24. The fact of Samuel and William Clift not being able to give leases for a certain time, makes it necessary to bring in a Bill to protect the persons who may lease the land from them? Yes, that is the object of the Bill.
  25. And if the objects of the Bill are carried out, it will eventually benefit the children of William and Samuel Clift? Yes, to a wonderful extent. It will make land which is now useless very valuable.
  26. Unless this Bill be passed, William and Samuel Clift will not be able to lease this land, or have it improved, from the fact of the tenure being uncertain to the lessees? Exactly so.
  27. This is not, strictly speaking, an entailed property? It is not, but it is left in such a way that it is quite impossible the land can be made any use of except as grazing land.
  28. How is Mr. Parnell interested? Mrs. Parnell is Mr. Clift's sister, and this property was divided among the three of them, by the will of the late Mr. Samuel Clift. From mistaken economy, Mr. Clift introduced Mrs. Parnell's name into the first Bill; but after the notices were published, Mr. Parnell said he felt annoyed at the name being introduced without his sanction; it was therefore withdrawn, and fresh notices given for the present Bill.
  29. *Mr. Burns.*] Mr. Parnell has no interest in the land referred to in this Bill? No.
  30. *Chairman.*] As I understand you, it was at first intended to ask for general powers as far as the family were concerned? Yes.
  31. Now it is intended to be confined to the persons named in the Bill? Yes.
  32. *Mr. Farnell.*] Even if Mrs. Parnell had a very remote interest in this property, as one of the family to whom it might descend, it would be an advantage to her that such a Bill should be passed; that is, on the supposition that both the Messrs. Clift and their children were to die? It is not very likely that she will ever have an interest in the land. William Clift has nine children. I do not know whether it is necessary to prove the death of the late Mr. Samuel Clift, but I can state myself that his death took place on the 19th July, 1862.
  33. *Chairman.*] And he did not revoke or alter his will? No. The will was made a very few hours before he died.



1868.

## NEW SOUTH WALES.

## AUSTRALIAN MUSEUM.

(REPORT FROM TRUSTEES FOR 1867.)

Presented to Parliament, pursuant to Act 17 Vict., No. 2, Sec. 9.

REPORT OF THE TRUSTEES OF THE AUSTRALIAN MUSEUM, FOR THE  
YEAR ENDING 31st OF DECEMBER, 1867.To HIS EXCELLENCY THE GOVERNOR-IN-CHIEF,  
&c., &c., &c.

1. The Trustees of the Australian Museum have the honor to submit to Your Excellency this their Fourteenth Annual Report.

2. The Museum has been open to the public daily (Sundays excepted) during the past year, and has been visited by 83,610 persons.

3. The system of exchanging specimens of natural history with the principal Foreign Museums is still maintained by the Trustees, who have received several valuable collections during the past year, a list of which is appended. (*Appendix No. 2.*)

4. Numerous donations have been received during the year, a list of which is appended. (*Appendix No. 3.*)

5. In Appendix No. 4 will be found a list of the various objects sent in exchange, together with the names of the recipients.

6. Several valuable works, purchased out of the Endowment Fund, have been added to the Museum Library, a list of which is appended. (*Appendix No. 5.*)

7. Three experienced Taxidermists have been occupied during the year in preparing and mounting the following specimens:—

54 mammals,

143 birds,

10 reptiles,

23 skeletons of mammals and birds,—

and in cleaning, and preserving from decay, the collection already displayed for public inspection.

8. The Trustees have to record the re-election, as a Member of their Board, of Alexander Walker Scott, Esq., M.A.

9. The Trustees have to report that the work of forming a Catalogue of the Specimens in the Museum is still carried on, and that the part containing the Geological and Mineralogical Collection is ready for the press. They wish also to draw attention to paragraph 9 of last year's Report, stating that the first edition of the Catalogue was out of print, and that a second enlarged edition was urgently required. It would be very desirable to print such portions of the Catalogue as may be finished from time to time—in particular, the List of Minerals, Fossils, and Geological Specimens,

which would be of great assistance to persons interested in mining. The very limited sum placed at the command of the Trustees prevents them from carrying out this plan, and they suggest that application be renewed to the Government to have the Catalogue printed at the Government Printing Office free of expense.

10. The sum of £1,000 (one thousand pounds) voted by the Legislature will shortly be due to the contractor, for cabinets erected in the two north rooms on the ground floor; and a further sum of £1,000 (one thousand pounds) will be required to supply cases for the south rooms.

11. The first floor has been partly fitted up with cabinets, &c., for which a sum of £300 (three hundred pounds) was advanced from the Endowment Fund; so that the building was opened to the public during the Christmas holidays, when more than 10,000 (ten thousand) visitors passed through the Museum.

The space which the collection now occupies is more than twice the size of the old building; and to keep so large an addition clean and in repair, it will be necessary to provide additional funds.

12. The Trustees desire to point out the necessity of providing workshops for the taxidermists and carpenters outside the building, and of erecting quarters for the messenger.

13. Mr. George Masters, the Assistant Curator, has visited Tasmania, and collected a large number of valuable specimens; so that the Fauna of that Island is now well represented in the Museum. A list of the collections thus made during the year is appended. (*Appendix No. 6.*)

14. Appendix No. 1 contains an abstract of the receipts and payments of the Trustees on behalf of the Museum, for the year ending 31st December, 1867.

15. Appendix No. 2 contains a list of the specimens received in exchange.

16. Appendix No. 3 contains a list of the various donations during the year, with the names of the donors.

17. Appendix No. 4 contains a list of the specimens sent in exchange to various persons and institutions.

18. Appendix No. 5 contains a list of the books purchased for the Museum Library.

19. Appendix No. 6 contains a list of the specimens collected by Mr. George Masters, Assistant Curator.

20. The Trustees have the honor to submit this their Report for the year 1867; and, in testimony thereof, have caused their corporate Seal to be hereunto affixed, this 7th day of September, 1868.

(L.S.) W. B. CLARKE,  
Chairman.

By order of the Board of Trustees,—

GERARD KREFFT,  
Curator and Secretary.

## AUSTRALIAN MUSEUM.

3

## APPENDIX No. 1.

CURRENT EXPENDITURE of the Trustees of the Australian Museum, during the Year 1867.

1867.		£	s.	d.	1867.		£	s.	d.	
Jan. 1	To Balance	70	1	2	Dec. 31	By Salaries during the year...	1,229	12	0	
" 8	" Cash, Col. Treasury...	208	6	8	"	Requisites for Taxidermist's department	135	10	4	
" 5	" " Paris Exhibition	75	0	0	"	Carriage, freight, postage, &c.	155	1	5	
" 14	" " Col. Treasury...	250	0	0	"	Raw material, &c., for cabinets and fittings of New Wing of the Museum	184	9	0	
Mar. 5	" " "	999	19	11	"	Glass, and construction of do.	118	17	2	
Apl. 9	" " "	250	0	0	"	Stationery	32	1	10	
" 10	" " "	324	19	11	"	Books and periodicals	44	9	0	
July 10	" " "	250	0	0	"	Purchase of specimens	32	9	6	
Aug. 15	" " "	166	13	3	"	Travelling expenses	91	0	6	
Oct. 5	" " Sale of Catalogues	8	13	9	"	Keeping grounds in order, and cleaning the Museum	50	14	0	
" 5	" " Col. Treasury	250	0	0	"	Wood and coal	3	13	6	
Dec. 1	" " per Dr. Mueller	10	0	0	"	Photographic Lens	8	10	0	
					"	Balance	777	6	5	
1868.		£	2,863	14	8		£	2,863	14	8
Jan. 1	To Balance	£	777	6	5					

Australian Museum,  
Sydney, 7 September, 1868.GERARD KREFFT,  
Curator and Secretary.

## APPENDIX No. 2.

LIST OF SPECIMENS RECEIVED IN EXCHANGE, DURING THE YEAR 1867.

From India.

From Allan Hume, Esq., C.B., Agra.

Turtur pumilus	1	Anthropoides virgo	2
Lanius hardwickii	2	Urrus coromanda	3
Agrodroma sordida	2	Haliastur fulviventer	2
Pycnorhis sinensis	1	Falcinellus igneus	2
Cypselus affinis	1	Herodias alba	1
Ruticilla phoeniceoides	1	Perdicula cambeyensis	4
Sturnus vulgaris	1	Hoplopterus ventralis	2
Dicrurus longicaudatus	1	Columba intermedia	1
Turtur cambeyensis	2	Graculus macei	2
Coccyzus melanoleucos	3	Saxicola	1
Falco jugger	4	Motacilla maderaspatana	1
Urrus bengalensis	2	Hypotrionchis chicquera	2
Spatula clypeata	2	Chettusia leucura	2
Ketupu ceylonensis	1	Ceryle rudis	3
Grammatoptila striata	2	Querquedula ciria	1
Aquila fulvescens	1	Pterocles arenarius	1
Sterna javanica	1	Eudynamis orientalis	6
Actites glareola	1	Yunx torquilla	3
Rhynchops albicollis	2	Dendrocygna awsuree	2
Palaeornis schisticeps	1	Pericrocotus brevirostris	4
Circus aeruginosus	2	Parus cinereus	1
Cotyle concolor	1	Crocopus chlorogaster	1
Centropus rufipennis	1	Caprimulgus albonotatus	1
Corvus culminatus	2	Totanus calidris	2
Chettusia gregaria	2	Chibia hottentota	2
Corvus splendens	1	Chauleasmus streperus	1
Strix javanica	1	Tephrodornis ponticerrana	2
Dicrurus macrocerus	2	Turtur suratensis	2
Cursorius coromandelicus	2	Garrulus lanceolatus	2
Lanius erythronotus	1	Myiophorus temminckii	3
Philomachus pugnax	2	Anas clypeata	1
Dicrurus macrocerus	1	Merula boulboul	3
Querquedula creca	2	Pycnorhis sinensis	1
Seena aurantia	2	Petroccosyphus cyaneus	2
Ninox scutellatus	1	Tringa minuta	2
Sarcophorus bilobus	1	Orocetes erythrogastra	3
Haliastur indus	1	Brachypterus aurantius	3
Limosa egocephala	1	Glareola lactea	1
Himantopus candidus	2	Cyanops asiatica	1
Edicnemus crepitans	1	Hirundo rustica	1
Eupodotis edwardsii	2	Saxicola picata	1
Graculus carbo	2	Tchitrea paradisi	4
Anastomas oscitans	1	Oticompsa leucotis	2
Nisateus bonellii	3	Halcyon smyrnensis	1
Casarca rutila	1	Actitis hypoleucos	2
Micronisus badius	3	Sturnus vulgaris	1
Tinnunculus alandarius	3	Ruticilla rufiventris	4
Anas boschas	2	Merops viridis	2

## APPENDIX No. 2—continued.

<i>Tringa cinclus</i> .....	2	<i>Angrrodroma campestris</i> .....	2
<i>Pastor roseus</i> .....	3	<i>Carpodacus erythrinus</i> .....	3
<i>Pycnonotus haemorrhous</i> .....	2	<i>Ploceus baya</i> .....	1
<i>Pratincola cuprata</i> .....	2	<i>Gallinago scolopacinus</i> .....	1
<i>Acridotheres ginginianus</i> .....	1	<i>Xanthiolema indica</i> .....	2
<i>Cercomela fusca</i> .....	2	<i>Saxicola picata</i> .....	2
<i>Totanus glottis</i> .....	2	<i>Graculus javanicus</i> .....	2
<i>Branta rufina</i> .....	2	<i>Upupa nigripennis</i> .....	1
<i>Brachypternus chrysonotus</i> .....	1	<i>Trochalopteron erythrocephalum</i> .....	2
<i>Palaeornis schisticeps</i> .....	1	<i>Eumyias melanops</i> .....	2
<i>Hiorococcyx varius</i> .....	3	<i>Hydrophasianus chirurgus</i> .....	2
<i>Actitis ochropus</i> .....	1	<i>Turtur meena</i> .....	2
<i>Athene brama</i> .....	3	<i>Sarciophorus bilobus</i> .....	1
<i>Oriolus kundoo</i> .....	4	<i>Palaeornis alexandri</i> .....	2
<i>Palaeornis rosa</i> .....	3	<i>Querquedula circea</i> .....	3
<i>Pipaster maculatus</i> .....	1	<i>Smyrnum ocellatum</i> .....	3
<i>Tephrodornis pondiceriana</i> .....	2	<i>Poliornis teesa</i> .....	1
<i>Chatarrhoea caudata</i> .....	3	<i>Merops philipensis</i> .....	1
<i>Budytes viridis</i> .....	1	<i>Merula bouboul</i> .....	2
<i>Sibia capistrata</i> .....	3	<i>Esacus recurvirostris</i> .....	1
<i>Pericrocotus speciosus</i> .....	3	<i>Grus cinereus</i> .....	2
<i>Garrulax albogularis</i> .....	1	<i>Herodias gazetta</i> .....	2
<i>Garrulus bispecularis</i> .....	1	<i>Circus swainsonii</i> .....	3
<i>Acridotheres tristis</i> .....	1	<i>Nycticorax griseus</i> .....	2
<i>Pericrocotus perigrinus</i> .....	4	<i>Totanus fuscus</i> .....	3
<i>Euspizia luteola</i> .....	1	<i>Ardea cinerea</i> .....	1
<i>Leucocerca albo-frontata</i> .....	2	<i>Platalea leucorodia</i> .....	1
<i>Copsychus saularis</i> .....	3	<i>Phoenicopterus roseus</i> .....	1
<i>Sitta castaneoventris</i> .....	4	<i>Dafila acuta</i> .....	3
<i>Leucocerca</i> .....	1	<i>Anas pectororhyncha</i> .....	2
<i>Lanius solitara</i> .....	1	<i>Anser indicus</i> .....	2
<i>Sturnapaster contra</i> .....	2	<i>Sarkidiornis melanotos</i> .....	3
<i>Saxicola deserti</i> .....	3	<i>Circetus gallicus</i> .....	2
<i>Eumyias melanops</i> .....	2	<i>Dendrocitta rufa</i> .....	1
<i>Pastor pagodarum</i> .....	1	<i>Elanus melanopterus</i> .....	2
<i>Turtur humilis</i> .....	2	<i>Gecinuss occipitalis</i> .....	1
<i>Picus brunneifrons</i> .....	1	<i>Gallinago scolopacinus</i> .....	1
<i>Gloreola lactea</i> .....	2	<i>Poliornis teesa</i> .....	1
<i>Dicrurus caeruleus</i> .....	1	<i>Cacabis chukor</i> .....	1
<i>Arochnechthira asiatica</i> .....	3	<i>Otus brachyotus</i> .....	1
<i>Munia malabarica</i> .....	1	<i>Erasmus recurvirostris</i> .....	1
<i>Alcedo bengalensis</i> .....	1	<i>Taccocua affinis</i> .....	1
<i>Trocalopteron lineatum</i> .....	2	<i>Sphenocercus sphenurus</i> .....	2
<i>Cryptolopha cinereo-capilla</i> .....	1	<i>Caprimulgus indicus</i> .....	2
<i>Picus mahrattensis</i> .....	1	<i>Megalaima virens</i> .....	2
<i>Actitis ochropus</i> .....	1	<i>Meniceros bicornis</i> .....	3
<i>Ægialitis containus</i> .....	2	<i>Numenius arquata</i> .....	1
<i>Colobatus sulphurea</i> .....	1	<i>Urocissa occipitalis</i> .....	1
<i>Hirundo daurica</i> .....	4	<i>Anser cinereus</i> .....	2
<i>Thamnobia cambaiensis</i> .....	2	<i>Oreocincla dauma</i> .....	2
<i>Passer indicus</i> .....	2	<i>Vanellus cristatus</i> .....	1
<i>Passer flavicollis</i> .....	2	<i>Melophus melanicterus</i> .....	1

## LIST OF BIRDS' EGGS RECEIVED FROM MR. C. BAUMEISTER, OF SACHSENRIED, BAVARIA.

<i>Aquila albicilla</i> .....	1	<i>Regulus flavicapillus</i> .....	2
<i>Falco buteo</i> .....	13	<i>Cinclus aquaticus</i> .....	1
<i>Buteo lagopus</i> .....	1	<i>Motacilla alba</i> .....	18
<i>Pernis apivorus</i> .....	1	<i>Motacilla sulphurea</i> .....	5
<i>Astur palumbarius</i> .....	2	<i>Anthus pratensis</i> .....	3
<i>Astur nisus</i> .....	5	<i>Anthus arboreus</i> .....	5
<i>Milvus regalis</i> .....	1	<i>Emberiza militaria</i> .....	2
<i>Milvus ater</i> .....	1	<i>Emberiza citrinella</i> .....	12
<i>Falco cenchris</i> .....	1	<i>Alauda arvensis</i> .....	7
<i>Falco tinunculus</i> .....	3	<i>Fringilla coelebs</i> .....	12
<i>Strix scops</i> .....	1	<i>Fringilla domestica</i> .....	16
<i>Lanius rufus</i> .....	3	<i>Fringilla montana</i> .....	5
<i>Lanius excubitor</i> .....	5	<i>Fringilla chloris</i> .....	10
<i>Lanius collurio</i> .....	25	<i>Parus palustris</i> .....	5
<i>Pica varia</i> .....	6	<i>Parus ater</i> .....	12
<i>Corvus glandarius</i> .....	6	<i>Parus major</i> .....	24
<i>Corvus cornix</i> .....	1	<i>Parus oerulens</i> .....	9
<i>Corvus corone</i> .....	5	<i>Certhia familiaris</i> .....	24
<i>Corvus frugilegus</i> .....	1	<i>Troglodytes parvulus</i> .....	12
<i>Corvus monedula</i> .....	3	<i>Hirundo riparia</i> .....	8
<i>Oriolus galbula</i> .....	4	<i>Hirundo urbica</i> .....	8
<i>Turdus viscivorus</i> .....	7	<i>Hirundo rustica</i> .....	10
<i>Turdus musicus</i> .....	10	<i>Coracias garrula</i> .....	2
<i>Turdus iliacus</i> .....	1	<i>Alcedo isipida</i> .....	1
<i>Turdus torquatus</i> .....	2	<i>Picus canus</i> .....	5
<i>Turdus merula</i> .....	14	<i>Picus martius</i> .....	1
<i>Saxicola rubetra</i> .....	4	<i>Picus medius</i> .....	2
<i>Sylvia tithys</i> .....	5	<i>Picus major</i> .....	12
<i>Sylvia phoenicurus</i> .....	11	<i>Columba aenea</i> .....	3
<i>Sylvia rubecula</i> .....	12	<i>Columba palumbus</i> .....	2
<i>Sylvia rufa</i> .....	9	<i>Tetrao tetrix</i> .....	1
<i>Sylvia trochilus</i> .....	3	<i>Perdix saxatilis</i> .....	1
<i>Sylvia sibilatrix</i> .....	2	<i>Perdix coturnix</i> .....	3
<i>Strix otus</i> .....	1	<i>Scolopax rusticola</i> .....	2
<i>Sylvia nisoria</i> .....	2	<i>Scolopax gallinago</i> .....	1
<i>Sylvia hortensis</i> .....	4	<i>Totanus calidris</i> .....	2

## BIRDS' EGGS—continued.

Totanus hypoleucus .....	5	Larus tridactylus .....	1
Tringa pugnax .....	1	Anas crecca .....	2
Hematopus ostralegus .....	2	Anas mollissima .....	1
Charadrius pluvialis .....	1	Anas tadorna .....	1
Charadrius minor .....	2	Anas penelope .....	2
Vanellus cristatus .....	8	Podiceps cristatus .....	2
Streptopelia interpres .....	1	Mormon fratercula .....	1
Circus cinerea .....	1	Numenius arquatus .....	1
Falco tinnunculus .....	1	Perdix cinerea .....	2
Gallinula porzana .....	2	Alca torda .....	1
Gallinula chloropus .....	8	Strix aluco .....	1
Fulica atra .....	4	Larus melanocephalus .....	1
Lestris catarrhactes .....	1	Corvus corax .....	1
Sterna nigra .....	2	Podiceps minor .....	2
Sterna hirundo .....	40	Sitta casia .....	1
Sterna anglica .....	40	Sylvia atricapilla .....	2
Sterna minuta .....	3	Sylvia .....	1
Larus ridibundus .....	5	Sturnus vulgaris .....	12

Australian Museum,  
Sydney, 7 September, 1868.

GERARD KREFFT,  
Curator and Secretary.

## APPENDIX No. 3.

## DONATIONS TO THE AUSTRALIAN MUSEUM, DURING THE YEAR 1867.

## MAMMALIA.

	PRESENTED BY
A Dasyurus ( <i>Dasyurus viverrinus</i> ) .....	Mr. M'Intosh.
A Rat ( <i>Hoplotis</i> ) .....	Mr. R. D. Fitzgerald.
A small Pony ( <i>Equus caballus</i> ) .....	Mr. Burt.
A Black Wallaroo ( <i>Orphanter robustus</i> ) .....	Mr. Ed. S. Hill.
A Water Rat ( <i>Hydromys leucogaster</i> ) .....	Mr. J. Lemon.
A Tree Rat ( <i>Hoplotis arboricola</i> ) .....	Mr. F. Lemon.
A Dasyurus ( <i>Dasyurus viverrinus</i> ) .....	Mr. M'Intosh.
A Flying Fox ( <i>Pteropus poliocephalus</i> ) .....	Mr. Ed. S. Hill.
A Black Wallaby ( <i>Halmaturus ualabatus</i> ) .....	From Botanical Gardens.
A Ring-tailed Opossum ( <i>Phalangista cookii</i> ) .....	
A Dasyurus ( <i>Dasyurus maculatus</i> ) .....	Dr. Ward.
A Water Rat ( <i>Hydromys leucogaster</i> ) .....	Mr. B. P. Rodd.
A large Bloodhound .....	Mr. Thos. Allen.
A Perameles ( <i>Perameles nasuta</i> ) .....	Mr. Ed. Hill.
A Flying Squirrel—white variety .....	Mr. J. W. Edwards.
A Flying Squirrel ( <i>Belideus breviceps</i> ) .....	Mr. J. E. Fassnidge.
A Porcupine Ant-eater ( <i>Echidna hystrix</i> ) .....	From Manly Beach.
A Porcupine Ant-eater ( <i>Echidna hystrix</i> ) .....	Mr. R. S. Watson.
Two Wallabys ( <i>Halmaturus ualabatus</i> ) .....	From Botanical Gardens.
A Dasyurus ( <i>Dasyurus viverrinus</i> ) .....	Mr. Dumaresq.
A Tasmanian Tiger ( <i>Thylacinus cynocephalus</i> ) .....	Mrs. J. C. Cox.
Two Skulls of Australian Aborigines .....	Mr. W. Allen.

## BIRDS.

Four Ducks ( <i>Spatula rhyncotis</i> , <i>Malacorynchus membranaceus</i> ) and an Ibis ( <i>Geronticus epincollis</i> ) .....	Mr. Josephson.
A collection of Parrots and Finches from Queensland .....	Mr. E. Eastway.
A Cassowary ( <i>Casuarius johnsonii</i> ) .....	Mr. J. R. Johnson.
A Pheasant .....	By the Council of the Acclimatisation Society, and from the Botanical Gardens.
An Adjutant Bird .....	
A Common Pheasant .....	
A Lemur .....	
A Parrot .....	
A pair of Soemmering Pheasants .....	
Four Mandarin Ducks .....	
A Bustard ( <i>Eupodotis australis</i> ) .....	
A Parrot .....	
A Lyre Bird .....	
A Cockatoo .....	Mr. J. Ellery.
A Goatsucker .....	
An Indian Stork .....	
Two Pheasants .....	
A Duck ( <i>Anas superciliosa</i> ) .....	
A Fishing Eagle ( <i>Ichthyæus leucogaster</i> ) .....	
An Owl ( <i>Athene connivens</i> ) .....	
A Parrakeet ( <i>Melopsittacus undulatus</i> ) .....	
A Pelican ( <i>Pelecanus conspicillatus</i> ) .....	
A Musk Duck ( <i>Biziura lobata</i> ) .....	
A Parrakeet .....	Mrs. E. Whitfield.
Five Australian Ducks ( <i>Spatula rhyncotis</i> , and <i>Malacorynchus membranaceus</i> ) .....	
A Canary .....	
A Black-necked Ibis ( <i>Threskiornis strictipennis</i> ) .....	
Two Hawks ( <i>Astur nova-hollandiae</i> from Queensland, and ( <i>Buza sub-cristata</i> ) .....	
Ten Birds' Nests .....	
Two Birds ( <i>Dicaeum hirundinaceum</i> ) .....	
A Parrakeet ( <i>Platycercus eximius</i> ) .....	
An Apteryx ( <i>Apteryx australis</i> ) .....	
A rare variety of the Domestic Pigeon .....	

Mr. W. H. Barnett.  
Mr. R. Houston.  
Mr. H. Emberson.  
Mr. E. Dunn.  
Mr. E. S. Hill.  
Mr. Sallett.  
Dr. Geo. Bennett.  
Mr. M'Carthy.

## BIRDS—continued.

A Quail .....	PRESENTED BY His Excellency Sir John Young, Bart., K.C.B.
A Hawk ( <i>Hieracidea occidentalis</i> ).....	} Master Blaxland.
A Honey-eater ( <i>Ptilotis</i> ) .....	
A Parrot ( <i>Psittacus</i> ) .....	Miss Wyatt.
Nests and Eggs of Australian Birds .....	Mr. E. Dunn.
A collection of Eggs—Australian Birds .....	Mr. W. Allen.

## REPTILES.

A Tree Snake ( <i>Dendrophis punctulata</i> ).....	Mr. B. C. Rodd.
A Collection of Reptiles from Hunter's Hill .....	Mr. J. Seymour.
A Banded Snake ( <i>Vermicella annulata</i> ) .....	Mr. J. Cook.
A Diamond Snake ( <i>Morelia spilotes</i> ) .....	Mr. Burt.
A Snake ( <i>Diemenia psammophis</i> ) .....	Mr. G. Fitzhardinge.
A Black and White Banded Snake ( <i>Vermicella annulata</i> ).....	Mr. S. Woodroffe.
Four Australian Reptiles (Lizards) .....	Mr. E. Dunn.
A Sea Snake.....	Mr. G. Strong.
A Diamond Snake ( <i>Morelia spilotes</i> ) .....	Mr. M. Clarke.
A Black Snake ( <i>Pseudechis porphyriacus</i> ) .....	Mr. Creeg.
A Collection of Reptiles.....	Mr. J. F. Josephson.
A Lizard ( <i>Grammatophora barbata</i> ).....	Mr. F. R. Firth.
A Black Snake ( <i>Pseudechis porphyriacus</i> ) .....	Mr. J. E. Fassnidge.
A Lizard ( <i>Hinulia whitei</i> ).....	Mr. J. L. Dole.
A Small Ring Snake ( <i>Vermicella annulata</i> ).....	Mr. W. C. Shorland.
A Collection of Lizards' Eggs.....	Mr. J. S. Bray.
A Sleeping Lizard ( <i>Cyclodus gigas</i> ).....	Mr. Bradley.
A Sleeping Lizard ( <i>Cyclodus gigas</i> ).....	Mr. W. Davison.
A Lizard ( <i>Hydrosaurus varius</i> ).....	Mr. J. Crossley.
A Brown Snake ( <i>Diemenia superciliosa</i> ) .....	Mr. J. B. Holdsworth.
A Lace Lizard ( <i>Hydrosaurus varius</i> ) .....	Mr. Thos. Patterson.
Four Lizards ( <i>Hinulia</i> ) .....	Mr. S. Pierce.
A Lizard ( <i>Phyllurus</i> ) .....	Mr. A. W. Scott, M.A.

## FISHES.

A young Angel Shark.....	Mr. L. Assenheim.
A Fish ( <i>Pricanthus</i> ) .....	Mr. W. Buchanan.
A Silver Eel ( <i>Muraena</i> ) .....	Mr. J. Islay.
A Fish .....	Mr. W. Emlyn.
A Fish ( <i>Pricanthus</i> ) .....	Mr. E. Lander.
A Fish .....	Captain Geo. Banks.
A Fish ( <i>Caranx</i> ).....	Mr. John Hubaw.
A Fish ( <i>Pricanthus</i> ) .....	Mr. W. Macleay, M.L.A., F.L.S.
A Shark ( <i>Carcharias</i> ).....	Mr. Ed. Seymour.
A Fish ( <i>Serranus</i> ).....	Mr. J. S. Andrews.
Two rare Fishes ( <i>Fistularia</i> ).....	Mr. F. O'Brien.
A Fish ( <i>Pricanthus</i> ) .....	Mr. G. H. Jones.
A Shark ( <i>Carcharias</i> ).....	Mr. Dobson.
A Fish ( <i>Batrachus</i> ).....	Mr. Hargraves.
A Shark ( <i>Squatina vulgaris</i> ) .....	Mr. Fitzhardinge.
A Fish ( <i>Diodon</i> ) .....	Mr. Centy.
Two Golden Carp ( <i>Cyprinus aurantius</i> ) .....	Mrs. Harrison.
Two Fishes ( <i>Centropristis</i> ).....	Mrs. Harrison.
A Golden Carp ( <i>Cyprinus aurantius</i> ) .....	Mr. G. Sirkitt.
A Golden Carp ( <i>Cyprinus aurantius</i> ) .....	Mrs. J. Gorruck.
Jaw of a Shark ( <i>Carcharias</i> ).....	Mrs. W. Wright.
A Fish ( <i>Centropogon</i> ).....	Mr. J. Duffy.
A Port Jackson Fish ( <i>Julis</i> ).....	Mr. E. Dunn.
A Golden Carp ( <i>Cyprinus aurantius</i> ) .....	Mr. L. Hordern.

## MOLLUSCS.

A Collection of Shells.....	Mrs. Dido.
A Shell ( <i>Tridacna</i> ).....	Captain Fairclough.
A Collection of Shells.....	Mr. W. Allen.
A Nudibranchiate Mollusc.....	Mr. L. Hordern.
A Collection of Shells.....	Mr. J. Brazier.

## INSECTS.

A Phasma.....	Captain Fairclough.
A Phasma.....	Mr. D. D. Rutledge.
Three Beetles .....	Mr. Fassnidge.
A Phasma.....	Mr. R. Cooper.

## RADIATED ANIMALS.

A piece of Coral .....	Mr. Higginbotham.
------------------------	-------------------

## POLYPL.

A Species of Pennatula .....	Mr. H. B. Dobson.
A Sea Feather ( <i>Pennatula</i> ) .....	Mr. J. Brazier.

## GEOLOGY AND MINERALOGY.

A piece of Copper Ore .....	Dr. George Bennett.
The Ear-bone of a Fossil Whale, from East Suffolk .....	Mr. J. A. Edwards.
A Collection of Fossils .....	Mr. J. Wallis.
Two fossil teeth of a species of Shark .....	Mr. J. Brazier.
A piece of a tusk of an extinct Elephant (probably <i>Elephas primigenius</i> ) .....	Captain Crook.
A fossil Shell .....	Mr. G. R. Drovers.
A specimen of Quartz.....	Mr. R. A. Catter.
Specimens of Silver and Copper Ore from the Burnett District .....	Mr. G. Walker.

## AUSTRALIAN MUSEUM.

7

## ETHNOGRAPHICAL SPECIMENS.

## PRESENTED BY

A Fiji man's Wig .....	Mr. J. Harman.
A gigantic Feasting Bowl, and a Collection of Weapons and Implements from the South Sea Islands .....	Mr. Thos. Brown.
Two Carved Ornaments .....	Captain J. W. Clarke.
A Seal-gut Jacket .....	Mr. V. Dowling.
Two Stone Implements from the Paroo .....	

## COINS.

A Collection of Silver and Copper Coins.....	Mr. Delarue.
--	--------------

## MISCELLANEOUS.

The Model of a Church .....	Mr. W. H. Cross.
Samples of Silk .....	Miss M. H. Moore.

Australian Museum,  
Sydney, 7 September, 1868.

GERARD KREFFT,  
Curator and Secretary.

## APPENDIX No. 4.

LIST OF SPECIMENS SENT IN EXCHANGE TO VARIOUS INSTITUTIONS,  
DURING THE YEAR 1867.

*To the Institute Museum, Adelaide.*

## MAMMALS.

<i>Halmaturus bennettii</i> .....	1	<i>Perameles gunnii</i> .....	1
<i>Halmaturus billardieri</i> .....	1	<i>Phascolumys wombat</i> .....	1
<i>Bettongia cuniculus</i> .....	1	<i>Sarcophilus ursinus</i> .....	1
<i>Phalangeria fuliginosa</i> .....	1	<i>Thylacinus cynocephalus</i> (skull) .....	1

## BIRDS.

<i>Alcyon diemenensis</i> .....	1	<i>Calamanthus fuliginosus</i> .....	1
<i>Pardalotus affinis</i> .....	2	<i>Ptilotis flavigula</i> .....	1
<i>Gymnorhina organica</i> .....	1	<i>Anthochaera insularis</i> .....	1
<i>Graucalus parvirostris</i> .....	1	<i>Acanthorhynchus dubius</i> .....	1
<i>Colluricincla selbii</i> .....	1	<i>Melithroptus melanoccephalus</i> .....	2
<i>Petroica fusca</i> .....	2	<i>Platycercus flaviventris</i> .....	1
<i>Malurus longicaudus</i> .....	2	<i>Tribonyx mortieri</i> .....	1
<i>Acanthiza diemenensis</i> .....	2		

## INSECTS.

Species .....	37	Specimens .....	73
---------------	----	-----------------	----

*To the Government Museum at Christchurch, New Zealand.*

## BIRDS.

<i>Astur approximans</i> .....	1	<i>Pomatorhinus temporalis</i> .....	1
<i>Astur novæ-hollandiæ</i> .....	1	<i>Ptilotis chrysostis</i> .....	1
<i>Jeracides berigora</i> .....	1	<i>Ptilotis chrysops</i> .....	1
<i>Podargus humeralis</i> .....	1	<i>Ptilotis plumulus</i> .....	1
<i>Eurystomus australis</i> .....	1	<i>Ptilotis auricomis</i> .....	1
<i>Haleyon macleayi</i> .....	1	<i>Xanthomyza phrygia</i> .....	1
<i>Artamus leucopygialis</i> .....	1	<i>Anthochaera carunculata</i> .....	1
<i>Pardalotus punctatus</i> .....	2	<i>Myzomela sanguinolenta</i> .....	1
<i>Cracticus nigrogularis</i> .....	1	<i>Entomyza cyanotis</i> .....	1
<i>Graucalus hypoleucos</i> .....	1	<i>Dicaeum hirundinaceum</i> .....	1
<i>Campephaga karu</i> .....	1	<i>Climacteris scandens</i> .....	1
<i>Pachycephala gutturalis</i> .....	1	<i>Scythrops novæ-hollandiæ</i> .....	1
<i>Colluricincla rufogaster</i> .....	1	<i>Eudynamys flindersii</i> .....	1
<i>Dicrurus bracteatus</i> .....	1	<i>Calyptorhynchus funereus</i> .....	1
<i>Gerygone albogularis</i> .....	2	<i>Aprosmictus scapulatus</i> .....	1
<i>Petroica multicolor</i> .....	1	<i>Platycercus palliceps</i> .....	1
<i>Petroica bicolor</i> .....	1	<i>Platycercus barnardii</i> .....	1
<i>Psophodes crepitans</i> .....	1	<i>Trichoglossus concinnus</i> .....	1
<i>Malurus lambertii</i> .....	1	<i>Melopsittacus undulatus</i> .....	1
<i>Malurus melanoccephalus</i> .....	1	<i>Ptilinopus swainsonii</i> .....	1
<i>Anthus-australis</i> .....	1	<i>Geopelia humeralis</i> .....	1
<i>Sphaeneacus galactotes</i> .....	1	<i>Geopelia cuneata</i> .....	1
<i>Estrela temporalis</i> .....	1	<i>Phaps chalconotera</i> .....	1
<i>Donacola castaneothorax</i> .....	1	<i>Turnix melanogaster</i> .....	1
<i>Pitta strepitans</i> .....	1	<i>Hiaticula ruficapilla</i> .....	1
<i>Cinclosoma punctatum</i> .....	1	<i>Rallus pectoralis</i> .....	1
<i>Oreocincla lunulata</i> .....	1	<i>Scolopax australis</i> .....	1
<i>Chlamydera maculata</i> .....	1	<i>Tribonyx mortieri</i> .....	1
<i>Sericulus chrysocephalus</i> .....	1	<i>Ardea novæ-hollandiæ</i> .....	1

## SHELLS.

13 species. | 40 specimens.

## INSECTS.

62 species. | 112 specimens.



To Allan Hume, Esq., C.B., Agra.

## BIRDS.

Climacteris scandens	3	Myzomela sanguinolenta	2
Climacteris picumnus	2	Petroica goodenovii	2
Sittella chrysoptera	4	Artamus sordidus	2
Cuculus cinereus	4	Sittella leucocephala	1
Meliphaga novæ-hollandiæ	4	Calamanthus campestris	1
Meliphaga australasiana	3	Campephaga humeralis	2
Ptilotis auricomis	4	Glyciphila fulvifrons	2
Ptilotis chrysops	3	Malurus cyaneus	1
Ptilotis fusca	2	Meliphaga sericea	1
Anthus australis	3	Melithreptus cruralis	1
Pardalotus punctatus	3	Xerophila leucopsis	2
Falcunculus frontatus	3	Rhipidura motacilloides	2
Acanthorhynchus tenuirostris	3	Artamus leucopygialis	1
Cinclosoma punctatum	3	Pelecanus conspicillatus	1
Chthonicola minima	3	Crysococcyx lucidus	2
Eopsaltria australis	3	Myiagra plumbea	1
Acanthiza nana	2	Zosterops dorsalis	1
Pomatorhinus temporalis	1	Hiaticula ruficapilla	4
Pomatorhinus ruficeps	1	Hiaticula monacha	1
Pomatorhinus superciliosus	2	Schœnielus albescent	2
Pachycephala olivacea	1	Gerygone albogularis	2
Graucalus melanops	1	Seisura inquieta	1
Graucalus hypoleucos	1	Pachycephala gutturalis	3
Acanthylis caudacuta	2	Amadina castanotis	2
Acanthorhynchus superciliosus	2	Donacola castaneothorax	2
Anthochæra lunulata	3	Amadina modesta	1
Rhipidura albiscapa	1	Smicronis brevirostris	1
Porzana fluminea	1	Acanthiza lineata	1
Porzana immaculata	1	Ptilotis leucotis	1
Platalea flavipes	1	Hylacola pyrrhopygia	1
Poephila cineta	1	Syncoicus australis	1
Ptilotis chrysotis	1	Sericornis humilis	1
Eurystomus australis	1	Merops ornatus	1
Melopsittacus undulatus	1	Sarcophorus pectoralis	1
Syncoicus diemenensis	2	Platycercus eximius	3
Corvus coronoides	1	Platycercus flaviventris	3
Strepera arguta	1	Platycercus bernardii	2
Calyptrorhynchus xanthonotus	1	Trichoglossus concinnus	3
Anthochæra inauris	1	Trichoglossus pusillus	1
Scolopax australis	1	Polyteles melanura	1
Tribonyx mortierii	2	Polyteles barrabandii	1
Jeracidea berigora	4	Petroica fusca	1
Falco frontatus	2	Estrela bella	2
Astur approximans	3	Petroica phœnicea	2
Botaurus australis	1	Acanthiza chrysorrhœa	2
Spatula rhynchotis	2	Ptilotis flavigula	2
Malacorhynchus membranaceus	1	Pachycephala glaucura	2
Menura superba	1	Accipiter torquatus	1
Nycticorax caledonicus	2	Corcorax leucopterus	1
Podiceps gularis	2	Elanus axillaris	2
Chlamydera nuchalis	1	Gymnorhina tibicen	1
Haliastur spheurnus	1	Biziura lobata	1
Haliastur leucosternus	1	Milvus affinis	1
Tadorna radjah	2	Megapodius tumulus	1
Falco melanogenys	1	Strepera anaphonensis	1
Nymphicus novæ-hollandiæ	1	Eudynamys flindersii	1
Geopelia humeralis	1	Podiceps poliocephalus	1
Astur novæ-hollandiæ	2	Callocephalon galeatum	1
Athene connivens	2	Ptilonorhynchus holosericeus	1
Elanus scriptus	2	Porphyrio melanotus	1
Jeracidea occidentalis	2	Thalasseus poliocercus	1
Strix delicatulus	2	Hœmatopus longirostris	1
Platalea regia	1	Lobivanellus lobatus	2
Petroica bicolor	4	Glottis glottoides	2
Petroica multicolor	4	Astur cruentus	2
Colluricincla harmonica	2	Astur novæ-hollandiæ	1
Acanthogenys rufogularis	1	Strix castanops	1
Grallina australis	1	Aquila fucosa	1
Xanthomyza phrygia	4	Podargus humeralis	1
Pachycephala pectoralis	2	Cacatua leadbeateri	1
Tropidorhynchus corniculatus	1	Herodias symmatophorus	1
Stipiturus malachurus	1	Ardea novæ-hollandiæ	2
Microeca macroptera	1	Bernicla jubata	1
Myzantha garrula	2	Ardeita flavicollis	1
Anthochæra carunculata	2	Plotus novæ-hollandiæ	1
Phaps chalcoptera	2	Phalacrocorax carboideus	1
Meliphaga longirostris	1	Anseranas melanoleuca	1
Pardalotus affinis	2	Cygnus atratus	1
Diæaum hirundinaceum	2	Geronticus spinicollis	1
Chelidon arborea	1	Threskiornis strictipennis	1
Hirundo neoxena	2		

To Captain R. H. Beddome, Official Conservator of Forests, Madras.

Hoplocephalus curtus. Tasmania.  
Hoplocephalus curtus. N.S. Wales.  
Hoplocephalus variegatus.  
Vermicella annulata. N.S. Wales.  
Diemenia superciliosa.

Diemenia superciliosa (young).  
Diemenia psammophis.  
Brachysoma diadema.  
Dipsas fusca.  
Tropidonotus picturatus.

Australian Museum,  
Sydney, 7 September, 1868.

GERARD KREFFT,  
Curator and Secretary.



## APPENDIX No. 5.

## LIST OF BOOKS PURCHASED FOR THE LIBRARY OF THE AUSTRALIAN MUSEUM.

2 parts, folio—Gould: Birds of Great Britain.  
12 parts—Annals of Natural History.  
3 parts, 4to.—Diggles: Australian Ornithology.  
1 vol.—Exotic Butterflies.  
2 vols.—Zoological Records.

12 numbers of the Athenæum.  
3 vols., 8vo.—Newton: "The Ibis"; Ornithological Journal.  
3 vols.—"Iconica."

Australian Museum,  
Sydney, 7 September, 1868.

GERARD KREFFT,  
Curator and Secretary.

## APPENDIX No. 6.

## LIST OF SPECIMENS COLLECTED BY MR. GEORGE MASTERS, ASSISTANT CURATOR, FROM DECEMBER, 1866, TO MARCH, 1867.

## At Tasmania.

## MAMMALIA.

<i>Placentalia.</i>			
<i>Vespertilio tasmaniensis</i> .....	1	<i>Perameles gunnii</i> .....	7
<i>Scotophilus microdon</i> .....	2	<i>Perameles obesula</i> .....	4
<i>Nyctophilus unicolor</i> .....	1	<i>Phalangista fuliginosa</i> .....	7
<i>Mus tasmaniensis</i> .....	3	<i>Phalangista vulpina</i> .....	4
<i>Hydromys chrysogaster</i> .....	3	<i>Phalangista viverrina</i> .....	7
<i>Implacentalia.</i>		<i>Dromicia gliriformis</i> .....	3
<i>Phascolomys wombat</i> .....	11	<i>Antechinus swainsonii</i> .....	1
<i>Halmaturus bennettii</i> .....	50	<i>Dasyurus viverrinus</i> .....	15
<i>Halmaturus billardieri</i> .....	74	<i>Dasyurus maculatus</i> .....	13
<i>Bettongia cuniculus</i> .....	13	<i>Sarcophilus ursinus</i> .....	43
<i>Hypsiprymnus apicalis</i> .....	4	<i>Thylacinus cynocephalus</i> .....	25
		<i>Ornithorhynchus anatinus</i> .....	3
		<i>Echidna setosa</i> .....	3

## BIRDS.

## ORDER—RAPTORES.

<i>Fam. Falconidæ.</i>		<i>Fam. Strigidæ.</i>	
<i>Aquila audax</i> .....	2	<i>Strix castanops</i> .....	1
<i>Falco lunulatus</i> .....	2	<i>Athene maculata</i> .....	2
<i>Hieracidea berigora</i> .....	6		
<i>Astur novæ-hollandiæ</i> .....	2		
<i>Astur approximans</i> .....	2		

## ORDER—INCESSORES.

<i>Fam. Caprimulgidæ.</i>		<i>Fam. Maluridæ.</i>	
<i>Podargus curvieri</i> .....	4	<i>Malurus longicaudus</i> .....	5
<i>Fam. Hirundinidæ.</i>		<i>Sericornis humilis</i> .....	2
<i>Acanthylis caudacuta</i> .....	1	<i>Acanthiza diemenensis</i> .....	7
<i>Fam. Alcedinidæ.</i>		<i>Acanthiza chrysorrhoa</i> .....	3
<i>Alecyon diemenensis</i> .....	2	<i>Calamanthus fuliginosus</i> .....	3
<i>Fam. Ampelidæ.</i>		<i>Fam. Motacillidæ.</i>	
<i>Pardalotus punctatus</i> .....	4	<i>Anthus Australis</i> .....	1
<i>Pardalotus affinis</i> .....	11	<i>Fam. Fringillidæ.</i>	
<i>Pardalotus quadrigintus</i> .....	1	<i>Estrela bella</i> .....	6
<i>Fam. Laniidæ.</i>		<i>Fam. Merulidæ.</i>	
<i>Strepera fuliginosa</i> .....	1	<i>Cinclosoma punctatum</i> .....	7
<i>Strepera arguta</i> .....	5	<i>Fam. Meliphagidæ.</i>	
<i>Gymnorhina organiceum</i> .....	6	<i>Meliphaga novæ-hollandiæ</i> .....	1
<i>Craicticus cinereus</i> .....	3	<i>Meliphaga australasiana</i> .....	11
<i>Fam. Campephagidæ.</i>		<i>Ptilotis flavigula</i> .....	10
<i>Grauculus parvirostris</i> .....	3	<i>Anthochaera inauris</i> .....	9
<i>Pachyocephala glaucura</i> .....	9	<i>Acanthorhynchus tenuirostris</i> .....	4
<i>Pachyocephala olivacea</i> .....	1	<i>Melithreptus validirostris</i> .....	2
<i>Colluricincla selbii</i> .....	6	<i>Melithreptus melanocephalus</i> .....	8
<i>Fam. Muscipidæ.</i>		<i>Myzantha garrula</i> .....	5
<i>Rhipidura rhodinogaster</i> .....	10	<i>Fam. Psittacidæ.</i>	
<i>Petroica multicolor</i> .....	17	<i>Calyptorhynchus xanthonotus</i> .....	7
<i>Petroica phœnicea</i> .....	6	<i>Platycercus flaviventris</i> .....	16
<i>Petroica fusca</i> .....	11	<i>Platycercus eximius</i> .....	16
		<i>Euphema chrysostoma</i> .....	1
		<i>Pezoporus formosus</i> .....	1
		<i>Lathamus discolor</i> .....	2
		<i>Trichoglossus concinnus</i> .....	6

## BIRDS—continued.

## ORDER—RASORES.

<i>Fam. Columbidae.</i>		<i>Fam. Scolopacidae.</i>	
<i>Phaps chalcoptera</i> .....	1	<i>Gallinago australis</i> .....	1
<i>Fam. Perdidae.</i>		<i>Fam. Ardeidae.</i>	
<i>Synoicus australis</i> .....	4	<i>Ardea novæ-hollandiæ</i> .....	1
<i>Synoicus diemenensis</i> .....	5	<i>Botaurus australis</i> .....	1
<i>Fam. Charadriidae.</i>		<i>Fam. Rallidae.</i>	
<i>Sarcophorus pectoralis</i> .....	7	<i>Tribonyx mortierii</i> .....	19
<i>Hiaticula ruficapilla</i> .....	1	<i>Rallus lewinii</i> .....	1
<i>Fam. Tringidae.</i>			
<i>Schœniclus albesceus</i> .....	1		

## ORDER—NATATORES.

<i>Fam. Anatidae.</i>		<i>Fam. Pelicanidae.</i>	
<i>Spatula rhynchotis</i> .....	1	<i>Phalacrocorax novæ-hollandiæ</i> .....	1

Australian Museum,  
Sydney, 7 September, 1868.

GERARD KREFFT,  
Curator and Secretary.

1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF SINGLETON—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 1st September, 1868.

## BOROUGH OF SINGLETON.

## BY-LAWS.

THE following By-laws, made by the Council of the Borough of Singleton to regulate the proceedings of the Council and for the collection of rates, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

## BY-LAWS OF THE BOROUGH OF SINGLETON.

*Preamble.*

WHEREAS it is expedient that provision should be made for regulating the proceedings of the Borough Council of Singleton, &c., &c., &c., and in accordance with a resolution adopted by the Council of the said Borough, on the 3rd day of June, 1868, and in virtue of the power and authority vested in them in that behalf, that the following by-laws do now take effect, and that they are hereby established for the purposes aforesaid.

*Standing Orders of the Borough Council of Singleton.*

1. The Chairman shall preserve order, and his decision on disputed points of order shall be final.
2. When the Chairman is required or called upon to decide a point of order or practice, he is to state the rule, custom, or precedent applicable to the case, without argument or comment.
3. The Mayor or Chairman for the time being may take part in all the proceedings of the Council.
4. The Mayor or Chairman shall put all questions to the meeting, and declare the sense of the Council thereon.
5. The Mayor or Chairman for the time being, in case of an equality of votes, upon any division, shall give a casting vote in addition to his vote as Alderman.
6. If two or more members rise to speak at the same time, the Chairman shall decide which member is entitled to pre-audience.
7. The Chairman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on same question, except in explanation, and without introducing any new matter.
8. The Council shall vote by show of hands, but any Alderman may call for a division upon any question.

9. The Chairman shall, on every motion made and seconded, put the question first in the affirmative and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion, from the show of hands, as to the majority.

10. In special cases, such as the accepting of tenders, the appointment of Committees or any officers, the Council may, if they deem it expedient, have recourse to the ballot (which may be done on motion without notice), and cause the names of the tenderers or candidates to be written on slips of paper, of which one shall be handed to each Alderman. Having struck out the names of all but those for whom he votes, each Alderman shall fold his paper and hand it to the Chairman. The ballot papers having been first mixed, so as to prevent identification, shall then be examined by the Chairman in the presence of the Aldermen, and the result ascertained and recorded.

11. Every member shall stand when speaking, and address the Chair.

12. Except in Committees, no member shall speak twice on the same question, unless in explanation, when he has been misrepresented or misunderstood: Provided however that the mover be allowed to reply, and that every member shall be entitled to speak once upon every amendment as well as on the original motion.

13. No Alderman, when discussing any matter, shall be interrupted, unless by a call to order, when he shall sit down; the Alderman calling to order shall then be heard, and the question of order decided before the debate or any other business is resumed.

14. No Alderman shall digress from the subject under discussion, nor make personal reflections on members, nor impute motives; and all personal reflections shall be considered highly disorderly, and any member so offending shall be required by the Mayor or Chairman to withdraw the expression, and to make a satisfactory apology to the Council.

15. In all divisions, every member present shall be compelled to vote.

16. All divisions of the Council shall be entered in the minutes of the proceedings.

17. Any member may require the question or matter under consideration or discussion to be read for his information, at any time during the debate, but not so as to interrupt any other member while speaking.

18. The order of the day shall include all business of which due notice has been given, and all matters arising out of former meetings of the Council.

19. Any motion entered on the notice paper, and the Alderman who has given notice of the same being absent, and no Alderman having been deputed to bring it forward, such motion, when business is called in order, shall be permitted to lapse.

20. A debate may be adjourned to a later hour of the same day, or to another day specified; and the member moving the adjournment shall be entitled to pre-audience on the resumption of the same.

21. If the Mayor be not present within ten minutes after the time appointed for the meetings of the Council, any Alderman may be elected Chairman for that particular meeting.

22. The business of each ordinary meeting of the Council shall be transacted in the following order, viz. :—

1. The reading and confirmation of the minutes of the previous meeting.
2. The reading of official correspondence.
3. The presentation of petitions.
4. Reports brought up from Committees.
5. Miscellaneous business.
6. Motion of which notice has been given.
7. Notices of motion.
8. Order of the day.

23. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved and seconded, the question shall first be put on the last amendment, and then on the next to the last, and so on, in the reverse order in which they are moved, except when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, in which case the lowest sum shall be put first, then the next to the lowest, and so on to the highest.

24. Any motion for adjournment, if seconded, shall be put from the Chair, but if such motion be negatived it shall not be competent for any member to make a similar motion until half an hour, at least, shall have elapsed from the moving of the one that has been negatived.

25. No notice shall be taken by the Chairman of any motion unless it be seconded.

26. All notices of motion shall be dated, signed, and given to the Town Clerk, and shall be considered the property of the Council, and shall not be withdrawn without leave of the Council.

27. No motion, the effect of which, if carried, would be to rescind any motion which has already passed the Council, shall be entertained for a period of three months from the date of such resolution (excepting matters connected with public works), unless a call of the whole Council has been duly made for that purpose; and no motion for rescinding any resolution of the Council, which has been negatived, shall be again put for three months from the time it has been so negatived.

#### *Petitions.*

28. On the presentation of a petition, no debate shall take place until notice has been given in the usual manner; and the only question that can be entertained by the Council on the day of its presentation shall be, that the petition be received, or that it be referred to a Committee.

29. It shall be incumbent on any member presenting a petition, to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

30. That all petitions be received only as the petitions of the parties signing the same.

#### *Committees.*

31. Besides such special Committees as may from time to time be found necessary, there shall be two standing Committees, namely, a Finance and an Improvement Committee.

32. No standing Committee of the Council shall consist of less than three members or more than four (4), three of whom shall form a quorum. The Mayor shall be *ex officio* a member of all Committees.

33. The Mayor or Chairman of every Committee shall be convener thereof, and may direct the Town Clerk to call meetings whenever he shall think it expedient.

34. The appointment of special Committees shall continue until the specific duty for which they are appointed shall have been discharged: Provided that such Committee may at any time be dissolved by a vote of the Council.

35. The orders of the Council shall be observed in Committee of the whole Council, except the order limiting the number of times speaking.

36. Every report of a Committee shall be signed by the Chairman thereof.

37. The Finance Committee, in addition to the duty of examining all accounts, shall deliberate and report upon all questions affecting the finances of the Municipality, which may be committed to it by a resolution of the Council. It shall be the duty of this Committee to watch generally over the financial affairs and administration of the Municipality, and it shall have the right of calling the attention of the Council, by a report, to any matters connected with such administration which may seem to require such attention.

38. The Improvement Committee shall have the general inspection of all public works in progress throughout the Municipality, and shall have the right of calling the attention of the Council, by report, to any matters connected with such works, or with the state of any public thoroughfare which may require such attention. It shall also consider and report upon any questions of an analogous nature to those which may be referred to it by a resolution of the Council.

39. Every Committee shall have a right to take evidence upon any question or questions of fact referred to it by a resolution. A minute of the evidence thus taken, or of its substance, must, however, in all cases of this character, be appended to the Committee's report.

40. The standing Committees shall be appointed within thirty days after the commencement of each Municipal year.

41. Any member moving for a special Committee may propose certain Aldermen as members of the same, but, if demanded, the selection of the Committee shall be made by ballot.

42. Every member proposing the appointment of a select Committee, and naming its proposed members, must name himself as one of them.

#### *Miscellaneous Regulations.*

43. In cases where security is required by the Municipalities Act of 1867, the sureties offered shall be approved of by the Council; and it shall not be competent for them to accept as surety any of its members, or any person holding office under the Council; and in all cases in which security for due and faithful performance of any duty or contract is required, the expenses of preparing the bond for such security shall be borne by the Council.

44. No work affecting the funds of the Corporation shall be undertaken until the probable expense be first ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee, and reported on by them before any warrant shall be issued for the payment thereof: Provided always, that, in cases of emergency, the Mayor, with the assent of any three Aldermen, may authorize the expenditure of any sum not exceeding ten pounds, and such expenditure shall be reported to the Council at next sitting.

45. The Treasurer's accounts and the bank book of the Council shall be laid before the Council as often as required.

46. No officer appointed by the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council, to any person not a member of the Council, without leave from such Council, except as otherwise provided by law.

47. No by-laws shall be decided on without due notice, as in cases of motions.

48. Any member may record his protest against any decision of the Council, provided the same be made in writing before the next meeting of the Council, and couched in respectful language, and be consistent with truth. Notice of such intention, however, must be given on the adoption of the resolution.

49. No election to any paid office at the disposal of the Council shall take place until seven days notice be given in a local newspaper, inviting applications for the same.

50. The Town Clerk shall have the charge of the common seal of the Corporation, and shall be responsible for the safe custody and proper use of the same, each impression thereof being duly verified by the signature of that officer; and he shall not affix the seal to any corporate documents without the express order of the Council, nor unless such documents have the signature of the Mayor.

51. Any one or more of the standing orders of the Council may be suspended *pro tempore* in cases of emergency: Provided that the majority of the members present deem it necessary.

#### *Collection of Rates.*

52. The rates shall be levied and collected yearly, and shall be held to be due and payable on and after such day as the Council shall by resolution appoint from time to time.

53. All persons liable to pay any rates or assessments, shall pay the amount within the time prescribed by the Act, into the office of the Town Clerk, during office hours, viz., from 11 a.m. to 3 p.m. every lawful day.

54. It shall be the duty of the Town Clerk, to furnish the Council with a list of the names of all persons whose rates are unpaid, at the expiration of the notice thereof given pursuant to the Municipalities Act of 1867.

#### *The Bailiff and his duties.*

55. The bailiff shall be appointed by a resolution of Council, and may at any time be removed in a similar way.

56. The bailiff shall find two sureties, to the satisfaction of the Mayor, to the extent of fifty pounds each, for the faithful performance of his duty.

57. The bailiff shall make all levies and distresses for the recovery of rates, under warrant, in the form of the schedule hereto annexed and marked with the letter A, under the hand of the Mayor, or any person who may for the time being be duly authorized to perform the duties of that office.

58. At the time of making a distress, the bailiff shall forthwith make out a written inventory, in the form or to the effect of the schedule annexed hereto and marked with the letter B, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person on his or her behalf, resident at the place where the distress has been made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made, and the bailiff shall give a copy of the inventory to the ratepayer, on demand, at any time within one month after the making of such distress.

59. It shall be lawful for the bailiff, and such assistants as he may take with him, to enter into any part of the land, building, tenement, or other property in respect of which a warrant has been issued for the recovery of any rate or rates as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property, in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of five days, it shall be lawful for such bailiff to sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the Municipality as the said bailiff may think proper to remove them to for such purpose; and the surplus (if any) that may remain, after deducting the amount of the sum distrained for, together with the expenses attendant upon such distress, shall be paid over, on demand, to the owner of the goods so sold: Provided always, that nothing herein contained, as to the time of

sale, shall apply to any corn, grass, hops, roots, fruits, pulse, or other product whatever, which may be growing at the time of the same being seized as a distress.

60. The bailiff, in making a distress as aforesaid, may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such places or in such part of the land or premises chargeable with the rate as shall be most fit and convenient for this purpose; and it shall be lawful for any person whatsoever, after the expiration of the five days hereinbefore mentioned, to come and go to and from such place or part of the said land or premises where the distress shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

61. The owner of any goods so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold; and the said goods and chattels shall in such case be put up for sale according to such direction.

62. The bailiff shall hand over to the Council Clerk all proceeds of such distresses within forty-eight hours after having received the same.

63. The bailiff, with the sanction of the Mayor of the Borough, may authorize any person to act temporarily as his deputy; and the person thus authorized shall have and exercise, for the time being, all the powers of the bailiff himself; but the bailiff and his sureties shall in every case be held responsible for the acts of such deputy.

64. The bailiff shall be paid for every levy made under these by-laws, according to the schedule hereunto annexed marked C.

#### SCHEDULE A.

##### *Warrant of Distress.*

I the Mayor of the Municipality of Singleton, do hereby authorize you Bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house, or in and upon the lands and premises of situate at for the sum of being the amount of municipal rates due to the Borough to the day of for the said dwelling-house, land, or premises (as the case may be), and to proceed thereon for the recovery of the said rates, according to law.

Dated this day of , 186 .

Mayor.

#### SCHEDULE B.

##### *Inventory.*

I HAVE this day, in virtue of a warrant under the name of the Mayor of the Municipality of Singleton, dated distrained the following goods and chattels in the dwelling-house, or in and upon the land and premises of situate at within the Borough of Singleton, for the sum of being the amount of rates due to the said Municipality to the day of 186 .

Dated this day of 186 .

Bailiff.

#### SCHEDULE C.

##### *Fees to Bailiff.*

FOR making entry and inventory, three shillings; if in possession more than five hours, three shillings additional, and for every subsequent day whilst in possession, five shillings; and five per cent. on the net amount of sale.

Made and passed by the Borough Council of Singleton, this third day of June, one thousand eight hundred and sixty-eight.

ALEX. MUNRO,

EWD. GREGGHEGAN,  
Council Clerk.

Mayor.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF CUDGEGONG—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 11th September, 1868.

## BOROUGH OF CUDGEGONG.

## BY-LAWS.

THE following By-laws made by the Council of the Borough of Cudgegong, to regulate the proceedings of the Borough Council, for the collection of rates, and for the general good rule and government of the Borough, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

## BOROUGH OF CUDGEGONG.

BY-LAWS to regulate the proceedings of the Borough Council of Cudgegong, the collection of rates, and for the general good rule and government of the Borough.

*Preamble.*

WHEREAS it is expedient that provision should be made for regulating the proceedings of the Council of the Borough of Cudgegong, it is hereby ordered by the said Council, by virtue of the powers and authority vested in the said Council in that behalf, that the following shall be the by-laws and standing orders, for regulating the proceedings of the said Council, &c.

*Standing orders of the Council.*

1. If, at any meeting of the Council duly held, the Mayor shall be absent at the expiration of twenty minutes after the time of holding the meeting, the Members present shall choose for that meeting a Chairman from amongst themselves.
2. All questions duly proposed and seconded shall be put by the Mayor or Chairman, and the sense of the Council thereon shall be declared by him.
3. The Mayor or Chairman shall preserve order and his decision on disputed points of order shall be final.
4. That the meetings of the Council shall be held at the Council Chambers every alternate Tuesday, at eleven o'clock, a.m.

*Order of business.*

5. The business of each ordinary meeting of the Council shall be transacted in the following order, viz. :—
  - (1.) The reading and confirmation of the minutes of the previous meeting.
  - (2.) The reading of official correspondence.
  - (3.) The presentation of petitions.
  - (4.) Miscellaneous business.
  - (5.) Reports brought up from committees or officers.
  - (6.) Motions, of which notice has been given.
  - (7.) Notices of motion.
  - (8.) Orders of the day.

6. The questions for confirming the minutes of the previous meeting shall be proposed by the Mayor or Chairman immediately upon their being read, and shall be to the effect that the minutes now read are a correct record of the proceedings, and no discussion, shall be allowed thereon, except on the point of accuracy.

*Rules of debate.*

7. Except in Committee, no Member shall speak more than once on the same question, unless in explanation, when misrepresented or misunderstood: Provided, however, that the mover of any question shall have the liberty of reply; and provided further, that every Member shall be at liberty to speak once on any amendment, as well as on the original motion, but the right of reply shall not extend to the mover of an amendment.
8. No Member shall speak upon any motion or amendment for a longer period than fifteen minutes, unless by permission from the Council.
9. When any Member shall use any expression which the Mayor or Chairman shall think capable of being applied offensively to any other Member, the Member so offending shall be required by the Mayor or Chairman to withdraw the expression, and to make a satisfactory apology to the Council.

*Divisions.*

10. It shall be competent for any Member to divide the Council upon any question put from the chair, either in full Council or Committee of the whole Council; and upon such division, those who are on the affirmative side shall place themselves on the Mayor or Chairman's right hand, and those who are on the negative shall place themselves on his left hand; and no Member shall leave his place until the names of all the Members present have been taken down by the Council Clerk, or person officiating for him.
11. All divisions of the Council shall be entered on the minutes of the proceedings.

12. In divisions, every Member present, except the Mayor or Chairman, shall be compelled to vote.

#### *Motions.*

13. When a motion has been proposed and seconded, it shall be the property of the Council, and shall not be withdrawn without the consent of the Council.

14. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved and seconded, the question shall first be put on the last amendment, and then on to the one next to the last, and so on in the inverse order in which they are moved: Provided, however, that when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, the lowest sum shall be put first, then the next lowest, and so on to the highest.

15. Any motion for adjournment, if seconded, shall be put immediately, without discussion; but if such motion be negatived, it shall not be competent for any Member to make a similar motion until at least half an hour shall have elapsed from the period of moving the one that has been negatived.

16. No motion, the effect of which, if carried, would be to rescind, or be repugnant to any resolution which has been passed by the Council, shall be entertained during the same municipal year, unless a call of the whole Council has been duly made for that purpose; and no such motion, if negatived by the Council, shall be again entertained during the same municipal year.

#### *Petitions.*

17. It shall be incumbent on any Member presenting a petition to acquaint himself with the contents thereof, and to report to the Council that it contains nothing objectionable.

18. On the presentation of a petition no debate shall take place, and the only question that can then be entertained by the Council shall be, that the petition be received, or that it be referred to a Committee: Provided, however, that any petition which has been received by the Council may be taken into consideration upon notice of motion in the usual way.

19. Every petition received by the Council shall be received only as the petition of the party or parties whose signature it bears; and no petition shall be received unless at least one signature be upon the sheet containing the petition.

#### *Committees.*

20. In a Committee of the whole Council the general rules of the Council shall be observed, except the rule limiting the times of speaking.

#### *Miscellaneous.*

21. No payments out of the funds of the Corporation shall be made but such as are authorized by a vote of the Council: Provided always, that, in cases of emergency, the Mayor, with the assent of two Aldermen, may authorize the expenditure of any sum (twenty pounds in all) during a recess, but all such discretionary payments shall be reported to the Council at its next meeting.

22. Whenever the Council is adjourned for want of a quorum, the names of the Members then present and the hour at which the adjournment takes place shall be entered on the minutes.

23. Any Member may record his protest against any decision of the Council, provided the protest be handed to the Council Clerk not later than the next Council meeting; and provided also, that the notice of his intention to protest be given immediately on the passing of the resolution to which the protest refers.

24. The common seal and all charters, deeds, muniments, and records of the Corporation shall be kept in the Council Chamber, or office of the Corporation, in custody of the Council Clerk, unless for any purpose the Council shall otherwise order.

25. The common seal shall not be affixed to any document without the express authority of the Council; and every impression thereof so authorized, shall be verified by the signatures of the Chairman and the Council Clerk.

26. Any one or more of the standing orders may be suspended (*pro tempore*) in a case of emergency, if a majority of the Council then present shall deem such suspension necessary.

27. Any person who shall dig or open any drain, or who shall cause any obstruction by fallen trees or other material, in any road or thoroughfare, or who shall remove from the banks of any creeks or river, or other lands over which the Council may have control, any turf, soil, gravel, stone, or other material, without leave in writing, first obtained from the Council, shall, on conviction before any Justice of the Peace, forfeit and pay for every such offence, any sum not less than ten shillings, nor more than five pounds, together with the costs of removing such obstruction or replacing such material.

28. Any person allowing the weeds known as the Bathurst Burr and Scotch or other noxious thistle to grow upon cultivated land, and failing to destroy the same within one week after due notice from the Council has been served upon the owner or occupier, shall forfeit and pay for such offence, any sum not less than ten shillings, nor more than five pounds, together with the costs of removing the same, and costs of Court, to be recovered before any Justice of the Peace.

#### *Collection of rates.*

29. The rates shall be levied and collected yearly in advance, and shall be held due and payable on such day as the Council shall by resolution from time to time appoint.

30. It shall be the duty of the Council Clerk to furnish the Mayor of the Borough from time to time with lists of all persons who are in default within the meaning of this by-law or section 176 of the Municipalities Act of 1867.

#### *The Bailiff and his duties.*

31. It shall be the duty of the bailiff to make all levies by distress for the recovery of rates in manner hereinafter provided. He shall give security, to the satisfaction of the Mayor, to the extent of fifty pounds, for the faithful performance of his duties.

32. All levies and distresses shall be made under warrant in the form or to the effect of the schedule hereunto annexed and marked with the letter A, under the hand of the Mayor, or of any person who may for the time being be duly authorized to perform the duties of that office.

33. At the time of making the distress the bailiff shall hand a copy of the warrant to the occupant of the land or premises, or the owner of the goods distrained on, or to some person resident at the place where such distress is made; and in case there shall be no such person at such place, he shall give a copy to the ratepayer, on demand, at any time within one month after the making such distress.

34. On making the distress the bailiff shall forthwith make out a written inventory in the form or to the effect of the schedule annexed hereto, and marked with the letter B, which inventory shall be delivered to the occupant of the land or premises, or to the owner of the goods so distrained, or to some person on his or her behalf, resident at the place where the distress shall be made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress is made, and the bailiff shall give a copy of the inventory to the ratepayer, on demand, at any time within one month after the making such distress.

35. When a distress has been made and the rates levied for shall not be paid within three days thereafter, the bailiff may sell the goods distrained upon by public auction, or may cause the same to be thus sold by any duly licensed auctioneer, for the best price that can be gotten for the same, towards the satisfaction of the said rates and costs, as per schedule hereto annexed and marked C; the overplus, if any, shall be handed over to the owner of the goods or the occupant of the land or premises where the distraint has been made, and a full and true account in writing shall in every case be given by the bailiff to the said owner or occupant on demand.

36. The bailiff, on making a distress for rates as aforesaid, may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such places or such part of the land or premises chargeable with the rate as shall be most fit and convenient for the purpose, or should there be no safe place on the premises, then it shall be lawful for him to remove the same to some secure and convenient place, giving notice thereof, in writing, to the owner of the goods distrained; and it shall be lawful for any person whatsoever, after the expiration of the three days hereinbefore mentioned, to come



and go to and from such place or part of the said land or premises, wherein any distress may be impounded or secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchase thereof, such time not to exceed three days.

37. The owner of any goods so distrained upon, may, at his or her option, direct and specify the order in which they shall be successively sold, and the said goods and chattels shall in such case be put up for sale according to such directions.

38. The bailiff may, with the sanction, in writing, of the Mayor of the Municipality or Borough, authorize, by writing, any person to act temporarily as his deputy, and the person thus authorized shall have and exercise, for the time being, all the powers of the bailiff himself, but the bailiff and his sureties shall in every case be held responsible for the acts of his deputy.

#### SCHEDULE A.

##### WARRANT OF DISTRESS.

To

I, A.B., Mayor of the Borough of Cudgegong, do hereby authorize you, C.D., the bailiff of the said Borough, or your deputy, to distrain the goods and chattels in the dwelling-house (or in or upon the land and premises) of E.F., situate at \_\_\_\_\_ for \_\_\_\_\_ being the amount of rates due to this Borough to the day of \_\_\_\_\_ for the said dwelling-house (land or premises as the case may be), and to proceed thereon for the recovery of the said rates according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 186 .

(Seal.)

Mayor.

I hereby certify the above corporate }  
seal was affixed in my presence,— }

Council Clerk.

#### SCHEDULE B.

##### INVENTORY.

I HAVE this day, by virtue of the warrant, of which a copy is attached hereto, distrained the following goods and chattels in the dwelling-house (or in or upon the land or premises) of \_\_\_\_\_, situate at \_\_\_\_\_ within the Borough of Cudgegong, for being the amount of rates due to the said Borough, to the day of \_\_\_\_\_ A.D. 186 .

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 186 .

Bailiff.

#### SCHEDULE C.

THE costs and charges incurred, and to be made for any rates under and by virtue of the provisions of the Municipalities Act of 1867, shall be as set out in the schedule annexed.

##### SCHEDULE OF COSTS.

	s.	d.
For warrant of distress .....	2	0
„ levy .....	2	0
„ man in possession, each day, or part of a day ...	6	0
„ mileage beyond one mile from Council Chamber (per mile) .....	1	0
„ inventory, sale, commission, and delivery of goods, not exceeding one shilling in the pound on the proceeds of the sale, at the discretion of the Council.		

Passed by the Council of the Borough of Cudgegong, this second day of June, in the year of our Lord one thousand eight hundred and sixty-eight.

ROBERT LOWE,  
Mayor.

RICHARD HUGHSON,  
Council Clerk, &c.



1868-9.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF CUDGEGONG—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 25th January, 1869.

## BOROUGH OF CUDGEGONG.

## BY-LAW.

THE following By-law, made by the Council of the Borough of Cudgegong, for the regulation of Slaughter-houses in that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

## BOROUGH OF CUDGEGONG.

## BY-LAW FOR THE REGULATION OF SLAUGHTER-HOUSES.

1. Every Inspector of Slaughter-houses, and of cattle and sheep intended to be slaughtered within the Borough of Cudgegong, shall, upon receiving due notice thereof, inspect all cattle or sheep intended to be slaughtered, and shall particularly describe the color, mark or marks, brand or brands, and sexes, together with the name of the owner or owners thereof, which particulars he shall carefully enter, or cause to be entered, in a book to be kept for that purpose, and which book such Inspector shall produce when required, for examination by the Council or any Justice of the Peace, Inspector, Sub-Inspector, Sergeant of Police, or any other Police Officer.

2. The Inspector shall only inspect cattle for slaughter in the yards adjoining a licensed slaughter-house.

3. The owner or occupier of any slaughter-house within the Borough of Cudgegong, used for slaughter of animals intended for human food, shall keep the milts or spleens of all animals slaughtered in the said slaughter-house, for a period of twenty-four hours after the cattle have been slaughtered, unless the Inspector of Slaughter-houses shall have previously examined the milts or spleens of such slaughtered animals; and any such owner and occupier as aforesaid, who shall refuse or neglect so to do, shall forfeit and pay a penalty not less than forty shillings nor more than twenty pounds.

4. Every person who may from time to time be in that behalf appointed by the Council of the Borough of Cudgegong, shall be the Inspector (during the pleasure of the Council) of Slaughter-houses within the said Borough, and such Inspector shall from time to time, enter into and examine all such slaughter-houses, and the milts or spleens and carcasses of all cattle slaughtered, or any cattle intended to be slaughtered therein.

5. Any person who shall assault, resist, or obstruct any such Inspector of Slaughter-houses when in the execution of his duty, or shall aid, abet, or incite any persons so to do, shall for every such offence forfeit and pay a penalty of not less than twenty shillings, nor more than ten pounds.

6. The blood, offal, and filth of all such animals as may be slaughtered in any slaughter-houses situated in the Borough of Cudgegong, shall be removed therefrom to a

distance of at least one hundred yards, once at least in every twelve hours; and any owner or occupier of any such slaughter-house, who shall fail, neglect, or refuse to comply with this by-law, shall for every offence forfeit and pay a penalty of not less than forty shillings, nor more than ten pounds.

7. If the owner or occupier of any slaughter-house in the Borough of Cudgegong, used for the slaughter of cattle intended for human food, shall knowingly cause, permit, or suffer any animal infected with any disease affecting the milt or spleen to be slaughtered in any such slaughter-house, or if, after the slaughter of any animal, it shall be found to be diseased, and such owner or occupier, so soon as the animal is inspected and condemned, shall not immediately thereupon cause the entire carcass to be destroyed, in the presence of the Inspector (as in the case of animals dying of disease), such owner or occupier shall, for every such offence, forfeit and pay any sum not exceeding fifty pounds, nor less than ten pounds: Provided however, that should the owner of any animal which may be condemned by the Inspector, object to the decision of that officer, the owner thereof shall be at liberty to appoint some professional person as judge in his behalf, and in the event of such Inspector and such professional person not agreeing, it shall be lawful for them to appoint an umpire, whose decision shall be final.

8. The word "animal," for the purposes of the by-laws, shall be held to include cattle, sheep, pigs, calves, and lambs; and the words, "die of any disease," shall be held to apply to all cases of death other than death caused by killing and slaughtering.

9. All penalties recovered under any of these by-laws shall be paid over to the Treasurer of the Borough of Cudgegong, to be appropriated towards the general revenue of the Borough.

10. All fines, penalties, and forfeitures incurred under these by-laws, may, unless otherwise provided for, be recovered in a summary way before any two Justices in Petty Sessions, according to the provisions of the Act 14th Vict., No. 43, and the Acts therein adopted.

Made and passed by the Council of the Borough of Cudgegong, this 30th June, 1868.

RICHD. HUGHSON,  
Council Clerk, &c.

ROBERT LOWE,  
Mayor.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF WAVERLEY—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 28th September, 1868.

## BOROUGH OF WAVERLEY.

## BY-LAWS.

THE following By-laws, made by the Council of the Borough of Waverley, for regulating the proceedings of the said Council, for the collection of rates or assessments, and for the regulation of public vehicles plying for hire within the said Borough, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

J. BOWIE WILSON.

## BOROUGH OF WAVERLEY.

WHEREAS it is expedient that provision should be made for regulating the proceedings of the Council of the Borough of Waverley, the collection of rates or assessments, and the regulation of public vehicles plying for hire within the said Borough: It is hereby ordered by the said Municipal Council, by virtue of the powers and authority of the Municipalities Act of 1867, and subject to the provisions therein contained, that the following by-laws shall be enforced within the Borough:—

BY-LAW TO REGULATE, BY MEANS OF STANDING ORDERS, THE PROCEEDINGS OF THE MUNICIPAL COUNCIL OF WAVERLEY.

*Meetings.*

1. The Council shall meet for the transaction of its ordinary business on the first Tuesday in each month, at 7 o'clock p.m.
2. In the event of a quorum not being present at such meetings within half an hour after the time appointed, the names of the Aldermen present shall be entered in the Minute Book by the Council Clerk; and each Alderman absent shall pay a fine of five shillings, such fine to be remitted only in the case of illness or other cause deemed sufficient by a majority of the Council at the next monthly meeting.
3. The Council Clerk shall be in attendance at the Council Chambers, Waverley-street, on Tuesday and Saturday in each week, between the hours of nine o'clock a.m. and four o'clock p.m., for the purpose of receiving rates, licenses, &c., &c., and for transacting the ordinary business of the Council.

*Order of Business.*

4. Confirmation of the minutes of last meeting, upon which no discussion shall be allowed, except only as to the accuracy thereof.
5. Reading and ordering on correspondence, petitions, or memorials.
6. Reading and ordering on reports from permanent committees.
7. Reading and ordering on reports from special committees or deputations.
8. Special business, or questions relative to any matter under the control of the Council: Providing, however, that no debate shall be permitted upon any question or reply thereto without notice in the usual way.

9. Orders of the day, including subjects arising from proceedings of former meetings.

10. Motions of which previous notice has been given, and other matters entered on the business paper by direction of the Mayor.

*Order of Debate.*

11. The Mayor or presiding Alderman shall preserve order, and his decision on disputed points of order or explanation shall be final.

12. Whenever any matter of order arises, it shall immediately be taken into consideration.

13. No Alderman, when discussing any subject, shall be interrupted, unless by a call to order, when he shall sit down; the Alderman calling to order shall then be heard, and the question of order decided before the debate is resumed.

14. Every Alderman shall stand when speaking, and address the chair; and if two or more rise to speak at the same time, the Mayor or presiding Alderman shall decide which Alderman is entitled to pre-audience.

15. Any Alderman may require the question or matter under discussion to be read for his information at any time during the debate, but not so as to interrupt any other Alderman while speaking.

16. A debate may be adjourned to a later hour of the same day, or to another day specified. The Alderman moving the adjournment of the debate shall be entitled to pre-audience on the resumption of the same.

17. No Alderman shall digress from the matter under consideration, or use any expressions capable of being applied offensively to any Alderman. The Alderman so offending shall be required by the Mayor to withdraw the expressions, and to make to the Council a satisfactory apology.

18. Any Alderman who shall be guilty of any gross contempt of Council shall pay a penalty of not less than one pound for every such offence.

19. The Council shall vote by shew of hands; but any Alderman may divide the Council on any question, both in full Council or in Committee of the whole Council, in which case every Alderman then present shall be compelled to vote; and all divisions shall be entered in the minute book.

20. The Mayor or presiding Alderman shall, on every motion made and seconded, put the question, first in the affirmative and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion from the shew of hands as to the majority.

21. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment has been moved and seconded, the question shall first be put on the last amendment, and then on the one next the last, and so on, in the inverse order in which they have been moved: Provided, however, that when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, the lowest sum shall be put first, then the next lowest, and so on to the highest.

22. No Alderman shall speak twice on the same question, unless in explanation: Provided, however, that the mover of all motions shall be allowed to reply, and that every Alderman shall be entitled to speak once on every amendment as well as on the original motion. The right of reply shall not extend to the mover of an amendment, and the question shall be put by the Mayor or presiding Alderman immediately after the Alderman moving has replied.

23. No Alderman shall be permitted to speak upon any motion or amendment for a longer period than ten minutes, except with the concurrence of a majority of the Council.

#### *Motions and Amendments.*

24. All notices of motion shall be in writing, dated, and signed by the Alderman proposing the same, previous to being handed to the Council Clerk, and shall be considered the property of the Council, and shall not be withdrawn from the Business Paper without leave of a majority of the Council.

25. All amendments upon original motions and other questions for the consideration of the Council shall be in writing.

26. A motion for adjournment, if seconded, shall be at once put by the Mayor or presiding Alderman, without discussion; but in the event of such motion being negatived, it shall not be competent for any member to make a similar motion until half an hour at least shall have elapsed from the moving of previous motion for adjournment.

27. No notice shall be taken by the Mayor of any motion or of any amendment unless it be seconded.

28. No motion the effect of which, if carried, would be to rescind any motion which has already passed the Council, shall be entered on the Business Paper, unless a "call of the whole Council" has been duly made and granted for that purpose.

29. It shall be competent for any Alderman, by a notice of motion, to move for a "call of the whole Council" for rescinding any resolution; and upon such motion, naming the day for a "call of the Council," being carried, notice shall then be given of the motion for which call is made; and any Alderman not in attendance when the motion comes under consideration shall be fined five shillings, unless cause for such absence be shewn to the satisfaction of the Council, when, upon motion, the said fine may be remitted.

#### *Petitions.*

30. On the presentation of a petition, no question shall be entertained, except as to whether or not such petition shall be received, and whether or not it shall be referred to any committee.

31. It shall be incumbent on any Alderman presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

32. That all petitions be received only as the petitions of the parties signing the same.

#### *Committees.*

33. Besides such special committees as may from time to time be found necessary, there shall be two standing committees—namely, a Finance and an Improvement Committee.

34. The standing committees shall be appointed by a resolution of the Council, within thirty days after the election of the Mayor for the municipal year.

35. Every such standing committee shall consist of three Aldermen, two of whom shall form a quorum; and one Alderman representing each Ward of the Borough shall be appointed to each such standing committee.

36. All committees, before proceeding to any business, shall elect a chairman, and the chairman of every committee shall be the convener thereof, and may direct the Council Clerk to call meetings of the committee whenever he shall think it expedient.

37. All reports from committees shall be in writing, dated, and signed by the chairman or a majority of such committee.

38. In a committee of the whole Council the general rules of the Council shall be observed, except the rule limiting the number of times of speaking; and it shall not be necessary to rise when discussing any question.

39. The Finance Committee, in addition to the duty of examining all accounts, shall deliberate and report upon all questions affecting the finances of the Borough.

40. The Improvement Committee shall have the general inspection of all public works in progress, and may call the attention of the Council, by report, to any matters connected with such works, or to the state of any thoroughfare which may require such attention; and it shall be the duty of this committee to carry out all works (excepting urgent repairs) ordered by the Council during each municipal year, in the same order they have severally been voted by the Council.

41. No report from any committee recommending a money vote for any public work shall be adopted by the Council without notice.

42. The Improvement Committee shall examine all accounts relating to the works of the Borough, and if found correct shall be so certified by the Chairman or any member of the Committee; the accounts shall then be passed to the Finance Committee, who shall report thereon to the Council for their payment in the usual way.

43. Any Alderman moving for a special Committee may propose certain Aldermen as members of the same, but must name himself as one of them: Provided, however, that if demanded by any Alderman, the selection of the Committee shall be made by ballot.

#### *Miscellaneous Regulations.*

44. In special cases, such as the accepting of tenders, the appointment of any committees or any officers, the Council may, if they deem it expedient, have recourse to the ballot, which may be done on motion, without notice, and cause the names of the tenderers, candidates, or Aldermen as members of any committee, to be written on slips of paper, of which one shall be handed to each Alderman. Having struck out the names of all but those for whom he votes, each Alderman shall fold his paper and hand it to the Mayor; the ballot papers, having been first mixed so as to prevent identification, shall then be examined by the Mayor in the presence of the Aldermen, and the result ascertained and recorded.

45. No work affecting the funds of the Corporation shall be undertaken until the probable expense thereof be first ascertained by the Council: Providing always, that in cases of emergency, the Mayor, with the assent of any two Aldermen, may authorize the expenditure of any sum not exceeding ten pounds, and such expenditure shall be reported by the Mayor to the Council at its next sitting.

46. In cases where security is required by the Municipalities Act of 1867, the sureties offered shall be approved by the Council. It shall not be competent to accept as surety any Alderman or person holding office under the Council; and in all cases in which security for due and faithful performance of any duty or contract is required, the expenses of preparing the bond for such security shall be borne by the Council.

47. Any Alderman may record his protest against any decision of the Council, provided the same be made in writing at the next Council meeting, couched in respectful language, and be consistent with truth. Notice of such intention, however, must be given upon the adoption of the resolution.

48. The Council Clerk shall have the charge of the common seal of the Corporation, and shall be responsible for the safe custody and proper use of the same, each impression thereof being duly verified by the signature of that officer; and he shall not affix the seal of the Corporation to any documents without the express order of the Council, nor unless such documents have the signature of the Mayor.

49. Any one or more of the standing orders may be suspended, *pro tempore*, but only in cases of emergency, and that the whole of the Aldermen present deem it necessary.

50. All fines imposed under this by-law may be enforced in a summary way, and all penalties recovered shall be paid over to the Treasurer of this Borough.

DAVID FLETCHER,  
Mayor.

Passed by the Municipal Council of the Borough of Waverley, this seventh day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

WILLIAM MORTIMER,  
Council Clerk.

#### BOROUGH OF WAVERLEY.

##### BY-LAW PROVIDING FOR THE COLLECTION OF RATES OR ASSESSMENTS.

1. The rates of the Borough shall be levied and collected yearly, and shall be held due and payable on or before the first day of July in each municipal year.

2. All persons liable to pay any rates or assessments shall pay the amount within the time prescribed by law, at the Municipal Council Chambers, Waverley-street, during office hours—that is to say, between the hours of nine o'clock a.m. and four o'clock p.m., on Tuesdays and Saturdays in each week.

3. It shall be the duty of the Council Clerk to furnish the Council with a list of the names of all persons whose rates are unpaid at the expiration of the date mentioned in clause No. 2 of this by-law, and the Mayor of the Borough shall take immediate proceedings, either by summons or by the issue of distress warrants, against all defaulters reported to the Council in the manner aforesaid.

#### *Bailiff and his duties.*

4. The bailiff shall be appointed by the Mayor, and shall find two sureties to the extent of ten pounds each for the faithful performance of his duty—such sureties to be approved by the Mayor.

5. The bailiff shall make all levies and distresses for the recovery of rates under warrant, in the form of the schedule hereto annexed and marked with the letter A, under the hand of the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office.

6. The bailiff shall be paid for every entry and levy made under these by-laws according to the schedule hereto annexed and marked with the letter B.

7. At the time of making a distress, the bailiff shall make out a written inventory, in the form of the schedule annexed hereto and marked with the letter C, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person, for his or her behalf, resident at the place where the distress has been made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made.

8. It shall be lawful for the bailiff, and such assistants as he may take with him, to enter into any part of the land, building, tenement, or other property in respect of which a warrant has been issued for the recovery of any rate or rates as aforesaid, and to distrain the goods therein, or thereon, and to remain in such building, tenement, or other property in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of five days, it shall be lawful for such bailiff to sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the Borough as the bailiff may think proper to remove them to for such purpose; and the surplus, if any remain after deducting the amount distrained for, together with the expenses attendant upon such distress, shall be paid over to the owner of the goods so sold: Provided that nothing herein contained shall apply to the sale of any product whatever which may be growing upon the land at the time of making any distress.

9. The bailiff, in making a distress as aforesaid, may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such place or part of the land or premises chargeable with the rate as shall be most fit and convenient for this purpose; and it shall be lawful for any person whatsoever, after the expiration of the five days hereinafore mentioned, to come and go to and from such place or part of the said land or premises where any distress shall be impounded, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

10. The owner of any goods so distrained upon may, at his or her option, direct and specify the order in which they shall be sold, and the said goods and chattels shall, in such case, be put up for sale according to such direction.

11. The bailiff shall hand over to the Council Clerk or the Treasurer all proceeds of such distresses immediately after having received the same.

12. The bailiff, with the sanction of the Mayor of the Borough, may authorize any person to act temporarily as his deputy, and the person thus authorized shall have and exercise, for the time being, all the powers of the bailiff himself; but the bailiff and his sureties shall in every case be held responsible for the acts of such deputy.

13. The bailiff shall be paid for every entry and levy made under these by-laws according to the schedule hereunto annexed and marked B.

#### SCHEDULE A.

##### *Warrant of Distress.*

I the Mayor of the Borough of Waverley, do hereby authorize you bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of situate at within the Borough of Waverley, for the sum of being the amount of municipal rates due to the Borough of Waverley to the day of for the said [dwelling-house, land, or premises, as the case may be], and to proceed thereon for the recovery of the said rates according to law.

Dated this day of 18 .

Mayor.

[Corporate Seal.]

Council Clerk.

#### SCHEDULE B.

##### BOROUGH OF WAVERLEY.

##### *Fees to Bailiff.*

For making every entry or inventory, in the execution of distress warrant, five shillings; if in possession more than five hours, five shillings additional; and for every subsequent day whilst in possession, five shillings; and five per cent. on the net amount of sale.

#### SCHEDULE C.

##### BOROUGH OF WAVERLEY.

##### *Inventory.*

I HAVE this day, in virtue of a distress warrant under the name of the Mayor of the Borough of Waverley, dated dis-  
trained the following goods and chattels in the dwelling-house,  
or in and upon the land and premises of situate at  
within the Borough of Waverley, for the sum of being  
the amount of rates due to the said Borough to the day  
of 18 .

Dated this day of 18 .

Bailiff.

Passed by the Municipal Council of the Borough of  
Waverley, this seventh day of July, one thousand  
eight hundred and sixty-eight.

DAVID FLETCHER,

Mayor.

WM. MORTIMER,  
Council Clerk.

#### BOROUGH OF WAVERLEY.

BY-LAW FOR IMPOSING AND ENFORCING A FIXED CHARGE  
UPON PUBLIC VEHICLES PLYING OR CARRYING PASSENGERS  
FOR HIRE WITHIN THE BOROUGH OF WAVERLEY.

1. The proprietor or driver of every omnibus, car, or other public conveyance, plying for passengers within the Borough of Waverley, shall pay to the Treasurer or Council Clerk thereof, for the uses of said Borough, an annual, half-yearly, or quarterly charge, according to the scale set out in the schedule annexed hereto and marked with the letter A.

2. Every holder of a license as such proprietor or driver from the Sydney Corporation, or from the Mayor of this Borough, shall be entitled to ply with his vehicle, on the production of such license and payment of the aforesaid charge.

3. The said charge shall be payable, in advance, on the first day of January, first day of April, first day of July, and the first day of October in each year, and every such payment to the Council shall cover the ensuing quarter; but any such proprietor or driver shall be at liberty, at any of the said periods, to pay one, two, or three quarters, or for the ensuing twelve months: Provided, however, that the payment of such charge in reference to any such public vehicle shall free it from any further charge by the Council of this Borough for the current quarter, half-year, or year, as the case may be, even although there may be a change of the proprietorship or of the driver of such vehicle.

4. Every such proprietor or driver shall, on the making of every such payment, receive a document in the form given in schedule B hereto, and the driver of the omnibus, car, or other public conveyance in reference to which such charge has been imposed shall produce the said document to the officer appointed by the Council of this Borough, whenever required so to do by the said officer.

5. The driver of every such omnibus, car, or other public conveyance, who shall ply for passengers within this Borough, or shall traverse any of its roads, streets, or public thoroughfares, or any part thereof, for the purpose of taking up or setting down passengers without having first paid the said quarterly, half-yearly, or annual charge, as the case may be, shall, for every such offence, forfeit and pay a sum of not less than ten shillings nor more than five pounds; and for every time that he shall so ply or shall so traverse any of such roads, streets, or public thoroughfares within this Borough, he shall be liable to be proceeded against as for a separate offence.

6. Every such omnibus, car, or other public conveyance, being driven from or to any stand for public vehicles appointed, or that may be appointed as such within this Borough, shall, upon the production of evidence of that fact, be taken and deemed to be sufficient *prima facie* evidence of plying for passengers.

7. Every vehicle carrying passengers for hire, excepting hackney carriages, cabs, or other conveyances hired for an especial occasion by any individual or party, and not taking any other passenger or passengers, shall be deemed a public conveyance within the meaning of this by-law.

8. Every offence against any of the provisions of this by-law may be enforced in a summary way; and all fines and penalties recovered shall be paid over to the Treasurer, for the use of this Borough.

#### SCHEDULE A.

##### BOROUGH OF WAVERLEY.

##### *Scale of charges for public vehicles.*

For every public conveyance plying for passengers, having four

wheels, and drawn by two or more horses:—

One quarter—One pound five shillings.

Two quarters—Two pounds ten shillings.

Three quarters—Three pounds fifteen shillings.

Annual charge—Five pounds sterling.

For every public conveyance plying for passengers, having two or four wheels, and drawn by one horse only :—

One quarter—One pound sterling.

Two quarters—Two pounds sterling.

Three quarters—Three pounds sterling.

Annual charge—Four pounds sterling.

#### SCHEDULE B.

##### BOROUGH OF WAVERLEY.

##### *Certificate of payment.*

Council Chambers,  
Waverley, 18 .

I                    Mayor of the Borough of Waverley, do hereby certify that                    proprietor or driver of the omnibus, car, or other public conveyance, called                    licensed by the Council (of the City of Sydney or by the Council) of this

Borough, and numbered                    has paid the sum of £                    being the charge made by this Council, and referred to in this by-law to be paid for permission for such                    public conveyance to ply for passengers within this Borough for the period of                    and that such                    public conveyance is entitled so to ply until the                    day of                    18 .

Entered—                    Mayor.

Council Clerk.

This by-law was passed by the Municipal Council of the Borough of Waverley, this seventh day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

DAVID FLETCHER,  
Mayor.

WILLIAM MORTIMER,  
Council Clerk.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF ARMIDALE—BY-LAWS.)

Presented to Parliament; pursuant to Act 31 Vict., No. 12, Sec. 158.

## BOROUGH OF ARMIDALE.

BY-LAWS adopted at a Meeting of the Council of the Borough of Armidale, held on the twenty-second day of April, one thousand eight hundred and sixty-eight, for the regulation of their own proceedings.

1. The Council shall hold their monthly meeting on the first Tuesday in each month, and such meeting shall commence at  $\frac{1}{2}$  past seven o'clock in the evening, and the Mayor or Presiding Alderman may adjourn any such meeting or any special meeting to any such other day and hour as the majority of the Council then present may determine upon.

2. At any monthly or special meeting questions may be considered at such meeting, or any adjournment thereof, without any previous notice.

3. The Mayor or Presiding Alderman, as the case may be, shall preserve order, and prevent interruption at any meeting of the Council, or of any Committee, and may, of his own authority, call to order any member of the Council or Committee—may regulate the order and precedence in which each speaker is to address the Council, when two or more rise to speak; at the same time his decision upon any disputed point of order shall be final.

4. No person whomsoever, except a member of the Council, shall by words, sound, or otherwise howsoever, interrupt the business of the meeting of the Council, or of any Committee, or at the sitting of any Court, held under the Municipalities Act of 1867, for the revision of the Municipal list or roll, or cause a disturbance thereat; any person, except as aforesaid, interrupting the business of any such meeting or sitting, or causing any disturbance thereat, shall forfeit any sum not less than two pounds, and not more than five pounds, to be recovered in a summary way before any two Justices of the Peace, in Petty Sessions, according to the provisions of the Act, 14 Victoria, No. 43.

5. The Mayor or Presiding Alderman shall have equal right with the other members of Council in speaking to the merits of all questions brought before the Council.

6. The Mayor or Presiding Alderman shall, on every motion made and seconded, put the question first in the affirmative and then in the negative, and then declare the result to the meeting; and if any dispute or misunderstanding shall arise as to the declared result, the Mayor or Presiding Alderman shall be entitled to put the question again, and so often as may be necessary, in order to enable him to declare definitely by the show of hands whether the motion has been carried or negatived.

7. At every meeting of the Council the minutes of the proceedings of the previous meeting shall be read by the Council Clerk, and after confirmation by the vote of the majority of the Council present, shall be signed by the Mayor or Presiding Alderman.

8. Then reports from Committees shall be received, but these shall not be taken into consideration or adopted, unless after due notice has been given at the previous meeting, or to the Council Clerk, not less than four days before the meeting.

9. Every member shall stand when speaking, and shall address the Mayor or Presiding Alderman, and, in course of a debate, if any question of order shall arise, it shall immediately be taken into consideration, and be disposed of by the Mayor or Presiding Alderman.

10. Except in Committee no member shall speak twice on the same question; if he has been misrepresented or misunderstood, he may, if he thinks proper, briefly make such explanations as may be necessary, provided that the mover shall be allowed to reply, and that every member shall have the liberty of speaking once on every amendment, as well as on the original motion.

11. No member shall speak upon any motion or amendment for a longer period than fifteen minutes, without the consent of a majority at least of the members present at the time, and he shall not digress from the matter under discussion, or make personal reflections on members, or impute improper motives; any member making any personal reflections on any other member, or impute to him any improper motive, shall forfeit and pay the sum of not less than ten shillings, and not more than one pound.

12. If any member shall make use of any expression, or so conduct himself that his words or actions shall be taken, construed, or held by a majority of the members present to be offensive to the Council, or to any member thereof, he shall be called to order by the Mayor or Presiding Alderman, and by him required to withdraw the objectionable expression and satisfactorily apologize for having used the same, or for having conducted himself in such manner as to give cause of offence; any member neglecting or refusing to withdraw any

objectionable expression or satisfactorily apologize when called upon so to do by the Mayor or Presiding Alderman, shall forfeit and pay a penalty of not less than ten shillings and not more than one pound.

13. A debate may be adjourned to a later hour of the same day or to another specified day, and the member upon whose motion any debate shall be adjourned, shall be entitled to precedence on the resumption of the debate.

14. It shall be competent for any member to divide the Council on any question, both in full Council and in Committees of the whole Council; and upon such division those who are in the affirmative shall pass on the right hand of the Mayor or Presiding Alderman, and those who are in the negative shall pass on to his left hand; and no member after dividing shall leave his place till the names of all the members shall be taken down by the Council Clerk, or some person officiating for him.

15. Any member may require the question or subject under discussion to be read, or the substance thereof explained to him at any time during the debate, but not in such a way as to interrupt any member while speaking, or to unduly protract the proceedings.

#### *Motions.*

16. After the reading of correspondence and the presentation of reports and petitions, such motions as may be in the motion book shall take precedence of all other business of the day, and shall be taken up in the order in which they are in the motion book.

17. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved and seconded, the last amendment shall be first put to the meeting on in the reverse order in which they were moved, until the whole are disposed of, when the original motion shall be put to the meeting, and the result declared by the Mayor or Presiding Alderman.

18. Any motion for adjournment, if seconded, shall be immediately put without any discussion, and, if negatived, it shall not be competent to put a similar motion until five minutes at least shall have elapsed from the time of moving the one which had been negatived; but no notice shall be taken by the Mayor or Presiding Alderman of any motion, unless it has been seconded.

19. Notice of motion shall be given to the Council Clerk at any meeting of the Council, or not less than four days before the meeting of the Council at which the motion is intended to be made: Provided that no motion, of which notice shall have been given as aforesaid, shall be made, except at an adjourned meeting, unless notice thereof, setting forth in general terms the purport of such motion, shall have been given by the Council Clerk to each member of the Council in the summons issued by him for the meeting of the Council.

20. The Council Clerk shall enter in a book to be kept for that purpose, and to be called "the Motion Book," all notices of motion in the order in which they are received.

#### *Petitions.*

21. No discussion shall take place on the presentation of any petition without notice of motion given after its reception.

#### *Committees.*

22. No Committee of the Council shall consist of less than three members and the Chairman, or a majority of every Committee shall summon the Committee, and may direct the Council Clerk to call meetings whenever they may consider it necessary or expedient.

23. The appointment of special Committees shall continue until the specific duty for which they were appointed shall have been discharged, provided that such Committees may at any time be dissolved by vote of the Council.

24. The rules affecting the Council shall be observed and be in force in any Committee, with the exception of the rule limiting the number of times of speaking; and every report of a Committee shall be signed by the Chairman thereof.

#### *Officers.*

25. No officers shall be appointed until a general outline of his duties and the amount of salary shall be approved of by the Council; and no appointment of any

kind shall take place until one week's notice at least shall have been given in one or more of the local papers, inviting applications for the same.

26. Every officer or servant of the Council, who, by reason of his office or employment under the Council, shall be entrusted with the custody or control of any moneys, shall give security, to the satisfaction of the Council, in the sum of not less than one hundred pounds, for faithfully and duly accounting for the same.

27. Any officer or servant of the Council who shall be entrusted with the receipts of any moneys for the Council shall not have or retain in his hands any sum at any one time exceeding ten pounds of any such moneys; any such officer or servant offending against this by-law, shall forfeit and pay a penalty of not less than two pounds, and not more than twenty pounds.

28. In cases where security shall be required by the Municipalities Act of 1867, the sureties offered shall be approved of by the Council before they are accepted as surety—any of its members, or any person holding office under the Council; and in all cases in which security for the due and faithful performance of any duty or contract is required, the expense of preparing such security shall be borne by the person or persons giving the same.

29. No work affecting the funds of the Corporation shall be undertaken until the probable expense shall be first ascertained and authorized to be executed by the Council; and, before any motion shall be made for the payment of any such works, the accounts shall be examined and passed by the Finance Committee: Provided that in the event of any day laborer being discharged by a majority of the Improvement Committee, such majority shall have power to authorize the Mayor to pay the amount actually due to such laborers, or any of them, by cheques drawn in the usual way on the Bank account, and any such payment shall be confirmed at the ensuing meeting of the Council: Provided, further, that in cases of emergency, the Improvement Committee may authorize the expenditure of any sum not exceeding three pounds, and such expenditure shall be reported to the Council at its next meeting, and the reasons given why the authority so to expend became necessary.

30. The Treasurer's account shall be laid before the Council by the Mayor or Presiding Alderman at the monthly meeting of the Council, or oftener, if required.

31. No officer appointed by the Council shall be at liberty to show, lay open, expose, or give any information of, any of the books, papers, records, or any other documents or vouchers belonging to the Council, to any one, not a member of the Council, without permission from the Council, except, always, as may be otherwise provided by law.

32. Any alterations proposed to be made in the by-laws, or any new by-law proposed to be added, shall require the same notice to be given and proceedings taken thereon, as in the case of motions.

33. No election, to any paid office at the disposal of the Council, shall take place until after seven clear days' notice shall be given in one or more newspapers, inviting applications for the same.

34. The Council Clerk shall have, under the supervision of the Mayor at the Town Hall, control and charge of all charters, deeds, muniments, and records of the Corporation, or relating to the property thereof.

35. The common seal shall be kept at the Town Hall, and the Mayor shall have the custody of the same, and shall affix it to all documents creating obligations on the Corporation, in the presence of the Council Clerk; but for the purpose of officially authenticating documents, the Mayor may alone affix the seal.

36. Any one or more of the standing orders of Council may be suspended at any meeting of the Council (for that meeting only) in case of emergency: Provided that a majority of members present consider it necessary.

37. Any Alderman absenting himself for more than two consecutive meetings of the Council, without leave, shall be fined ten shillings, unless reasonable cause for such absence shall be shown to the satisfaction of the Council.

38. The order of the day shall include all business of which due notice has been given and all matters arising out of former meetings of the Council. Any motion entered on the motion book, and the Alderman having

given notice of the same being absent, and no other Alderman deputed to bring forward such motion when the business is called in order, such motion shall be struck out.

I hereby certify that the foregoing by-laws, consisting of thirty-eight clauses, were duly passed by the Municipal Council of the Borough of Armidale, on the twenty-second day of April, in the year of our Lord one thousand eight hundred and sixty-eight.

T. B. FITZGERALD,  
Mayor.

THOMAS LAMB,  
Council Clerk.

BY-LAWS for the better enabling of the Council of the Borough of Armidale to collect rates.

1. The rates shall be levied and collected half-yearly, and shall be held to be due and payable on such days as the Council shall, by resolution, from time to time, appoint.

2. All persons liable to pay any rates or assessments, shall pay the amount within any such period that the Council have directed by a resolution, into the office of the Council Clerk during the office hours, that is to say, between the hours of 10 a.m. and 3 p.m. on Tuesdays.

3. It shall be the duty of the Council Clerk to furnish the Mayor of the Municipality, from time to time, with a list of the names of all persons who are in default within the meaning of section 176 of the Municipalities Act of 1867.

4. It shall be the duty of the Mayor of the Municipality to issue distress warrants against defaulters, after such default shall in manner aforesaid have been reported to him, and to cause such warrants to be enforced: Provided, that this by-law shall not prevent such other proceedings being taken for the recovery of over-due rates or assessments, as a majority of the Council shall, from time to time, deem necessary.

5. The bailiff of the Municipality shall be appointed by a resolution of the Council, and may at any time be removed in a similar way.

6. The bailiff shall find security to the Mayor—himself in £50, and two sufficient sureties in £25 each, for the faithful performance of his duty.

7. It shall be the duty of the bailiff to make all levies by distress for the recovery of rates in the manner herein-after provided.

8. Any person, whosoever, who shall interrupt, interfere with, or obstruct the bailiff of the Council, or his deputy, or any of his assistants in the execution of any warrant to distrain, or in the execution of his or their duty under such warrant, or under any of the provisions of the Municipalities Act of 1867, or under any of these by-laws, or in the performance of any matter or thing which he or they are authorized by law to do, shall forfeit and pay a penalty of not less than twenty-five pounds, nor more than fifty pounds.

9. All levies and distresses shall be made under warrant in the form or the effect of the schedule hereunto annexed and marked with the letter A, under the hands of the Mayor and the seal of the Municipality.

10. It shall be lawful for the bailiff or his deputy, and such assistants as he may take with him, to enter into any part of the building, tenements, or other property, in respect of which such rate or rates shall have been levied as aforesaid, and to distrain the goods therein or thereon, and to remain in or upon such building, tenement, or other property in charge thereof, until payment; and if the sum, for which such distress shall have been made or taken, shall not have been paid on or before the expiration of five days from the date of making such distress, it shall be lawful for such bailiff or his deputy to cause the goods or other property so distrained on, or a sufficient portion thereof, to be sold by public auction, on the premises, or at some public place within the Municipality, to be appointed for that purpose by the Council, and the surplus, if any, that may remain, after deducting the amount of the sum distrained for, together with expenses, over on demand to the owner of the goods so sold.

11. The bailiff, on making a distress as aforesaid, may impound or otherwise secure the distress so made, of what nature and kind soever it may be, in such part of the land or premises chargeable with the rate, or in such other place as shall be most fit and convenient for this purpose; and it shall be lawful for any person, whatsoever, after the expiration of the five days hereinbefore mentioned, to come and go to and from such part of the

said land and premises, where any distress shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

12. The bailiff shall hand over to the Council Clerk all proceeds of such distresses, within forty-eight hours after having received the same.

13. If the bailiff shall neglect or refuse, faithfully, to perform any of his duties, or shall make any bad use of the powers entrusted to him, or shall neglect to pay over the moneys received by him as such bailiff, within the time hereinbefore mentioned, he shall forfeit and pay a penalty of not less than one pound, nor more than ten pounds.

14. The bailiff may, with the sanction in writing of the Mayor of the Municipality, authorize, by writing under his hand, any person to act temporarily as his deputy, and the person thus authorized shall have and exercise all the powers of the bailiff himself, but the bailiff and his sureties shall in every case be held responsible by the Council for the acts of such deputy.

Made and passed by the Municipal Council of the Borough of Armidale, on the twenty-second day of April, in the year of our Lord one thousand eight hundred and sixty-eight.

T. B. FITZGERALD,  
Mayor.

THOMAS LAMB,  
Council Clerk.

*Warrant of distress against Tenant actually rated and occupant.  
To and his assistants.*

WHEREAS the person whose name appears in the schedule hereunder written has been rated by the Municipal Council of the Borough of Armidale in respect of the property also appearing in the said schedule at the sum and for the purpose set down opposite to his or her name And whereas the said sum was and still is due and payable on account of such rate and default having been made in the payment thereof to the Treasurer although demand has been made as is required by law These are therefore to authorize you forthwith to make distress of the goods and chattels in the first place upon those of the person named in the schedule if he or she be then resident in the said premises and have any goods and chattels there and in case of a change of possession then upon the goods and chattels of any person who shall then be the occupier thereof or upon the goods and chattels of the person in possession of the said premises so appearing in the said schedule at the time of executing this warrant And if within the space of five days next after the making of such distress the said sum of money set opposite to his or her name at which the person was so rated as aforesaid shall not be paid together with costs that then you do sell the said goods and chattels of the person so by you distrained and out of the money arising by such sale you retain the sum so due and owing for the premises in the said schedule mentioned and occupied by the party whose goods you shall have sold together with costs rendering to him or her the overplus and that you certify to me on or before the day of what you shall have done by virtue of this warrant.

#### SCHEDULE A.

No. in rate book.	Name of Ratepayer.	Description of property.	Situation of Property.	Rate.
				£ s. d.

Given under my hand and under the common seal of the Mayor Aldermen and Citizens of the Town of Armidale at the Town Hall this      day of      A.D. 186 .

Mayor.

#### *Schedule of costs.*

	s.	d.
For every warrant of distress .....	2	0
For every levy .....	1	0
For man in possession each day or part of a day .....	5	0
For inventory sale commission and delivery of goods not exceeding one shilling in the pound on the net proceeds of sale.		

I hereby certify that the above corporate seal was affixed in my presence according to by-law No. 35.

Council Clerk.

BY-LAWS for the care and management of the roads and public streets and public thoroughfares of the Borough of Armidale.

1. The Council shall, within the Municipality, have the care, construction, and management of all roads and public streets and public thoroughfares within the Municipality, which may have been, or may hereafter be, duly proclaimed or marked out, or in actual public use as such.

2. In any street or road, where it may be deemed necessary to cut or fill up to a greater depth than three feet, the Council shall cause a plan and section, showing the proposed cuttings and fillings, to be exhibited at the Council Chambers for seven days, for the information and inspection of ratepayers, and notify the same in one or more of the local newspapers; and no objections thereto shall be entertained by the Council, unless made within twenty-one days after such notice shall have been given.

3. No person shall encroach beyond the building-line in any street or lane, by the erection of houses, verandahs, door-steps, fences, or any other obstructions whatsoever, without consent of the Council.

4. No driver, carter, or other person, shall wilfully or negligently do or suffer, or cause to be done, any damage or injury to the culverts, kerbstones, gutters, or pathways of any street or roadway.

5. Any person whosoever who shall wilfully drive, lead, or ride any horse or cattle, or any other animal, along any pathway, (except in crossing such pathway to or from any premises adjoining the same), or shall permit any horse or cattle to stand upon any pathway, or any part thereof, within the Municipality, shall forfeit and pay a penalty of not less than five shillings, nor more than five pounds.

6. No person shall be allowed to alter, cut up, or destroy the pathways or roads, or to remove stone, loam, sand, gravel, or any other substance whatsoever, from any of the roads or streets of the Municipality, without the authority of the Council.

7. No person shall be allowed to obstruct any road, street, or public thoroughfare within the Municipality, by building materials, drays, carts, or anything calculated to obstruct and hinder free passage, without the sanction of the Council in writing; and no person shall be allowed to leave waterholes, or excavations for cellars or other purposes, unfenced, or in such a manner as to be dangerous to passers-by; and at all places where buildings are being carried on, or where any obstruction to the danger of passers-by exists, the person causing such obstructions shall be required to provide lights on either side, and keep the same lighted from sunset to sunrise.

8. If any person or persons shall drive, or cause to be driven, any cart or other vehicle with any night-soil, or shall take away or remove any noisome matter in any cart or other vehicle, through or in any of the streets, roads, or public places within the said Municipality, between the hours of 6 o'clock in the morning and 10 at night, or shall fill any cart or other carriage so as wilfully to turn over or cast any night-soil, or other offensive matter, in or upon, or near any of the said streets or public places, or shall deposit or cast out the night-soil hereinbefore described, from such carts as aforesaid nearer to any street, road, or dwelling-place, than shall be directed by the said Council, or shall allow any such carts to stand nearer to any road, street, or dwelling-place than shall be directed by the said Council, he shall for every such offence forfeit and pay a penalty of not less than one pound, and not more than ten pounds; and in case the person so offending cannot be apprehended, then the owner of such cart or other vehicle, in which such night-soil or offensive matter shall be put or placed, and also the employer of the person offending, shall be liable to pay and forfeit such penalty as aforesaid.

9. Any person who shall form, dig, or open any drain or sewer, in any part of the lanes, roads, streets, or thoroughfares within the Municipality, or shall move or cause to be moved any turf, clay, sand, soil, gravel, stone, or other material, without leave first had and obtained from the officers or persons having lawful charge of such lanes, roads, streets, or thoroughfares respectively, or who shall wantonly break up or otherwise damage any part of the said lanes, roads, streets, or thoroughfares, shall on conviction forfeit and pay for every such offence a penalty of not less than one pound, nor more than five pounds.

10. The Council, or any officer appointed by them, may, after one month from the date of publication of these by-laws in the *Government Gazette* upon due notice direct the removal of any fence or other obstruction or encroachment in and upon any lane, road, street, or thoroughfare under the management of the Council; and such notice shall be served personally, or at the usual or last known place of abode of the person who made, or caused to be made, such obstruction or encroachment, or any party who may be in charge of the same, or to whom the same may belong.

11. In any case where service of notice for the removal of any obstruction as aforesaid, the same shall not be removed within such reasonable time as the Council shall appoint, it shall be lawful for the Council to direct the removal of the same, at the cost of the person by or to whom the same shall have been made, or any party who may be in charge, or to whom the same may belong: Provided that the expenses thereby incurred shall not exceed the sum of twenty pounds; and in any case where the obstructions or encroachments cannot be removed, unless at a greater cost than twenty pounds, it shall be open to the Council either to direct such removal and to pay all costs thereof, above twenty pounds, from the Municipal funds, or to proceed by action of trespass against the person who shall make, or cause to be made, such obstructions or encroachments, or who may be in charge thereof.

12. Any person who shall ride or drive through any lane, road, street, or public place, negligently, carelessly, or furiously, to the common danger of the public, shall forfeit and pay a sum not less than ten shillings, nor more than five pounds.

13. Upon representation by any two respectable householders that the house, premises, yard, closet, or drains of the adjoining premises, are a nuisance or offensive, the Mayor and any two Aldermen shall cause an inspection to be made of the premises complained of, and if any such premises shall be found to be a nuisance, or otherwise offensive, notice in writing shall be given to the proprietor, or resident of such premises, that if, within seven days after such notice, the nuisance shall not be removed, the proprietor or tenant of the aforesaid premises, shall be liable to a penalty of not less than one pound, nor more than ten pounds.

14. Upon representation by any two respectable householders that the house or premises adjoining is one of ill-fame, it shall be lawful for the Mayor and any two Aldermen, to cause the resident of such house to furnish to the Council a list of the names, sex, birth-place, and occupation of all the inmates of the said house, and upon non-compliance with the request, or if, upon consideration, the Mayor and any two Aldermen still consider the house to be one of ill-fame, the Mayor shall cause a notice in writing, to be served on such householder or resident to discontinue and abate the said house of ill-fame within forty-eight hours after the receipt of such notice, otherwise to be liable to a penalty not exceeding one pound for every day, or part of a day, which such house of ill-fame shall remain unabated within the Municipality.

15. Any person who shall cast any filth, rubbish, or any dead animal, or any animal with intent of drowning, into any public watercourse, sewer, water-hole, or river, or creek, or canal, or shall obstruct or direct from its channel, any such sewer, canal, or watercourse, shall forfeit and pay a sum of not less than one pound, nor more than five pounds, and shall pay the costs of removing such filth or obstructions, or of restoring such watercourse or canal to its proper channel, not exceeding fifty pounds in the whole.

16. Any person who shall wash or caused to be washed any wool, hides, skins, or otherwise, in any creek or watercourse within the Municipality, shall forfeit and pay a penalty of not less than one pound, nor more than ten pounds.

17. It shall not be lawful for any person whomsoever to suffer any kind of swine, or any horse, ass, mule, sheep, goat, or cattle belonging to him, or under his or her charge, to stray, or go about, or to be tethered, or depastured in any lane, road, or street within the said Municipality; and any person who shall so offend shall forfeit and pay, in respect of every such animal, a sum not less than five shillings, nor more than two pounds: Providing that after due enquiry shall have been made, and the owner thereof cannot be discovered, it shall be lawful for the said Council, or any officer belonging to the said Council, to destroy any swine or goats so straying, and injuring

property of any description: Provided further, that the Council, or any officer or officers appointed by them, may impound any swine, horse, ass, mule, sheep, goat, or cattle found straying or going about, or depasturing in any lane, road, or street, within the Municipality.

18. If any person shall haul or draw, or caused to be hauled or drawn, upon any part of the streets, roads, or public places, any timber, stone, or other thing otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages, to drag or trail upon any part of such street or public place, to the injury thereof, every such person so offending shall forfeit and pay for every such offence a sum not less than five shillings, nor more than two pounds over and above the damages occasioned thereby; and it shall be lawful for any constable or any other person to lay an information against any person whom he shall find in the act of committing any such offence.

19. If any person shall in any street or road throw, cast, or lay, or shall permit or suffer to be thrown, cast, or laid, or to remain any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth or annoyance, or any matter or thing in or upon the carriage-way or footway of

any such street or road, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other cattle in or so near to any of the said streets or roads as that any blood or filth shall run or flow upon or over or to be on any such carriage or footway, shall forfeit and pay a sum not less than ten shillings nor more than forty shillings.

20. All fines, penalties, and forfeitures incurred under any of these by-laws may be recovered in a summary way before any two Justices in Petty Sessions, according to the provisions of the Act 14th Victoria, No. 43, and the Acts therein adopted.

21. That it shall and may be lawful for any ratepayer residing within the Municipality to give such information as may be necessary for the conviction of any party or parties who may ride or drive any horse, cattle, or vehicle upon the footpaths of this Municipality.

22. In any by-laws of this Municipality, any words in the singular number shall be taken to import the plural number, and any words in the plural number shall also be taken to import the singular number, and any words in the masculine gender shall be taken to include the feminine gender, unless the same shall be repugnant to the construction thereof.

Made and passed by the Municipal Council of the Borough of Armidale, on the twenty-second day of April, one thousand eight hundred and sixty-eight.

THOMAS LAMB,  
Council Clerk.

T. B. FITZGERALD,  
Mayor.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(MUNICIPALITY OF THE BOROUGH OF ST. LEONARDS—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

## MUNICIPALITY OF THE BOROUGH OF ST. LEONARDS.

## BY-LAWS.

WHEREAS it is expedient that provision should be made for regulating the proceedings of the Municipal Council of the Borough of St. Leonards, it is hereby ordered by the said Council, by virtue of the power and authority vested in the said Council in that behalf, that on the first day of September A.D. 1868, the following By-laws shall be the Standing Orders for regulating the proceedings of the said Council, and shall commence and take effect from that day.

*Business-papers.*

1. The business-paper of each ordinary meeting of the Council shall be made up by the Council Clerk, who shall, in so doing, place each notice of motion in the same numerical order in which it has been handed to him: Provided, however, that it shall be open to the Council, at any time, upon a motion by any member, without notice, to direct that any particular business have precedence: Provided, also, that any business may, with the consent of the Council, be postponed to a later period of the evening.
2. The business-paper, when then made up by the Council Clerk, shall be deemed a record of the Council, and no member or officer shall be permitted to alter it in any way.

*Duties of Chairman.*

3. The Chairman shall preserve order, and his decision on disputed points of order shall be final.
4. When the Chairman is called upon to decide a point of order or practice, he is to state the rule applicable to the case, without argument or comment.
5. The Chairman shall, on every motion made and seconded, put the question, first in the affirmative and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion as to which party has a majority.
6. If two or more members rise to speak at the same time, the Chairman shall decide which member is entitled to pre-audience.
7. The Chairman may, without waiting for the interposition of any member of the Council, call to order any Alderman proceeding to speak a second time, except in explanation and without introducing any new matter, or speaking with permission of Council.
8. Questions having reference to any business before the Council, or to any matter connected with his office, shall be put to an officer of the Council by the Chairman, and by him alone.

*Order of Business.*

9. The business of the ordinary meetings of the Council shall be taken in the following order, viz.:—
  1. Reading correspondence referred to the Council.
  2. Reading and receiving petitions and memorials without discussion.
  3. Reading and receiving reports from Committees and officers of the Council.
  4. Notices of motion.
10. The question of confirming the minutes of the previous meeting shall be proposed by the Chairman at every original meeting only, immediately upon their being read; and no discussion shall be allowed thereon, except on the point of accuracy.
11. The adoption of the report of the Finance Committee on the payment of accounts shall take precedence of other reports.

*Rules of Debate.*

12. Every member shall stand when speaking, and shall address the Chair.
13. Except in Committee, no member shall speak more than once on the same question, unless in explanation when misrepresented or misunderstood, or by permission of the whole Council: Provided, however, that the mover of any question shall be allowed the liberty of reply, and, provided further, that every member shall be at liberty to speak once on every amendment as well as on the original motion, but the right of reply shall not extend to the mover of any amendment.
14. No member shall speak upon any motion or amendment for a longer time than ten minutes, except by permission of the Council.
15. No member shall digress from the matter under discussion, nor make personal reflections upon members, nor impute motives.
16. When any member shall use any expression which the Chairman, or majority of the other members then present, shall think to be capable of being applied offensively to any other member, the expression shall be taken down, and the member so offending shall be required by the Chairman to withdraw the expression, and to make a satisfactory apology to the Alderman injured, failing which, a minute expressive of the Council's disapprobation shall be recorded against him.
17. No member, except on a point of order, shall be allowed to interrupt any speaker, either by remarks or otherwise.



18. Whenever any matter of order arises, it shall be taken into consideration immediately; and upon a member rising to order, he shall be heard, and the member who was speaking shall sit down until the question of order shall be stated.

19. Any member may require the question for discussion, or matter connected with it, to be read for his information, at any time during a debate, but not so as to interrupt any other member when speaking.

20. A debate may be adjourned to a later hour of the day, or to another day specified; and the member upon whose motion a debate is adjourned shall be entitled to pre-audience on resumption of the debate.

21. Any question may be decided by ballot, should a majority of the members then present require it. Should no ballot be required, it shall be competent for any member to divide the Council upon any question put from the Chair, either in full Council or Committee of the whole Council; and upon such division, those who are on the affirmative side shall place themselves on the Chairman's right hand, and those who are on the negative shall place themselves on his left hand; and no member shall leave his place until the names of all the members present have been taken down by the Council Clerk, or person officiating for him, and shall be entered on the Minutes of the proceedings.

#### *Motions.*

22. All motions and amendments shall be in writing, and shall be signed by the mover and seconder.

23. When a motion or amendment has been proposed and seconded, it shall be the property of the Council, and shall not be withdrawn without the consent of the Council.

24. Any number of amendments may be proposed on a motion before the Council; and when more than one amendment is moved and seconded, the rule shall be that the question shall first be put on the last amendment, and then on the one next to the last, and so on in the inverse order in which they are moved: Provided, however, that the Chairman may depart from this order when it shall appear to him, or to a majority of the Council, that the sense of the Council may be more correctly ascertained by such deviation: Provided also, that when such motion or amendment shall relate to the fixing of salaries, or other matters of finance, the lowest sum shall be put first, then the next lowest, and so on to the highest: Provided also, that after a question on the last amendment shall have been put from the Chair, no further amendment shall be received.

25. Any motion for adjournment, if seconded, shall be put immediately, without discussion; but if such motion be negatived, it shall not be competent for any member to make a similar motion until at least half an hour shall have elapsed from the period of moving the one that has been negatived.

26. No resolution of Council shall be rescinded, unless seven days' notice of the intention to rescind such resolution be given, in writing, to each member of Council.

#### *Committees.*

27. In a Committee of the whole Council the general rules of the Council shall be observed, except the rule limiting the number of times of speaking.

28. Every report of a Committee shall be signed by the chairman or sub-chairman thereof.

29. The Standing Committees, namely, the Finance Committee, the Improvement Committee, and the By-laws Committee, shall be appointed for the municipal year, at the first meeting of the Council after the election of the Mayor of the Municipality.

30. All reports of Committees shall be fairly written upon foolscap paper, for convenience of binding or folding.

31. No matters of account shall be disposed of by the Council until they shall have been examined and reported upon by the Finance Committee.

32. No payments out of the funds of the Council shall be made but such as are authorized by a vote of the Council: Provided always, that the Finance Committee may, on its own discretion, authorize disbursements for current expenses, to any amount not exceeding five pounds in any one week: And provided further, that in cases of emergency, the Mayor, with the assent of any two Aldermen, may authorize the expenditure of any sums not exceeding twenty-five pounds in all, during a recess; but all such payments, whether by the Finance Committee or by the Mayor, shall be reported to the Council, in writing, at its next sitting.

33. No public works, involving an expenditure of more than ten pounds, shall be undertaken, until the Improvement Committee have reported to the Council an estimate of the probable cost thereof.

#### *By-laws.*

34. Before any proposed By-law shall be discussed in Council, a copy thereof shall be open to public inspection in the Municipal Council Chambers, for a period of not less than seven days.

35. All By-laws, when confirmed and published as the law directs, shall be fairly transcribed into a book to be kept for that purpose, signed by the Mayor and countersigned by the Council Clerk; and the said book shall at all reasonable times be open to public inspection.

#### *Miscellaneous Regulations.*

36. In cases where security is required by the Municipalities Act, the sureties shall be approved by the Council. And it shall not be competent for the Council to accept as surety any of its members, or any person holding office under the Council.

37. The Treasurer's accounts shall be laid before the Council once in every quarter, or oftener if required by the Council.

38. The common seal, and all charters, deeds, muniments, and records of the Council, shall be kept in the Council Chambers, in the custody of the Council Clerk, unless for any purpose the Council shall otherwise order.

39. Any one or more of the Standing Orders may be suspended, if a majority of the Council shall deem such suspension necessary; provided that due notice of such proposed suspension be given.

WILLIAM TUNKS,

Adopted 1st July, 1868.

Mayor.

GEORGE PILE, Junr.,

Council Clerk.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF BALMAIN—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

## BOROUGH OF BALMAIN.

## BY-LAWS.

*To establish Tolls, Rates, and Dues at certain Public Wharves.*

1. That the wharves at the foot of the undermentioned streets, situate within and belonging to the Borough of Balmain, are public wharves at which tolls, rates, and dues may be collected under the Municipalities Act of 1867, namely:—Adolphus-street, Darling-street, Mort-street, and at the northern side of Waterview Bay.

2. That the Municipal Council for the time-being of the Borough of Balmain, or their lessee or lessees, shall be entitled to and may charge, demand, and receive at the said wharves, respectively, the tolls, rates, and dues, following, that is to say:—

3. For each steamer embarking or landing passengers or cargo at any of the said wharves, not exceeding ten shillings for each week, or two shillings and six-pence for each trip, for any term less than a week; from every licensed waterman plying for hire, one shilling for each week; for all other vessels embarking or discharging any cargo, not exceeding six-pence for each ton, or for any quantity less than a ton at one time.

4. No vessel, other than such as shall have a right to ply, embark, or land cargo at any of the public wharves, will be allowed to make fast any warp to the same or any of them.

5. Any person who shall wilfully commit a breach of these By-laws, shall, for the first offence, forfeit and pay a sum not to exceed five pounds, for the second offence a sum not less than five pounds and not exceeding ten pounds, and for every other offence not less than ten pounds and not exceeding twenty pounds additional, recoverable before any two Justices of the Peace.

Passed the Municipal Council of Balmain, this the second day of June, in the year of our Lord, one thousand eight hundred and sixty-eight.

H. PERDRIAU, Mayor.

HENRY CATT, Council Clerk.

## No. 3.

## A BY-LAW FOR COLLECTING RATES.

1. It shall be the duty of the Council Clerk to furnish the Mayor of the Borough with a list of all persons whose rates are unpaid at the expiration of the thirty days after notice thereof given pursuant to the 176th section of the Municipalities Act of 1867; and it shall be the duty of the Mayor to lay such list of defaulters before the Council as early as practicable.

2. For the purpose of saving expense and simplifying the levying of distress, it shall be lawful for the Mayor to make and issue one or more warrants of distress against any number of persons neglecting or refusing to pay the rate.

*The Bailiff and his duties.*

3. The bailiff of the Borough shall be appointed by resolution of the Council, and may, at any time, be removed in a similar way.

4. The bailiff shall give security to the satisfaction of the Mayor, to the extent of fifty pounds, for the faithful performance of his duty.

5. It shall be the duty of the bailiff to make all levies by distress for the recovery of rates, in the manner hereinafter provided.

6. All levies and distresses shall be made under warrant, in the form or to the effect of the schedule hereto annexed and marked with the letter A, under the hand of the Mayor or any person who may, for the time being, be duly authorized to perform the duties of that office.

7. It shall be lawful for the bailiff or his deputy, and such assistants as he may take with him, to enter into any part of the building, tenement, or other property, in respect of which such rate or rates shall have been made as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of three days, together with the cost of such distress, it shall, between the hours of twelve at noon and two in the afternoon on the next day thereafter, be lawful for such bailiff, or his deputy, to cause the goods so distrained on, or a sufficient portion thereof, to be sold by public auction, either on the premises, or at such other place within the Borough of Balmain, as the said bailiff or his deputy may think proper to remove them to for such purpose; and the surplus (if any) that may remain after deducting the amount of the sum distrained for, with costs as aforesaid, to pay over on demand to the owner of the goods so sold.

8. The bailiff, on making a distress as aforesaid, may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such places or in such part of the land or premises chargeable with the rate, as shall be most fit and convenient for this purpose. And it shall be lawful for any person whatsoever, after the expiration of the three days hereinbefore mentioned, to come and go to and from such place or part of the

said land or premises where any distress shall be impounded and secured as aforesaid, in order to view and buy and in order to carry off and remove the same on account of the purchaser thereof.

9. The owner of any goods so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold; and the said goods and chattels shall in such case be put up for sale according to such directions.

10. The bailiff shall hand over to the Council Clerk all proceeds of such distresses, within forty-eight hours after having received the same.

11. The bailiff may, with the sanction of the Mayor of the Borough, or, in his absence, with the sanction of any member of the Finance Committee, authorize any person to act temporarily as his deputy; and the person thus authorized shall have and exercise all the powers of the bailiff, and his sureties shall in every case be held responsible for the acts of such deputy.

12. The bailiff shall be paid for every levy made under these By-laws according to the schedule hereunto annexed marked C.

#### SCHEDULE A.

##### *Warrant of distress.*

I, Mayor of the Borough of Balmain, do hereby authorize you, the Bailiff of the said Borough, or your deputy, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of situate at for being the amount of rates due to this Borough to the day of for the said dwelling-house, land, or premises, as

the case may be, and to proceed thereon for the recovery of the said rate according to law.—Dated this day of A.D. 1868.

Mayor.

#### SCHEDULE B.

##### *Inventory.*

I have this day, in virtue of the warrant under the hand of the Mayor of the Borough of Balmain, dated of which a copy is attached hereto, distrained the following goods and chattels in the dwelling-house or in and upon the land and premises of situate at within the Borough of Balmain, for being the amount of rates due to the said Municipality to the day of A.D. 1868.

Bailiff.

#### SCHEDULE C.

##### *Fees to Bailiff.*

For making an entry and inventory, 5s.; if in possession more than five hours, 8s. additional; and for every subsequent day whilst in possession, 8s. per day.

Mayor.

Passed the Municipal Council of Balmain, this the second day of June, in the year of our Lord one thousand eight hundred and sixty-eight.

H. PERDRIAU,

Mayor.

HENRY CATT,  
Council Clerk.

1868-9.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF BALMAIN—BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

Colonial Secretary's Office,  
Sydney, 22nd February, 1869.

BOROUGH OF BALMAIN.

BY-LAW.

THE following By-law, made by the Council of the Borough of Balmain, to facilitate the abatement and removal of nuisances within that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

BOROUGH OF BALMAIN.

BY-LAW TO FACILITATE THE ABATEMENT AND REMOVAL OF  
NUISANCES.

UPON representation made to the Council or to the Mayor, by the Health Officer, Inspector of Nuisances, or a householder, at any time, that any house, cellar, closet, or other building or yard, or premises, situate within the Borough of Balmain, contains filth, offal offensive, or stagnant water, or other offensive matter, causing a nuisance, or that the contents of any privy or water-closet overflows or soaks therefrom, the Mayor may cause an inspection to be made of the premises complained of, and if he shall think fit, give notice in writing to the proprietor or occupier of such premises, to remove or abate any such nuisance or offensive matter within twenty-four hours after service of such notice; and if the same be not removed or abated within such twenty-four hours, the proprietor or occupier shall be liable to pay a penalty not exceeding forty shillings for every such offence, and a further penalty of ten shillings for every day during

which any such nuisance or offensive matter shall be continued or allowed to remain after the expiration of such notice; and the Municipal Council, or Mayor, or any one duly appointed by him, shall remove or abate, or cause to be removed or abated, every such nuisance. And the said Municipal Council or Mayor, or any one appointed by him, shall have power to enter any house, yard, or premises, for the purpose of ascertaining whether there be any nuisance therein, or of removing or abating the same. And the expense incurred by them in carrying out the provisions of this by-law shall be repaid to them by the occupier or owner of the premises upon which the same exists, and be recoverable before any two Justices of the Peace.

Passed the Municipal Council of the Borough of Balmain, this 17th day of November, in the year of our Lord one thousand eight hundred and sixty-eight.

H. PERDRIAU, Mayor.  
HENRY CATT, Council Clerk.



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF PARRAMATTA—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 28th August, 1868.

## BOROUGH OF PARRAMATTA.

## BY-LAWS.

THE following By-laws made by the Council of the Borough of Parramatta, for regulating the proceedings of the Borough Council, and preserving order at Council meetings,—for the better enabling the Borough Council to collect rates,—for regulating and licensing public carriers, carters, water-drawers, and vehicles plying for hire,—for regulating the market and fixing dues,—for the regulation and management of the public wharf, fixing dues, and the maintenance of good order thereat,—and for the care and management of the public roads and thoroughfares,—having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

## BOROUGH OF PARRAMATTA.

BY-LAWS for the regulation of the proceedings of the Council of the Borough of Parramatta.

## STANDING ORDERS OF THE COUNCIL OF THE BOROUGH OF PARRAMATTA.

*General Duties of the Chairman.*

1. The Chairman shall preserve order, and his decision on disputed points of order shall be final.
2. The Chairman may take part in all proceedings of the Council.
3. The Chairman shall put all questions, and declare the sense of the Council thereon.
4. The Chairman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on the same question, except in explanation, and without introducing any new matter.

*General Rules for the Conduct of Business.*

5. Reports from Committees shall be received before any other business, but shall not be considered or adopted without due notice thereof.
6. Whenever any question of order arises, it shall be immediately taken into consideration.
7. Every member of Council who shall make any motion, or move any resolution, shall be allowed to reply; and every member shall have the liberty of speaking once on each amendment, as well as on the original motion.
8. No member shall digress from the matter under discussion, or make personal reflections, or impute motives.
9. When any member shall use any expression capable of being applied offensively, and the Mayor's attention being called thereto by one of the Aldermen, the Mayor shall order such offensive words to be taken down by the Clerk; and request the member so offending to retire, and shall decide, as to the point of order, which decision shall be reported to the member on his return, who shall then be allowed to speak in explanation.
10. It shall be competent for any member to divide the Council on any question, both in full Council, and in Committees of the whole Council.
11. All divisions, with the names of the Aldermen, shall be entered on the minutes of the Council.

12. Any member may require the question or matter under discussion to be read for his information at any time during the debate, but not so as to interrupt any other member while speaking.

*Motions.*

13. After the presentation of Reports and Petitions, and the reading of Correspondence, Motions shall take precedence of all business of the day.

14. Any number of amendments may be proposed on a motion before the Council, and when more than one amendment is moved and seconded, the question shall first be put on the last amendment, and then on the next to the last, and so on, in the reverse order in which they are moved, except when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, in which case the lowest sum shall be put first, and then the next lowest, and so on to the highest.

15. Any motion for adjournment, if seconded, shall be immediately put without discussion; but if such motion be negatived, it shall not be competent for any member to make a similar motion until after other business has been transacted.

16. The Council Clerk shall receive every notice of motion; if put into writing, and when moved and seconded, shall be considered the property of the Council, and shall not be withdrawn without leave of the Council.

*Petitions.*

17. On the presentation of a petition, no debate shall take place until notice has been given in the usual manner; and the only question that can be entertained by the Council on the day of its presentation shall be that the petition be received, or that it be referred to a Committee.

18. It shall be incumbent on any member presenting a petition, to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

19. All petitions shall be received only as the petitions of the parties signing the same.

*Committees.*

20. The Chairman of every Committee shall be the convener thereof, and may direct the Council Clerk to call meetings whenever he shall think it expedient.

21. The rules of the Council shall be observed in a Committee of the whole Council, excepting the rule limiting the number of times of speaking.

22. Every report of a Committee shall be signed by the Chairman thereof.

*Miscellaneous Regulations.*

23. In cases where securities are required by the Municipalities Act, sureties shall be approved by the Council; and it shall not be competent for the Council to accept as surety any of its members or any person holding office under the Council.

24. No work affecting the funds of the Municipality shall be undertaken until the probable expense be first ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee, and reported on by them before any warrant shall be issued for the payment thereof.

25. The Treasurer's accounts shall be laid before the Council by the Mayor at the first meeting of each quarter, or oftener if required.

26. No person shall be at liberty to remove any book, paper, or record, from the Council Chamber, without leave first had and obtained from the Mayor.

27. The Seal of the Municipality, and all charters, deeds, muniments, and records of the Council, shall be kept in the Council Chamber, in the custody of the Council Clerk, unless the Council shall otherwise order.

28. Any one or more of the Standing Orders may be suspended *pro tempore* in a case of emergency, if a majority of the Council then present shall deem such suspension necessary.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, 26th May, A.D. 1868.

JOHN CHAS. BARKER,  
Council Clerk.

T. W. BOWDEN,  
Mayor.

BY-LAWS for the better enabling the Municipal Council of the Borough of Parramatta to collect rates.

1. That all persons liable to pay rates or assessments shall pay the amount when due at the office of the Council Clerk, in the Municipal Council Chambers, during office hours.

2. All levies and distresses shall be made under warrant, in the form or to the effect of the Schedule hereunto annexed, and marked with the letter A, under the hand of the Mayor.

3. The Bailiff shall hand over to the Council Clerk all proceeds of such distresses within forty-eight hours after having received the same.

4. The costs and charges incurred, and to be paid for any levy, for rates under, and by virtue of the provisions of the Municipalities Act of 1867, shall be as set out at the foot of Schedule A, hereunto annexed.

5. The owner of any goods distrained upon may, at his or her option, direct and specify the order in which they shall be successively offered for sale; and the said goods and chattels shall, in such case, be put up for sale according to such directions.

A.

*Warrant of Distress.*

I, Mayor of the Borough of Parramatta, do hereby authorize you, the Bailiff of the said Borough, or your deputy, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of , situate at , for , being the amount of rates due to this Borough to the day of , for the said dwelling-house, land and premises, as the case may be, and to proceed thereon for the recovery of the said rates, according to law.

Dated at Parramatta, this day of A.D. 186 .

Mayor.

To

Bailiff and his assistants.

*Schedule of Costs.*

	s.	d.
For warrant of distress	2	0
For levy	1	0
For man in possession, each day or part of a day	5	0
For inventory, sale, commission, and delivery of goods, not exceeding one shilling in the pound on the net proceeds of the sale.		

*Inventory.*

I have this day, by virtue of the Warrant of which a copy is attached hereto, distrained the following goods and chattels in the dwelling-house (or in and upon the land and premises) of , situate at within the Borough of Parramatta, being the amount of rates due to the Municipal Council of the said Borough, to the day of , A.D.

Dated this day of , A.D. 186 .

Bailiff.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, 2nd June, A.D. 1868.

T. W. BOWDEN,  
Mayor.

JOHN CHAS. BARKER,  
Council Clerk.

BY-LAWS for the regulation and licensing of public carriers, carters, water-drawers, and public vehicles, omnibuses, cars, hackney carriages, cabs, water-carts, drays, carts, or vans, and the drivers and conductors of passenger-carrying vehicles.

1. No vehicle shall ply or be used for hire within the Borough of Parramatta, unless the same be duly licensed in the manner hereinafter described.

2. Before any license for plying a vehicle, or to drive or conduct the same, shall be granted, the party requiring such license shall obtain from the Council Clerk, free of charge, a requisition in the form of the schedule hereunto annexed marked with the letter A, or to the like effect, and duly fill up and sign the same, and deliver it to the Council Clerk; and in the case of drivers or conductors, shall also obtain a certificate from two respectable householders, to the effect that the applicant is of good character, and competent to act as such driver or conductor, as the case may be.

3. No license shall be granted in respect of any vehicle which in the opinion of three Aldermen, who shall be appointed by a resolution of the Council of the said Borough, is unsafe, or in bad repair, or otherwise unfit for the accommodation and conveyance of passengers therein; nor until the number of such vehicle be painted thereon, on a plate or plates affixed thereon outside on the panel of each door of such vehicle, or on such other place or places, and in such manner as the said three Aldermen may direct.

4. Licenses for proprietors, drivers, and conductors of vehicles shall be in the form contained in the schedule hereunto annexed, marked with the letter B, or to the like effect; and any person plying, driving, or conducting any vehicle for hire with passengers without such license, shall be deemed guilty of a breach of these By-laws.

5. Every license granted under these By-laws shall be under the Common Seal of the Council of the Borough of Parramatta, and signed by the Mayor, and countersigned by the Council Clerk, upon production of a certificate signed by the Aldermen who shall be appointed as aforesaid, and shall be in force from the date of such license until the 31st day of December next ensuing, subject to the conditions in section 10; and no such license shall include more than one vehicle: Provided that where the licensed vehicle shall be under repair, if the proprietor shall so desire, he may be permitted to substitute another for a period to be then specified, and endorsed on the license signed by the Mayor, and countersigned as aforesaid.

6. For every such license there shall be paid to the Treasurer of the Borough of Parramatta, for the benefit of the town fund, the several rates set forth in the schedule hereunto annexed marked with the letter C.

7. No license shall be granted to any person to drive any passenger-carrying vehicle who shall be under the age of eighteen years.

8. All licenses shall be made out by the Council Clerk, and numbered consecutively.

9. The person in whose name a license shall appear to have been obtained shall be *prima facie* deemed to be the owner of the vehicle in respect of which the same shall have been taken out.

10. The three Aldermen aforesaid shall, as often as they may deem it necessary, cause an inspection to be made of all or any licensed vehicles, and of the harness, horse, or horses; and if any such vehicles, harness, horse, or horses, shall at any time be found by the said Aldermen to be unfit for use, the Mayor may cancel the license of such vehicle, on the written report of the said Aldermen.

11. The number of the license granted to every omnibus or car, in figures not less than four inches in height, and for every hackney carriage or cab in figures not less than two inches in height, of proportionate breadth, white upon a ground of black, shall be painted outside on the panel of the door or doors of such vehicle, or on such other part or parts thereof as the Aldermen aforesaid may direct; and such numbers shall be kept legible and undefaced during all the time such vehicle shall ply or be used for hire.

12. The number of the license of every hackney carriage or cab, on a card or plate six inches by three inches, painted or printed in clear legible figures, and the table of fares fixed by the Council, shall be affixed at the upper part of the front panel, or in such other place or places inside of such carriage or cab as the three Aldermen aforesaid may direct; and such card or plate shall be kept so affixed and legible and undefaced during all the time the carriage or cab shall ply or be used for hire.

13. No proprietor or driver of any licensed hackney carriage or cab shall demand, receive, or take more than the several fares set forth in the schedule hereunto annexed, marked with the letter D: Provided that the sums so set forth may be varied from time to time by a resolution of the Council, as occasion may seem to them to require; and notice of such alteration shall be published in the *Government Gazette*, and in one or more of the newspapers circulating in the Borough.

14. So far as concerns fares in these By-laws, any vehicle, of whatever form or construction, for which a hackney-carriage license has been taken out, if drawn upon four wheels, shall be deemed to be a *hackney carriage*; and if drawn upon two wheels, a *cab*.

15. Carters (plying for hire) of water-carts, drays, carts, or vans, are to be registered at the Council Chamber, and receive a license, for which each applicant shall pay in accordance with schedule C.

16. The name and place of abode, number of license, and the words "licensed cart, dray, or van," as the case may be, are to be painted, in letters one inch long, upon the right or off side of such cart, dray, or van.

17. Whenever the word "vehicle" shall be used in these By-laws, the same shall be understood to apply to either an omnibus, car, hackney carriage, or cab; and an omnibus shall be meant to be a vehicle upon four wheels, drawn by two or more horses; and a "car," a vehicle upon two wheels; and a "hackney carriage" shall mean a vehicle upon four wheels, drawn by two or more horses; and a "cab," a vehicle upon two wheels for which a "hackney-carriage" license has been taken out; and the word "cart" shall be understood to apply to carts, drays, or vans plying for hire.

18. That all vehicles licensed to carry passengers shall be provided with suitable carriage lamps, to burn candles, one to be fixed on each side of the driver's box, and a third one inside of all omnibuses and closed coaches; and that the same shall be lighted not later than one hour after sundown, and kept burning while the vehicles are on the stand, or running the streets, either with or without passengers.

19. That when any carriage is submitted for inspection by the owner or other applicant, with a view to obtain a license, the Aldermen appointed by the Council to that duty shall then determine upon the number of passengers the vehicle shall be permitted to carry, and give a certificate to that effect, such number to be mentioned in the license.

20. That the number of passengers the vehicle is licensed to carry, and the legal fare, shall be painted or printed in legible characters, and affixed within and without the vehicle, in such places as the inspecting Aldermen shall direct.

21. For every offence against the provisions of these By-laws, the offender shall be liable to and pay a penalty of not more than twenty pounds nor less than ten shillings, to be recovered in a summary way as the law directs.

#### SCHEDULE A.

##### A Requisition for License.

To the Municipal Council of the Borough of Parramatta.  
I, \_\_\_\_\_, residing at \_\_\_\_\_ street,  
within the Borough of Parramatta, do hereby request that a  
license may be granted to me to \_\_\_\_\_  
within the limits of the said Borough.  
Dated at Parramatta, this \_\_\_\_\_ day of \_\_\_\_\_  
A.D. 186 \_\_\_\_.

Description of

#### SCHEDULE B.

##### Form of License for Driver or Conductor.

This is to certify that \_\_\_\_\_ of \_\_\_\_\_ street,  
Parramatta is hereby licensed to \_\_\_\_\_ (an  
omnibus, car, hackney carriage, or cab, as the case may be),  
from \_\_\_\_\_ to 31st December, 186 \_\_\_\_ inclusive, within  
the Borough of Parramatta, subject, nevertheless, to all and every  
the by-laws, rules, and regulations in force relating thereto.  
Given under my hand, and under the Common Seal of the  
Council of the Borough of Parramatta, in the Colony of New  
South Wales, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 186 \_\_\_\_.

Council Clerk.

Mayor.

#### SCHEDULE C.

##### A TABLE of Rates to be paid by the Proprietors, Drivers, and Conductors of Licensed Vehicles.

Proprietors of	On and after 1st January.			On and after 1st April.			On and after 1st July.			On and after 1st October.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Omnibus .....	2	0	0	1	10	0	1	0	0	0	10	0
Cars .....	2	0	0	1	10	0	1	0	0	0	10	0
Hackney Carriages .....	2	0	0	1	10	0	1	0	0	0	10	0
Cabs .....	2	0	0	1	10	0	1	10	0	0	10	0
Water-carts, Drays, Carts, or Vans .....	1	10	0	1	2	6	0	15	0	0	7	6
For every Driver's license for a vehicle to carry passengers ..										0	5	0
For every Conductor's license for do do do ..										0	5	0

#### SCHEDULE D.

Rates and fares to be paid for any Hackney Carriage or other passenger-carrying vehicle, plying within the limits of the Borough of Parramatta:—

If drawn by one or more horses, at the rate or fare of sixpence for any distance not exceeding a mile.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, 2nd June, A.D. 1868.

[L.S.] T. W. BOWDEN,

Mayor.

JOHN CHAS. BARKER,  
Council Clerk.

#### By-LAWS for the regulation of the Parramatta Market.

1. The Parramatta Market shall be a general market for the sale of live-stock, game, and poultry; also, for grain, pulse, hay, straw, grass, and other green fodder; also, for butcher's meat, and dairy produce; also, for fruit, vegetables, garden produce, and any other articles, at the discretion of the Municipal Council of the Borough of Parramatta.

2. Any person who shall sell, or expose for sale, any of the articles specified in clause No. 1, within the Borough of Parramatta, before the hour of eight of the clock in the forenoon in the summer months, and nine of the clock in the forenoon of the winter months, whether the dues have been paid therefor or not, except in the said market, or in his or her own shop or house,—or any person who shall sell or expose for sale any of the said articles after the hour of eight of the clock in the forenoon in the summer months, and nine of the clock in the forenoon in the winter months, except in the said market, or in his or her shop or house,—without having first entered the said market, and paid to the Clerk or Lessee thereof the dues thereon shall, on proof thereof, be deemed to be guilty of a breach of these By-laws. The Summer months mentioned in these By-laws shall be considered to be the period of time from the first day of September to the thirty-first day of March inclusive; and the Winter months shall be considered to be the period of time from the first day of April to the thirty-first day of August inclusive.

3. The said market shall be opened every day during the year, except Sundays, Christmas Day, and Good Friday.

4. The said market shall commence by ring of bell, at five o'clock in the morning, from the first day of September to the thirty-first day of March inclusive; and at six o'clock from the first day of April to the thirty-first day of August inclusive; and shall remain open until sunset throughout the year.

5. The Council may appoint the Lessee as the Clerk of the market, and Inspector of provisions therein.

6. The Clerk of the market and Inspector of provisions may inspect all articles exposed for sale in the said market, and seize and cause to be destroyed—as the law directs—all articles which are bad and unwholesome.

7. The Clerk of the market shall keep and be responsible for the market scales, and shall be provided with weights and measures regularly stamped; and when required to weigh any article, he shall receive, as a fee for so doing, the sum of one penny per hundredweight, or any quantity under one hundred-weight.

8. The Clerk of the market, or Lessee, shall preserve order and regularity in the market, shall open and shut it by ring of bell at the stated hours, and shall remove therefrom and cause to be dealt with according to law any person making a riot or disturbance therein, or any person guilty of using profane, indecent, or threatening language, offending against common decency, or in any other way provoking a breach of the peace.

9. The Lessee, or Clerk of the market, shall have charge of the weigh-bridge, and shall keep it in repair during the term of his lease, and deliver it up to the Council in good order.

10. All goods brought to the market and required to be weighed between seller and buyer shall, at the request of either party, be weighed at the market scales.

11. The weekly rents for the several stalls in the said market to be paid by the several tenants thereof to the Clerk or Lessee of the said market, shall be as follows, viz.:—Numbers one and seven in front of the said market building, any sum not exceeding four shillings each per week; and the remaining stalls, any sum not exceeding two shillings each per week.

12. Carts or other conveyances with grain, pulse, hay, straw, grass, green fodder, or other produce, shall be arranged in such part or parts of the market as may be appropriated for that purpose by the Council.

13. The Clerk or Lessee of the market shall demand and receive for all articles weighed on the weigh-bridge the sum of one shilling and sixpence per load, when the load does not exceed one ton in weight, and the sum of two shillings per load when it does exceed that weight.

14. There shall be paid to the Clerk or Lessee of the said market, dues as per schedule hereinafter mentioned, viz.:—

#### SCHEDULE OF DUES.

	s.	d.
For every load of hay drawn by one horse or other animal, the sum of ...	0	6
For every load of hay drawn by two or more horses or other animals, the sum of ...	0	9
For every load of straw drawn by one horse or other animal, the sum of ...	0	6
For every load of straw drawn by two or more horses or other animals, the sum of ...	0	9
For every cart with other produce, if drawn by one horse or other animal, the sum of ...	0	6
For every cart with other produce if drawn by two or more horses or other animals, the sum of ...	1	0
For every horse, mare, gelding, foal, ass, or mule exposed for sale, the sum of ...	0	6
For every head of neat cattle exposed for sale, the sum of ...	0	6
For every sheep or lamb exposed for sale, the sum of ...	0	0½
For every pig or goat exposed for sale, the sum of ...	0	2



15. No person shall drive into or through the said market, any live stock after the hour of seven of the clock in the forenoon, nor before ten of the clock in the evening, during the whole year, except such as are bridled or haltered, or ridden, or led singly.

16. Any person coming to the said market with a load of goods in a cart or other carriage shall, before the opening of the said market, or if arriving thereafter, within twenty minutes after such arrival, take the animal or animals drawing such cart or other carriage out of such cart or other carriage, and secure them in a place to be pointed out for that purpose by the Clerk or Lessee of the market, and not again attach the said animal or animals to such cart or carriage until final removal from the market.

17. Producers or other vendors may expose their produce for sale on the space of ground allotted for that purpose by the Council, outside the said market building, on payment to the Clerk or Lessee of the said market a fee of sixpence for such standing each day.

18. All fees to be collected under these By-laws shall be deemed to be due before any portion of the goods are sold by the vendor.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, the fourteenth day of July, A.D. 1868.

T. W. BOWDEN,  
Mayor.

JOHN CHAS. BARKER,  
Council Clerk.

BY-LAWS for the regulation and management of the Queen's Wharf at Parramatta, and the maintenance of good order thereat.

1. That the said wharf shall be considered as divided into three parts or lots, to be numbered, respectively, 1, 2, and 3; the dividing lines to be defined by the Town Surveyor or Acting Town Surveyor, as the Council may, from time to time, direct.

2. That the side lines or boundaries of the respective lots shall be in parallel lines with Messieurs Byrnes' mill property, and commence at the river.

3. That lot 1 shall be reserved and appropriated for and to the use of steamers, licensed watermen, or private individuals, for the purpose of landing or taking off passengers.

4. That lot 2 shall be reserved and appropriated for the loading and unloading of colonial produce or general merchandise.

5. That lot 3 shall be reserved and appropriated for the loading and unloading of timber, bricks, manure, lime, sand, and shells, &c.

6. That the wharfinger to be appointed by the Council or the lessee shall be entitled to demand and receive the fees or tolls set out in the schedule hereunto annexed, from all persons using any portion of the said wharf.

7. That all articles landed at or upon any portion of lot 2 of the said wharf shall be removed therefrom, by the persons landing the same, within twenty-four hours after the time of landing. Bricks, firewood, and other articles allowed to be deposited on lot 3, shall be removed within forty-eight hours after being laid down, excepting the articles mentioned in section 10 of these By-laws, and therein provided for.

8. That the Council may, from time to time, as it shall deem advisable, appoint a wharfinger or wharfingers, not being the lessee or lessees, and the same from time to time to suspend or remove; and such wharfinger or wharfingers shall have power to, and are hereby authorized and required to keep good order upon the wharf and every part thereof, and to remove all disorderly persons therefrom.

9. No boat shall be allowed to remain at the passengers' stairs longer than is necessary to land or receive passengers.

10. No rubbish, cinders, ballast, shells, animal or vegetable matter, shall be landed, except on lot 3 of the said wharf, and only in bags, baskets, or casks; and such articles shall be taken away within twelve hours after landing.

11. Any person offending against any of these By-laws shall, for every such offence, on conviction, forfeit and pay a sum not less than ten shillings nor more than five pounds.

*Schedule of dues to be paid for all goods shipped and landed at the said wharf.*

	s.	d.
Wool, per bale.....	0	6
Sheet bark, per dozen, or less quantity.....	0	6
Tanners' bark, per ton .....	2	6
Beef, mutton, or pork, per tierce or cask....	0	6

	s.	d.
Beef, per carcass, and in proportion for quarters .....	0	6
Mutton, per carcass .....	0	1
Bricks, per 1000, or any portion of 1000....	1	0
Tiles and flagstones, per 100 feet superficial .....	0	6
Stone for building purposes, per perch.....	0	6
All other stone, per ton.....	0	6
Lime, manure, and sand, per ton .....	0	6
Brooms, per dozen .....	0	3
Butter and lard, per keg .....	0	3
Cheese, per cwt. ....	0	4
Grain, per ton.....	1	0
Sawn timber and timber in logs, per 1000 feet superficial.....	2	0
Laths and shingles, per 1000 .....	1	0
Palings, per 100 .....	0	3
Flour, per ton.....	1	0
Hides, each .....	0	1
Calves and pigs, each .....	0	3
Sheep, each .....	0	1½
Horses and horned cattle .....	0	6
Hay and straw, per ton .....	0	6
Salt and coal, per ton.....	1	0
Poultry, per dozen (at the rate) .....	0	3
Firewood and billet wood, per one-horse load .....	0	3
And for every extra horse .....	0	1
Potatoes and other vegetables, per ton.....	1	0
Charcoal and ashes, per bag .....	0	0½
Fruit, per case.....	0	0½
Railway sleepers, per 100 .....	2	6
All other articles not herein enumerated, at the rate of per ton.....	1	0

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, 16th June, A.D. 1868.

T. W. BOWDEN,  
Mayor.

JOHN CHAS. BARKER,  
Council Clerk.

BY-LAWS for the care and management of the Public Roads, Public Streets, and Public Thoroughfares.

1. The Surveyor or Acting Surveyor of the Municipality duly appointed by the Council thereof, shall be the proper officer for marking out, when necessary, any roads, streets, or lanes within the Municipality; he shall also be the proper officer for marking out the carriage and footways in such roads, streets, and lanes, or other public place; but it shall be sufficient for him for this purpose to place posts or kerb-stones at the corners or intersections of the streets, or wherever the same may be necessary or desirable, so as to give a width of forty-two feet for the carriage-way, and twelve feet for the foot-way on each side when the street shall be sixty-six feet or more wide; and in proportion, and in the discretion of the said Surveyor, in any public roads, streets, lanes, or public places of other widths than sixty-six feet.

2. With regard to any buildings hereafter to be built or rebuilt, it shall not be lawful for any coping, parapet, over-hanging eaves, cornice, window, string-course, string-cornice, dressing or other architectural decoration, forming part of any external wall, to project more than eighteen inches, nor any balcony more than thirty-six inches beyond the general line of front, in any street or road. All overhanging eaves to be properly guttered, together with down pipes.

3. Provided always, that nothing in these By-laws contained shall be deemed to prevent any person from placing a movable awning in front of his or her shop or house, and such awning be at least 8 feet above the height of the footway in front of such shop or house, and that the posts be placed fair with the kerb-stone or outer edge of the footways.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Tuesday, 26th May, A.D. 1868.

T. W. BOWDEN,  
Mayor.

JOHN CHAS. BARKER,  
Council Clerk.



1868-9.

---

NEW SOUTH WALES.

---

MUNICIPALITIES.

(BOROUGH OF PARRAMATTA—BY-LAW.)

---

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

---

Colonial Secretary's Office,  
Sydney, 22nd February, 1869.

BOROUGH OF PARRAMATTA.

BY-LAW.

THE following By-law, made by the Council of the Borough of Parramatta, to prohibit the sale of articles in the streets of that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

---

BOROUGH OF PARRAMATTA.

AN ADDITIONAL BY-LAW for the regulation of the Parramatta Market.

No person shall sell, or offer for sale, in any part of the Borough of Parramatta, except in the market or open spaces adjoining, or in the house, shop, or premises of the person so selling, any victuals, beef, mutton, or other butchers' meat, or any pork, bacon, ham, butter, cheese, eggs, poultry, game, or potatoes, or other esculent root, or fruit, vegetables, or garden produce of any description: Provided that nothing herein contained shall prevent any person from selling or offering for sale any of the goods or articles herein enumerated (or in clause 1 of these by-laws) from a hand-basket, on payment of one shilling per week; from a wheelbarrow, or any vehicle drawn by any animal other than a horse, on payment of two shillings per week to the clerk or lessee of the market, or other person duly authorized to receive the same by the Municipal Council of the said Borough.

Passed by the Municipal Council of the Borough of Parramatta, at a meeting held on Saturday, 5th December, A.D. 1868.

JOHN CHAS. BARKER,  
Council Clerk.

---



1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF MUDGEES—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 18 June, 1868.

## BOROUGH OF MUDGEES.

## BY-LAWS FOR REGULATING THE MANAGEMENT OF THE PROCEEDINGS OF THE BOROUGH COUNCIL.

THE following By-laws, made by the Council of the Borough of Mudgees, for regulating the management of the proceedings of the said Council, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

## BY-LAWS FOR REGULATING THE MANAGEMENT OF THE PROCEEDINGS OF THE BOROUGH COUNCIL OF MUDGEES.

*Duties of Mayor.*

1. The Mayor or Chairman shall preserve order, and his decision on disputed points of order shall be final.
2. The Mayor or Chairman shall not give his opinion, unless the votes of the members upon a division be equal, when he may state the reasons which influenced him in giving his casting vote.
3. The Mayor or Chairman shall put all questions, and declare the sense of the Council thereon, always putting the last amendment first.
4. If two or more members rise to speak at the same time, the Chairman shall decide which member is entitled to pre-audience.
5. The Chairman may, without interposition of any member of the Council, call to order any member proceeding to speak a second time on the same subject, except in explanation, and without introducing any new matter—the member introducing the motion to have the right of reply.
6. If the Mayor be not present within 10 minutes after the time appointed for the meeting of the Council, an Alderman shall be elected Chairman for that particular meeting.

*Order of Business.*

7. Confirmation of and signing the minutes of last meeting.
8. Reading copies of letters sent by order of the Council.
9. Reading letters received, considering and ordering thereon.
10. Reading and ordering of Reports from Committees.
11. Special payments.
12. Special business not classified.
13. Orders of the day and adjourned motions.
14. Motions of which notice has been given.
15. Notices of motion.

*Order of Debate.*

16. Any Alderman proposing a motion or amendment, or discussing any matter, must rise and address the chair; and no Alderman shall be interrupted, unless by a

call to order (when he shall sit down); the Alderman calling to order shall then be heard, and the question of order decided before the debate or any other business is resumed.

17. Any Alderman proposing a motion or amendment must have the motion or amendment read by the Town Clerk before addressing the Council.

18. No Alderman shall digress from the subject under discussion, nor impute motives, and all personal reflections shall be considered highly disorderly; the member so offending shall be required by the Mayor or Chairman to withdraw the expression, and to make a satisfactory apology to the Council before the close of the Council that evening; any Alderman refusing to comply with the above law, when called upon by the Mayor or Chairman to do so, shall be liable to a penalty of not less than £1 or more than £5, to be recovered in the same manner as any other penalties.

19. Any Alderman may demand the production of any of the documents of the Council relating to the subject under discussion.

20. Only one amendment shall be discussed at one time; and upon the adoption of any amendment the original motion shall be deemed rejected, and the amendment so carried shall be acted upon as an original motion.

21. Any Alderman may call for a division.

22. No member shall speak on any motion or amendment for a longer period than 15 minutes, without the consent of the Council.

23. Any Alderman may record his protest against any decision of the Council: Provided the same be made in writing before the next meeting of the Council, and couched in respectful language, and be consistent with truth; notice of such intention, however, must be given on the adoption of the resolution.

24. No motion, the effect of which, if carried, would be to rescind any motion which has already passed the Council, shall be entertained during the same Municipal year, unless a call of the Council has been duly made for that purpose; and no such motion, for rescinding any resolution of the Council, which has been negatived by the Council, shall be again put during the same Municipal year.

25. A debate may be adjourned to a later hour of the day, or to another day specified, and the member moving the adjournment shall be entitled to pre-audience on the resumption of the same.

26. Upon the opening of any tender, or appointment of any officers, strangers may be ordered to withdraw; and in all divisions every member shall be compelled to vote; any member refusing to comply with the above law, when called upon by the Mayor or Chairman to do so, shall be liable to a penalty of not less than £1, or more than £5, to be recovered in the same manner as any other penalties.

27. Notices of motion may be given at any meeting of the Council, or to the Town Clerk two days before the meeting of the Council at which the motion is intended to be made: Provided no motion, of which notice has been given, may be moved, unless a copy of such notice be sent by the Town Clerk to each member of the Council, at least two days previous to the meeting, proof of posting to be considered as delivery.

28. The Town Clerk shall enter in a book to be kept for that purpose, and to be called the Notice Book, all notices of motion in the order in which they are received, and such notices to be signed by the Alderman giving such notice, and no motion shall be entertained by the Council, except as above.

29. No discussion shall take place on a notice of motion.

#### *Petitions.*

30. On the presentation of a petition no debate shall take place until notice has been given in the usual manner; and the only question that can be entertained by the Council on the day of its presentation, shall be its reception or reference to a Committee.

31. Any Alderman presenting a petition shall acquaint himself with the language thereof, and report to the Council that he considers it unobjectionable.

32. Petitions shall be received only as the petitions of parties signing the same.

#### *Committees.*

33. No Committee of the Council shall consist of more than five elected members, three of whom shall form a quorum, except when the Council at its meetings resolve itself into a Committee of the Whole. The Mayor shall be *ex officio* a member of all Committees.

34. The Chairman of the Committee shall be the convener thereof, and he may direct the Town Clerk to call meetings whenever he shall think it expedient.

35. The appointments of Special Committees shall continue until the specific duties for which they were appointed shall have been discharged, providing that such Committee may at any time be dissolved by a vote of the Council.

36. That the orders of the Council be observed in a Committee of the whole Council, except the order limiting the number of times of speaking.

37. Every report of the Committee shall be signed by the Chairman thereof.

#### *Appointment of Officers.*

38. No officer shall be appointed until a specification of his duties and the amount of his salary shall be approved of by the Council; and no appointment of any officer shall take place until one week's notice at least shall have been given in one or more of the local papers, inviting applications for the same, according to such specification.

39. All officers shall be required to give security to the Council for the due performance of the duties according to the terms of the specification.

40. The Town Clerk shall have charge, at the Town Hall, of all books, stationery, charters, deeds, muniments, and records of the Corporation or relating thereto.

41. The Mayor shall have custody of the Corporation seal and shall affix it to all documents creating obligations on the Council, in the presence of the Town Clerk, each impression thereof being duly verified by the signature of that officer, and the seal not to be affixed to any document, except having the signature of the Mayor.

42. The Treasurer shall immediately, or within 24 hours after the receipt of moneys (when possible), deposit the same in a Bank to be named by the Council, to the credit of the Corporation; and his cash-book, and the Bank pass-book balanced shall be laid before the Council at its meetings.

43. No work affecting the funds of the Municipality shall be undertaken until the probable expense be first ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee, and reported on by them before any warrant shall be issued for the payment thereof, which warrant shall be signed by the Mayor or Chairman: Provided always, that in cases of emergency, a warrant may be granted by the Mayor, with the assent of any two Aldermen, authorizing the expenditure of any sums not exceeding £20, and such expenditure shall be reported to the Council at its next meeting.

44. No officer or servant appointed by the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council to any person not a member of the Council, without leave from such Council, except as provided by law.

45. In all cases where security shall be required by the Municipalities Act of 1867, the surities offered shall be approved of by the Council, and it shall not be competent for the Council to accept as surity any of its members, or any person holding office under the Council.

46. The rate collector or collectors shall, on every Monday, Wednesday, and Friday, between the hours of 2 and 4 p.m., hand over to the Treasurer the amount received to that time, together with a written statement, detailing the particulars of their collections, duly dated and signed, and shall receive a voucher from that officer, which voucher must be produced to the Finance Committee upon presentation of accounts; and no such account will be attended to unless accompanied by the Treasurer's receipts. Collectors failing to attend as above will be fined 10s. for each offence.

47. All cheques to be signed by the Mayor, Treasurer, and members of the Finance Committee, but no cheques to be issued, except on the production of a warrant authorizing payment—the No. of cheque to be inserted on the warrant, and the No. of the warrant on the butt of the cheque.

48. Any member absenting himself for more than two consecutive meetings of the Council, without leave being previously granted, shall be fined 10s. for that, and similar fined for each subsequent absence.

49. Any member of the Council having given notice of motion, and failing to attend at the proper time, or procuring a substitute, the notice shall be struck from the book.

50. All fines to be paid into the Corporation Fund.

HENRY TEBBUTT,  
Mayor.

Made and passed by the Borough Council of Mudgee,  
on the second day of April, one thousand  
eight hundred and sixty-eight.

H. M. INNES, Town Clerk.

1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF WEST MAITLAND—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 18th May, 1868.

## BOROUGH OF WEST MAITLAND.

BY-LAWS FOR THE REGULATION OF THE PROCEEDINGS OF THE BOROUGH COUNCIL, THE COLLECTION OF RATES, THE PREVENTION AND EXTINGUISHING OF FIRES, THE CARE AND MANAGEMENT OF THE PUBLIC ROADS AND STREETS, THE SUPPRESSION OF NUISANCES AND HOUSES OF ILL-FAME, THE KILLING OF CATTLE AND THE ESTABLISHMENT OF SLAUGHTER-HOUSES, AND FOR THE GENERAL GOOD RULE AND GOVERNMENT OF THE BOROUGH.

WHEREAS, by the Municipalities Act of 1867, section 153, it is amongst other things enacted, that the Council of any Municipality may, from time to time, make by-laws for any of the purposes therein mentioned: And whereas by the 158th clause of the said Act, it is further enacted that all or any such by-laws, being consistent with the provisions of the said Act, and not repugnant to any other Act or law in force within the Colony of New South Wales, shall have the force of law when confirmed by the Governor and published in the *Government Gazette*, but not sooner or otherwise: And whereas the Council of the Municipality of West Maitland have, under the power hereinbefore recited, made by-laws for regulating their own proceedings, the collection of rates, the prevention and extinguishing of fires, the care and management of the public roads and streets, the suppression of nuisances and houses of ill-fame, the killing of cattle and the establishment of slaughter-houses, and for the general good rule and government of the Borough, and the said by-laws having been confirmed by the Governor, with the advice of the Executive Council, in accordance with the said Act, are hereby published in the *Government Gazette*.

HENRY PARKES.

## BOROUGH OF WEST MAITLAND.

BY-LAWS to regulate the proceedings of the Borough Council of West Maitland, the collection of rates, the prevention and extinguishing of fires, the care and management of the public roads and streets, the suppression of nuisances and houses of ill-fame, the killing of cattle and the establishment of slaughter-houses, and for the general good rule and government of the Borough.

## BY-LAWS OF THE BOROUGH OF WEST MAITLAND.

*Preamble.*

WHEREAS it is expedient that provision should be made for regulating the proceedings of the Borough Council of West Maitland, &c., &c., and in accordance with a resolution adopted by the Council of the said Borough on 14th April, 1868, and in virtue of the power and authority vested in them in that behalf, that the following by-laws do now take effect, and that they are hereby established for the purposes aforesaid:—

*Standing Orders of the Borough Council of West Maitland.*

1. The Chairman shall preserve order, and his decision on disputed points of order shall be final.

52—

2. When the Chairman is required or called upon to decide a point of order or practice, he is to state the rule, custom, or precedent applicable to the case, without argument or comment.

3. The Mayor or Chairman for the time-being may take part in all the proceedings of the Council.

4. The Mayor or Chairman shall put all questions to the meeting, and declare the sense of the Council thereon.

5. The Mayor or Chairman for the time-being, in case of an equality of votes, upon any division, shall give a casting vote in addition to his vote as Alderman.

6. If two or more members rise to speak at the same time, the Chairman shall decide which member is entitled to pre-audience.

7. The Chairman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on same question, except in explanation, and without introducing any new matter.

8. The Council shall vote by show of hands, but any Alderman may call for a division upon any question.

9. The Chairman shall, on every motion made and seconded, put the question, first in the affirmative and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion, from the show of hands, as to the majority.

10. In special cases, such as the accepting of tenders, the appointment of Committees, or any officers, the Council may, if they deem it expedient, have recourse to the ballot (which may be done on motion without notice), and cause the names of the tenderers or candidates to be written on slips of paper, of which one shall be handed to each Alderman. Having struck out the names of all but those for whom he votes, each Alderman shall fold his paper and hand it to the Chairman. The ballot-papers having been first mixed so as to prevent identification, shall then be examined by the Chairman, in the presence of the Aldermen, and the result ascertained and recorded.

11. Every member shall stand when speaking, and address the Chair.

12. Except in Committees, no member shall speak twice on the same question, unless in explanation when he has been misrepresented or misunderstood: Provided, however, that the mover be allowed to reply; and that every member shall be entitled to speak once on every amendment, as well as on the original motion.

13. No Alderman, when discussing any matter, shall be interrupted, unless by a call to order, when he shall sit down. The Alderman calling to order shall then be heard, and the question of order decided before the debate or any other business is resumed.

14. No Alderman shall digress from the subject under discussion, nor make personal reflections on members, nor impute motives; and all personal reflections shall be considered highly disorderly; and any member so offending shall be required, by the Mayor or Chairman to withdraw the expression, and to make a satisfactory apology to the Council.

15. In all divisions every member present shall be compelled to vote.

16. All divisions of the Council shall be entered in the minutes of the proceedings.

17. Any member may require the question or matter under consideration or discussion to be read, for his information, at any time during the debate, but not so as to interrupt any other member while speaking.

18. The order of the day shall include all business of which due notice has been given, and all matters arising out of former meetings of the Council.

19. Any motion entered on the notice paper and the Alderman who has given notice of the same being absent, and no Alderman having been deputed to bring it forward, such motion, when business is called in order, shall be permitted to lapse.

20. A debate may be adjourned to a later hour of the same day, or to another day specified, and the member moving the adjournment shall be entitled to pre-audience on the resumption of the same.

21. If the Mayor be not present within ten minutes after the time appointed for the meetings of the Council, any Alderman may be elected Chairman for that particular meeting.

22. After the reading and confirming of previous minutes, the presentation of reports and petitions, the reading of correspondence, and the reception of notices of motion, motions of which due notice have been given shall take precedence of all other business of the day.

23. Any number of amendments may be proposed on a motion before the Council; and when more than one amendment is moved and seconded, the question shall first be put on the last amendment, and then on the next to the last, and so on, in the reverse order in which they are moved, except when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance; in which case the lowest sum shall be put first, then the next to the lowest, and so on to the highest.

24. Any motion for adjournment, if seconded, shall be put from the Chair, but if such motion be negatived, it shall not be competent for any member to make a similar motion until half an hour at least shall have elapsed from the moving the one that has been negatived.

25. No notice shall be taken by the Chairman of any motion, unless it be seconded.

26. All notices of motion shall be dated, signed, and given to the Town Clerk, and shall be considered the property of the Council, and shall not be withdrawn without leave of the Council.

27. No motion, the effect of which, if carried, would be to rescind any motion which has already passed the Council, shall be entertained for a period of three months from the date of such resolution (excepting matters connected with public works), unless a call of the whole Council has been duly made for that purpose; and no motion for rescinding any resolution of the Council, which has been negatived, shall be again put for three months from the time it has been so negatived.

#### *Petitions.*

28. On the presentation of a petition, no debate shall take place until notice has been given in the usual manner, and the only question that can be entertained by the Council on the day of its presentation shall be, that the petition be received, or that it be referred to a Committee.

29. It shall be incumbent on any member presenting a petition, to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

30. That all petitions be received only as the petitions of the parties signing the same.

#### *Committees.*

31. Besides such special Committees as may from time to time be found necessary, there shall be two Standing Committees, namely, a Finance and an Improvement Committee.

32. No Standing Committee of the Council shall consist of less than three members or more than four (4), three of whom shall form a quorum. The Mayor shall be *ex-officio* a member of all Committees.

33. The Chairman of every Committee shall be the convener thereof, and may direct the Town Clerk to call meetings whenever he shall think it expedient.

34. The appointment of Special Committees shall continue until the specific duty for which they are appointed shall have been discharged, provided that such Committee may at any time be dissolved by a vote of the Council.

35. The orders of the Council shall be observed in Committee of the whole Council, except the order limiting the number of times of speaking.

36. Every report of a Committee shall be signed by the Chairman thereof.

37. The Finance Committee, in addition to the duty of examining all accounts, shall deliberate and report upon all questions affecting the finances of the Municipality, which may be committed to it by a resolution of the Council. It shall be the duty of this Committee to watch generally over the financial affairs and administration of the Municipality, and it shall have the right of calling the attention of the Council by a report to any matters connected with such administration, which may seem to require such attention.

38. The Improvement Committee shall have the general inspection of all public works in progress throughout the Municipality, and shall have the right of calling the attention of the Council by report to any matters connected with such works, or with the state of any public thoroughfare, which may require such attention. It shall also consider and report upon any questions of an analogous nature to those which may be referred to it by a resolution of the Council.

39. Every Committee shall have a right to take evidence upon any question or questions of fact referred to it by a resolution. A minute of the evidence thus taken, or of its substance, must, however, in all cases of this character, be appended to the Committee's report.

40. The Standing Committees shall be appointed within thirty days after the commencement of each municipal year.

41. Any member moving for a Special Committee may propose certain Aldermen as members of the same; but if demanded, the selection of the Committee shall be made by ballot.

42. Every member proposing the appointment of a Select Committee, and naming its proposed members, must name himself as one of them.

*Miscellaneous Regulations.*

43. In cases where security is required by the Municipalities Act of 1867, the sureties offered shall be approved by the Council; and it shall not be competent for them to accept as surety any of its members, or any person holding office under the Council; and in all cases in which security for due and faithful performance of any duty or contract is required, the expenses of preparing the bond for such security shall be borne by the Council.

44. No work affecting the funds of the Corporation shall be undertaken until the probable expense be first ascertained by the Council; and all accounts to be paid by the Council shall be examined by the Finance Committee and reported on by them, before any warrant shall be issued for the payment thereof: Provided always, that in cases of emergency, the Mayor, with the assent of any three Aldermen, may authorize the expenditure of any sum not exceeding ten pounds, and such expenditure shall be reported to the Council at its next sitting.

45. The Treasurer's accounts and the bank book of the Council shall be laid before the Council at the first meeting of each quarter, or oftener, if required by the Council.

46. No officer appointed by the Council shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Council, to any person not a member of the Council, without leave from such Council, except as otherwise provided by law.

47. No by-laws shall be decided on without due notice, as in cases of motions.

48. Any member may record his protest against any decision of the Council, provided the same be made in writing before the next meeting of the Council, and couched in respectful language, and be consistent with truth. Notice of such intention, however, must be given on the adoption of the resolution.

49. No election to any paid office at the disposal of the Council shall take place, until seven days' notice be given in a local newspaper, inviting applications for the same.

50. The Town Clerk shall have the charge of the common seal of the Corporation, and shall be responsible for the safe custody and proper use of the same,—each impression thereof being duly verified by the signature of that officer; and he shall not affix the seal to any corporate documents without the express order of the Council, nor unless such document have the signature of the Mayor.

51. Any one or more of the standing orders of the Council may be suspended *pro tempore*, in cases of emergency, provided that the majority of the members present deem it necessary.

*Collection of Rates.*

52. The rates shall be levied and collected half-yearly, and shall be held to be due and payable on and after such day as the Council shall by resolution appoint from time to time.

53. All persons liable to pay any rates or assessments, shall pay the amount within the time prescribed by the Act, into the office of the Council Clerk, during office hours.

54. It shall be the duty of the Town Clerk to furnish the Council with a list of the names of all persons whose rates are unpaid at the expiration of the notice thereof given pursuant to the Municipalities Act of 1867.

*The Bailiff and his duties.*

55. The bailiff shall be appointed by a resolution of the Council, and may at any time be removed in a similar way.

56. The bailiff shall find two sureties, to the satisfaction of the Mayor, to the extent of fifty pounds each, for the faithful performance of his duty.

57. The bailiff shall make all levies and distresses for the recovery of rates under warrant, in the form of the schedule hereto annexed and marked with the letter A, under the hand of the Mayor or any person who may for the time-being be duly authorized to perform the duties of that office.

58. At the time of making a distress, the bailiff shall forthwith make out a written inventory, in the form or to the effect of the schedule annexed hereto and marked with the letter B, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person on his or her

behalf, resident at the place where the distress has been made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made, and the bailiff shall give a copy of the inventory to the ratepayer, on demand, at any time within one month after the making of such distress.

59. It shall be lawful for the bailiff, and such assistants as he may take with him, to enter into any part of the land, building, tenement, or other property in respect of which a warrant has been issued for the recovery of any rate or rates as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of five days, it shall be lawful for such bailiff to sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the Municipality as the said bailiff may think proper to remove them to for such purpose; and the surplus (if any) that may remain, after deducting the amount of the sum distrained for, together with the expenses attendant upon such distress, shall be paid over, on demand, to the owner of the goods so sold: Provided always, that nothing herein contained as to the time of sale shall apply to any corn, grass, hops, roots, fruits, pulse, or other product whatever, which may be growing at the time of the same being seized as a distress.

60. The bailiff, in making a distress as aforesaid, may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such places or in such part of the land or premises chargeable with the rate as shall be most fit and convenient for this purpose; and it shall be lawful for any person whatsoever, after the expiration of the five days hereinbefore mentioned, to come and go to and from such place or part of the said land or premises where any distress shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

61. The owner of any goods so distrained upon may, at his or her option, direct and specify the order in which they shall be successively sold; and the said goods and chattels shall in such case be put up for sale, according to such direction.

62. The bailiff shall hand over to the Council Clerk all proceeds of such distresses within forty-eight hours after having received the same.

63. The bailiff, with the sanction of the Mayor of the Borough, may authorize any person to act temporarily as his deputy; and the person thus authorized shall have and exercise, for the time being, all the powers of the bailiff himself; but the bailiff and his sureties shall in every case be held responsible for the acts of such deputy.

64. The bailiff shall be paid for every levy made under these by-laws, according to the schedule hereunto annexed marked C.

*SCHEDULE A.**Warrant of Distress.*

I, the Mayor of the Municipality of West Maitland, do hereby authorize you, bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of situate at \_\_\_\_\_ being the amount of municipal rates due to the Borough to the day of \_\_\_\_\_ for the said dwelling-house, land, or premises, as the case may be, and to proceed thereon, for the recovery of the said rates, according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ Mayor.

*SCHEDULE B.**Inventory.*

I HAVE this day, in virtue of a warrant under the name of the Mayor of the Municipality of West Maitland, dated \_\_\_\_\_ distrained the following goods and chattels in the dwelling-house, or in and upon the land and premises of situate at \_\_\_\_\_ within the Borough of West Maitland, for the sum of \_\_\_\_\_ being the amount of rates due to the said Municipality, to the day of \_\_\_\_\_ 18 \_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ Bailiff.



## SCHEDULE C.

*Fees to Bailiff.*

For making entry and inventory, five shillings; if in possession more than five hours, five shillings additional; and for every subsequent day, whilst in possession, five shillings; and five per cent. on the net amount of sale.

*Prevention and extinguishing of fires.*

1. No householder shall place, or knowingly permit to be placed in any house, yard, workshop, out-offices, or other premises, fire, powder, or combustible materials of any kind, in such a manner as to endanger contiguous buildings.

2. It shall be lawful for the Mayor, upon the representation of one or more householders that fire is being used to the danger of contiguous buildings, to cause a notice in writing to be served upon, or left at the residence of, the owner or occupier of the premises on which any such fire may exist, and direct (if the urgency of the case should require it) that the said fire shall be removed at once, or within any reasonable time afterwards, which he might deem expedient.

3. Any such householder, however, shall have the right to shew cause (except in what may as already related be considered urgent cases) why the said or any such fire should not be removed; and the opinion of a majority of the Council, in such cases, shall be final.

4. In every case in which it shall be made to appear to the satisfaction of any Justice of the Peace, that the chimney of any house or building within the limits of the Municipality has taken fire, from the occupier of any such house or building having omitted to cause such chimney to be regularly and sufficiently swept and cleaned, or from any other neglect of such occupier, or of his or her servant or servants, such occupier shall, on conviction before any such Justice of the Peace, forfeit and pay for every such offence any sum not exceeding forty shillings, to be recovered by distress and sale of the offender's goods and chattels. And in every such case, the proof that any such chimney did not take fire through the neglect of such occupier in not having the same regularly and sufficiently swept or cleaned shall be upon such occupier.

*Care and management of the public roads and streets and public thoroughfares of the Borough.*

1. All roads and public thoroughfares, streets, and lanes, within the Municipality, which have been, or hereafter may be, duly proclaimed or marked out, or in actual public use as such, shall be from henceforth under the charge and care of the Borough Council.

2. The Surveyor of the Municipality, duly appointed by the Council thereof, or any person acting for him, shall be the proper person for marking out, when necessary, any roads, streets, or thoroughfares, in actual public use as such within the Borough. In marking out such roads, streets, or thoroughfares, recourse shall be had, when practicable, to the plans under which lands with frontage to the road, street, or thoroughfare in question, shall have been sold; and it shall be the duty of the Surveyor, or any person acting for him, to place posts at the corners or intersections of any roads, streets, lanes, or thoroughfares, wherever the same may be considered necessary or desirable by the Municipal Council, so as to give a width of forty-two feet at least for the carriage-way, and twelve feet at least for the foot-way, on each side, when the street shall be sixty-six feet wide; and in proportion, and in the discretion of the said Surveyor, or person acting for him, in any public roads, streets, lanes, or thoroughfares of other width than sixty-six feet.

3. Whenever any road, street, or lane, has been marked out in the manner herein provided, no house, shop, fence, or other structure, shall be erected or allowed to project or encroach on any part thereof.

4. Whenever any footways shall have been marked out, the Surveyor or person acting for him, may, with the sanction of the Council, cause the same to be levelled and made as nearly as practicable of equal height and breadth, and with an equal slope and inclination; and for this purpose may remove any flagging, steps, or other matter or thing that may injure or obstruct the said foot-way, or render it unequal or inconvenient, and which now is, or may hereafter be erected or placed on the space marked out for any of the said footways.

*Obstructions and encroachments.*

5. The Surveyor may at any time, or the person acting as such, on the order of the Council, and upon due notice of ten days, direct the removal of any building, fence, or other obstruction or encroachment which shall be made in and upon any road, street, lane, or thoroughfare, under the charge of the Council. Notice shall in this case be served, either personally, or at the usual or last known place of abode of the person to whom such obstructive or encroaching structure belongs, or who has erected the same, or caused it to be erected, or who may be in charge of the same.

6. In any case where, after the service of notice for the removal of any obstruction or encroachment as aforesaid, the person causing the same shall not remove it within a reasonable time, it shall be lawful for the Council to direct the removal of the same, under the superintendence of its own proper officer, and at the cost of the owner or of the person thus offending, or of the person who may be in charge thereof: Provided that the expenses thereby incurred shall in no case exceed the sum of ten pounds, to be recovered summarily in manner provided for the recovery of penalties under these by-laws.

7. In case when the obstruction or encroachment cannot be removed unless at a greater cost than ten pounds, it shall be open to the Council either to direct such removal, and to pay all costs thereof above ten pounds, from the municipal funds, or to proceed by action of trespass against the person causing such obstruction or encroachment, or who may be in charge thereof.

8. The foregoing provisions shall be equally applicable to all obstructions by digging or excavation.

9. The Surveyor, or person acting for him, may, at any time, by order of the Council, cause the traffic of any street, lane, or thoroughfare, or any portion thereof, to be stopped for the purpose of repairing the same, or for any necessary purpose; and any person or persons offending against this by-law, either by travelling on, or by removing or destroying any obstruction that may be placed thereon for the purpose of suspending the traffic, shall forfeit and pay a penalty of any sum not exceeding five pounds for every such offence.

10. No person shall be allowed to obstruct any path-way, road, street, or public thoroughfare, within the Municipality, by building materials, drays, carts, goods, merchandise, or anything whatsoever calculated to obstruct or hinder free passage, without the sanction of the Mayor in writing; and no person shall be allowed to leave water-holes or excavations for cellars or other purposes unfenced, or in such a manner as to be dangerous to passers by; and at all places where buildings are being carried on, or where any obstruction to the danger of passers by exists, the person causing such obstruction shall be required to provide lights on either side, and keep the same lighted from sunset to sunrise.

*Trespasses and removal of nuisances, &c.*

1. Any person who shall cast any filth, rubbish, or any dead animal, or any animal with intent of drowning, into any public watercourse, sewer, waterhole, river, creek, or canal, or who shall suffer slops, suds, or filth of any kind, to flow from his or her premises into any such watercourse, sewer, waterhole, river, creek, or canal, or who shall permit or suffer any such slops, suds, or filth to flow from his or her premises over any of the footways or streets of the Municipality, or shall permit or cause, by means of pipes, shoots, channels, or other contrivances, filth of any kind whatsoever to flow into any public watercourse, sewer, waterhole, river, creek, or canal, or shall obstruct or divert from its channel any such sewer or watercourse, shall forfeit any sum not exceeding five pounds, and shall pay the cost of removing such filth or obstruction, or of restoring such sewer, river, or watercourse, to its proper channel; such penalty and costs of removal to be recovered summarily in the manner provided for the recovery of penalties under these by-laws.

2. No person shall form, dig, or open any drain or sewer in any public road, street, lane, or thoroughfare, or shall cut up the surface of any such road, street, lane, or thoroughfare, upon any pretence whatever, without leave in writing from the Mayor.

3. No person shall be allowed to throw rubbish, sweepings, or deposits of any kind whatsoever, on the streets, pathways, or gutters of the Borough.

4. No driver, carter, or other person shall wilfully or negligently do, or suffer, or cause to be done, any damage or injury to the curb-stones, gutters, or pathways of any



street or roadway; and no person shall be at liberty to drive a wheel vehicle of any kind, or ride or drive, lead, or stand, or permit to stand, any horse or horses or other animals on the pathways within the Borough.

5. Any person who shall form, dig, or open any drain or sewer on any part of the roads, streets, or thoroughfares of the Borough, or who, from the banks of any of the creeks or rivers which bound the Borough over which the Council may have control, shall remove or cause to be removed any turf, loam, clay, sand, soil, gravel, stone, or other material, without leave in writing first had and obtained from the Council, or who shall break up or otherwise damage any part of the said roads, streets, or thoroughfares, shall, on conviction before any Justice of the Peace, forfeit and pay for every such offence any sum not less than ten shillings nor more than five pounds.

6. Any person who shall damage any public building, wall, parapet, bridge, road, street, sewer, watercourse, sluice-pump, fountain-cock, water-pipe, shoot, embankment, or other public property in possession of the Council, shall pay the costs of repairing the same; such costs to be recovered summarily in the manner provided for the recovery of penalties under these by-laws; and if the same be wilfully done, shall on conviction before any one or more Justices of the Peace, forfeit and pay a sum not less than five shillings and not exceeding ten pounds; and it shall be lawful for any constable or any other person to seize any person whom he shall find in the act of wilfully committing any such offence, and to convey such person to the nearest watch-house, there to be detained until he or she can be brought before a Justice of the Peace, to be dealt with according to law.

*Throwing filth on carriage or foot ways, driving barrows and carriages on pavement, &c.*

1. If any person shall in any street or road throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any ashes, rubbish, offal, dung, soil, dead animal, blood, or other filth or annoyance, or any matter or thing, in or upon the carriage-way or foot-way of any such street or road, or shall kill, slaughter, dress, scald, or cut up any beast, swine, calf, sheep, lamb, or other cattle, in or so near to any of the said streets or roads as that any blood or filth shall run or flow upon, or over, or to be on any such carriage or foot way, or shall run, roll, drive, draw, place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the footways of any street or road, any waggon, cart, dray, sledge, or other carriage, or any wheelbarrow, or any truck or cask, or shall wilfully lead, stand, drive, or ride any horse or other beast upon any of the footways aforesaid, every person so offending, upon conviction before any Justice of the Peace or upon the view of any such Justice, shall forfeit and pay a sum not exceeding forty shillings, nor less than five shillings, for every such offence.

*Awnings.*

1. Nothing in these by-laws contained shall be deemed to prevent any person from placing an awning in front of his or her shop or house: Provided, however, that such awning be not less than 8 feet above the height of the footway in front of such house or shop, and that the posts be placed into the kerb-stone at the outer edge of such foot-way.

*Suppression of nuisances and houses of ill-fame.*

1. No householder or resident shall be permitted, under a penalty of any sum not exceeding ten pounds, to allow his or her premises, yards, closets, or drains, to be offensive or a nuisance to the neighbouring householders or residents.

2. No noisome or offensive trade shall be permitted, under a penalty of any sum not exceeding ten pounds, to be carried on in any premises, to the inconvenience or annoyance of the residents of neighbouring or adjoining houses or premises.

3. Upon representation by any respectable householder that the house, premises, yards, closets, or drains of the neighbouring or adjoining premises are a nuisance, or offensive, the Inspector of Nuisances, or any other person appointed by the Council, shall make an inspection of the premises complained of; and the officer of the Council shall have full power, without any other authority than this by-law, to go upon such premises for the aforesaid purpose; and if any such premises shall be found to be a nuisance, or otherwise offensive, notice in writing shall be given to the proprietor or resident of such premises,

that if within seven days after the service of such notice the nuisance shall not be removed, the proprietor, tenant, or occupant of the aforesaid premises shall, upon conviction before any two Justices of the Peace, be liable to any penalty not exceeding twenty pounds.

4. Upon representation by any respectable ratepayer, that the house or neighbouring or adjoining premises is of ill-fame, it shall be lawful for the Mayor and any Alderman to cause the residents of such house or premises to furnish to the Council a list of names, ages, sex, birthplace, and occupation of all the inmates of the said house or premises; and upon non-compliance with such request, or if, upon consideration, the Mayor and any Alderman consider the house to be one of ill-fame, they shall, with the sanction of the Council, declare the same to be a nuisance; and the Mayor shall cause a notice in writing to be served upon such householders or residents to discontinue or abate the said nuisance within forty-eight hours after the receipt of such notice, otherwise they shall, upon conviction before any two Justices of the Peace, be liable to any penalty not exceeding ten pounds for every day, or part of a day, during which such nuisance shall remain unabated within the Municipality.

5. Any owner or occupier of any house or place who shall neglect to keep clean all private avenues, passages, yards, and ways within the said premises, so as by such neglect to cause a nuisance, by offensive smell or otherwise, shall forfeit, upon conviction before any two Justices of the Peace, and pay a sum not exceeding forty shillings for every such offence.

6. For preserving the cleanliness of the said Borough and the health of the inhabitants thereof, it shall be lawful for the Inspector of Nuisances, or for any officer appointed by the Council, by any writing under the hand of the Mayor, from time to time, and when and as often as he or the Council shall see occasion, to visit and inspect the butchers' shambles and slaughter-houses, and to give such directions concerning the cleansing such shambles and slaughter-houses, both within and without, as to him or the said Council shall seem needful; and any butcher, and the owner or occupier of any such shambles or slaughter-houses, who shall obstruct or molest any such officer in the inspection thereof, or who shall refuse or neglect to comply with such directions within a reasonable time, shall, upon the view of any Justice of the Peace, or on conviction on the complaint of any such officer, forfeit and pay any sum not exceeding forty shillings.

*Swine, horses, goats, &c., not suffered to wander about the streets.*

1. It shall not be lawful for any person whatsoever to suffer any kind of swine, or any horse, ass, mule, sheep, or goat, or other cattle belonging to him or her, or under his or her charge, to stray or go about, or to be tethered or depastured in any road, street, or public place; and any person who shall so offend shall forfeit and pay, in respect of every such animal, a sum not exceeding forty shillings: Provided that, after due inquiry shall have been made and the owner thereof cannot be discovered, it shall be lawful for the said Council, or the proper officer of the said Council, to destroy, or cause to be destroyed or impounded, any kind of goats or swine so straying as aforesaid.

*Hog-sties and nuisances not removed on complaint.*

1. In case any privy, hog-sty, boiling-down, or any other matter or thing which shall at any time or times hereafter be in any place within the said Municipality shall be or become a nuisance, it shall be lawful for the said Council, upon complaint thereof to them, made by any of the inhabitants, and after due investigation of such complaint, by notice in writing, to order that such privy, hog-sty, boiling-down, or other matter or thing being a nuisance, shall be remedied and removed within seven days after such notice shall have been given to the owner or occupant of the said premises wherein such nuisance shall exist, or shall have been left for such owner or occupier at his or her last or usual place of abode, or on the said premises; and every such owner or occupier neglecting to remedy or remove such nuisance, pursuant to such notice and to the satisfaction of the Council, shall, on conviction, forfeit and pay any sum not less than one pound nor more than ten pounds for every such neglect or disobedience. And also it may be lawful for the said Council to indict, or cause to be indicted, for such nuisance, such person so neglecting or disobeying any such notice, at the then next Court of General or Quarter Sessions to be held

in or nearest to the said Municipality; and such person or persons being found guilty thereof, such nuisance or nuisances shall be removed, taken down, and abated according to the law with regard to public or common nuisances.

*Drawing or trailing timber, &c.*

If any person shall haul or draw, or cause to be hauled or drawn, upon any part of the streets, roads, or public places, any timber, stone, or other thing, otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing which shall be carried principally or in part upon wheeled carriages, to drag or trail upon any part of such streets or public places to the injury thereof, or to hang over any part of any such carriage, so as to occupy or obstruct the street or road beyond the breadth of the said carriage, every such person so offending shall, upon conviction, forfeit and pay for every such offence a sum not exceeding forty shillings over and above the damages occasioned thereby; and it shall be lawful for any constable or any other person to apprehend any person whom he shall find in the act of committing any such offence, and to convey such person before any Justice of the Peace, to be dealt with according to law.

*Cellars or openings beneath the surface of footways prohibited, &c.*

It shall not be lawful for any person to make any cellar, or any opening, door, or window in or beneath the surface of the footway of any road, street, or public place; and if any person shall offend in the premises he shall forfeit and pay any sum not exceeding five pounds over and above the expenses of remedying or removing any such cellar, opening, door, or window, such expense to be assessed and allowed by the convicting Justice or Justices.

*Wells to be covered over, &c.*

Every person who shall have a well situated between his dwelling-house, or the appurtenances thereof, and any road, street, or footway within the limits of the said Borough, or at the side thereof, or in any yard or place open or exposed to such road, street, or footway, shall cause such well to be securely and permanently covered over; and if any person having such well as aforesaid shall fail to cover and secure the same within twenty-four hours after notice in writing shall have been given to him or her by any officer of the said Council, or shall have been left for such person at his or her usual or last known place of abode, or on the said premises, shall, on conviction before any Justice of the Peace, forfeit and pay the sum of five shillings for every day that such well may remain open or uncovered contrary to the provisions hereof.

*Enclosures around scaffolding.*

If any person shall dig or make, or cause to be dug or made, any hole, or leave, or cause to be left, any hole in or adjoining to any street, road, or public place, for the purpose of making any vault or vaults, or the foundation or foundations to any house or other building, or for any other purpose whatsoever, and shall not forthwith enclose the same in a good and sufficient manner, or shall keep up or cause to be kept up and continued, any such enclosure for any time which shall be longer than shall be reasonably required, or shall not, when thereunto required by the said Council or its officer, well and sufficiently fence or enclose any such hole within twenty-four hours after he shall be required to do so by the said Council or officer, and in the manner and with such materials as they or he shall direct, and to their or his satisfaction, and shall not place a light upon the said enclosure, and keep the same constantly burning from sunset to sunrise during the continuance of such enclosure, or shall fail to place or erect a fence, rail, or boarding, around any scaffolding or ladder that may be required, during the repairs or erection of any building (such fence, rail, or boarding, not to extend beyond the footway of any street), or fail to keep, during the existence of such fence, rail, or boarding, a light burning from sunset to sunrise at each corner of the same, then and in every such case the person so offending shall, on conviction before any Justice of the Peace, forfeit and pay for every such offence, and for every such refusal or neglect, any sum not exceeding five pounds.

*Erections, &c., in front of public streets, roads, &c.*

No person shall build, erect, put up, or remove, or cause to be built, erected, put up, or removed, any building, house, shop, warehouse, wall, or fence, fronting any

public street, road, or thoroughfare, unless he shall have previously given seven days' notice of his intention to commence such works, to the Mayor or the Council Clerk of the Municipality; and any person so offending shall, upon conviction before a Justice of the Peace, pay for every such offence any sum not less than ten shillings nor more than forty shillings.

*Slops, nightsoil, &c., to be conveyed away only at certain hours, &c.*

If any person or persons shall drive, or cause to be driven, any cart or other carriage, with any nightsoil or ammoniacal liquor therein, through, or in any of the streets or roads or public places within the said Borough, between the hours of five o'clock in the morning and ten o'clock at night, or shall fill any cart or other carriage so as to turn over or cast any nightsoil, ammoniacal liquor, slop, mire, or channel dirt or filth, in or upon or near to any of the said streets or other public places, it shall and may be lawful for any person whomsoever to seize and apprehend, and to assist in seizing and apprehending the offender, and to convey him before any Justice of the Peace; and in order to prevent nuisances, it shall not be lawful for any person to deposit nightsoil, ammoniacal liquor, or other offensive matter, nearer to any street, road, or dwelling-house, than shall be directed by the said Council or their officer; and all nightsoil or other offensive matter shall be removed within the hours before prescribed, in properly covered and water-tight carts or other vehicles; and no vehicle used for this purpose shall be allowed to stand on any premises nearer to any road, street, or dwelling-house, than shall be directed by the said Council or their officer; and every person so offending shall, for every such offence, forfeit and pay any sum not exceeding five pounds; and in case the person so offending cannot be apprehended, then the owner of such cart or carriage in which such nightsoil, ammoniacal liquor, slop, filth, mire or channel dirt, shall be put or placed, and also the employer of the person so offending, shall be liable to, and forfeit and pay such penalty as aforesaid.

*Interrupting free passage, &c., driving on wrong side of road, &c.*

If the driver of any waggon, wain, cart, or dray of any kind, shall ride upon any such carriage in any street as aforesaid, not having some person on foot to guide the same (such carts as are drawn by one horse and driver, or guided with reins only excepted), or if the driver of any carriage whatsoever shall wilfully be at such a distance from such carriage, or in such a situation whilst it shall be passing upon such street, that he cannot have the direction and government of the horse or horses, or cattle drawing the same, or if the driver of any waggon, cart, dray, or coach, or other carriage whatsoever, meeting any other carriage, shall not keep his waggon, cart, dray, or coach, or other carriage, on the left or near side of the road, street or thoroughfare, or if any person shall in any manner, wilfully prevent any other person or persons from passing him or her, or any carriage under his or her care upon such street, or by negligence or misbehaviour prevent, hinder, or interrupt the free passage of any carriage or person in or upon the same, every such driver or person so offending shall, upon conviction before any Justice of the Peace, forfeit and pay any sum not exceeding forty shillings; and it shall be lawful for any constable to seize and convey any person so offending, before any Justice of the Peace, to be dealt with according to law.

*Furious or careless driving, &c.*

Any person who shall ride or drive through or upon any road, street, or public place, negligently, carelessly, or furiously, so as to endanger the life or limb of any person, or to the common danger of the passengers, shall, on conviction before any Justice of the Peace, forfeit and pay any sum not exceeding ten pounds.

*Leading animals on footpaths, &c.*

Any person who shall lead, drive, or stand, or permit to stand or ride any horse or other animal upon any of the footways of any of the streets or roads of the Borough, shall, upon conviction before any Justice of the Peace, forfeit and pay any sum not exceeding forty shillings nor less than five shillings.

*Affixing placards on walls; and chalking thereon.*

It shall not be lawful for any person to paste or otherwise affix any placard or other paper upon any wall, house, or building, by chalk or paint, or in any other manner, unless with the consent of the owner thereof; and any person who shall be guilty of any such offence shall, on conviction before any Justice of the Peace, forfeit and pay any sum not exceeding forty shillings nor less than five shillings.

*Hours for cattle-driving.*

No person shall drive through any street or public thoroughfare of the Borough any live stock between the hours of 6 o'clock a.m. and 6 o'clock p.m., during the months of May, June, July, and August, nor between the hours of 6 o'clock a.m. and 8 o'clock p.m. during the other months of the year, except calves and foals under the age of one year, quiet milch cows, horses, or cattle, broken to draft or saddle, and known as such, and pigs and goats. Any and every person or persons who shall drive or cause to be driven any live stock, except those above enumerated, through any street or public thoroughfare of the Municipality, between such hours, shall, on conviction before any Justice of the Peace, forfeit and pay any sum not exceeding five pounds for every such offence: Provided always, that the burden of proving that all or any such live stock as aforesaid, driven through any street or thoroughfare within the prohibited hours aforesaid, fall within the exception above specified, shall be cast upon the party or parties driving such live stock.

*Swine not to be kept.*

It shall not be lawful for any person whomsoever to breed, feed, or keep any kind of swine in any house, building, yard, garden, or other hereditaments situate and being in or within forty yards of any street or public place in the Borough; and any person who shall so offend shall, on conviction, forfeit and pay for every such offence any sum not exceeding forty shillings, nor less than five shillings.

*Open spaces and steps adjoining the footways to be enclosed, under penalty.*

Every owner or occupier of any house, building, or premises, having any entrance, area, garden, or other space open adjoining the footway of any street or public place, within the Municipality, beneath the level of the kerbstone or exterior edge of such footway, shall protect and guard the same by good and sufficient rails, fences, or other enclosures, so as to prevent danger to persons passing and re-passing; and further, that every such owner or occupier of any such house, building, or other premises having any steps adjoining or upon the footway of any street or public place, shall in like manner protect and guard the same by rails or other inclosures, so as to prevent the like danger to persons passing and re-passing; and in failure thereof, every such owner or occupier shall, as often as he shall be convicted of such offence, forfeit and pay any sum not being less than forty shillings nor more than five pounds.

*Carrying carcasses of newly-slaughtered meat, &c.*

Every person who shall carry or convey, or cause to be carried or conveyed, in any street or public place, the carcass, or any part of the carcass, of any newly-slaughtered animal, without a sufficient and proper cloth covering the same for the concealment from public view, shall be liable, on conviction, to a penalty of any sum not exceeding two pounds for every such offence.

*Rain not to be carried to footways.*

It shall not be lawful for any person whomsoever to carry, by means of pipes, gutters, or other contrivances, any rain-water from the roof of his or her premises or house, nor permit nor suffer any rain-water to drop from the roof of his or her premises or house, upon any part of the footways of any street or public place within the Borough. And any owner or occupier of any such house or premises who shall neglect or refuse to remedy or remove any such pipes, gutters, or contrivances, when required to do so by any municipal officer, shall, on conviction, forfeit and pay any sum not exceeding ten shillings, and a like sum for every day or part of a day that the same shall not be remedied or removed: Provided that the owner or occupier of any such house or premises may convey any such rain-water by means of pipes laid under the surface of any such footways into the gutters adjoining

the same: And provided also, that all such pipes shall be laid down to the satisfaction of and under the superintendence of the Town Surveyor, or any other person appointed by the Council.

*Breaking horses, &c.*

It shall not be lawful for any person or persons, in any street or public place within the Municipality, to drive any carriage or carriages for the purpose of breaking, exercising, or trying horses, or to ride, drive, or lead any horse, mare, or gelding, for the purpose of airing, exercising, trying, breaking, showing, or exposing for sale any such horse, mare, or gelding, otherwise than by passing quietly through such streets or public places: Provided further, that no person or persons shall be allowed within the said Borough to furiously or carelessly drive any horse, mare, or gelding to or from any public watering-place, creek, or river; and the person or persons in charge thereof, and who shall be *prima facie* presumed to be the owner of the said animal or animals, and shall be liable accordingly. And every person so offending, upon conviction before any Justice of the Peace, shall forfeit and pay for every such offence any sum not exceeding forty shillings nor less than five shillings.

*By-laws for the regulation of Slaughter-houses.*

1. Every Inspector of Slaughter-houses and of animals intended to be slaughtered within the Borough of West Maitland shall, upon receiving due notice thereof, inspect all animals intended to be slaughtered, and shall particularly describe the colour, mark or marks, brand or brands, and sexes, together with the name of the owner or owners thereof, which particulars he shall carefully enter, or cause to be entered, in a book to be kept for that purpose, and which book such Inspector shall produce, when required, for examination by the Council or any Justice of the Peace, Inspector, sub-inspector, sergeant of police, or any other police officer.

2. The owners or occupiers of slaughter-houses shall give the Inspector at least six hours' notice, in writing, of the number of cattle intended to be slaughtered at any particular time; and for every head of cattle slaughtered prior to inspection, the person or persons slaughtering or causing the same to be slaughtered shall pay a penalty of not less than forty shillings nor more than five pounds.

3. The Inspector shall only inspect cattle for slaughter in the yards adjoining licensed slaughter-houses.

4. Any person found slaughtering animals without being duly licensed shall be liable to a penalty not exceeding five pounds for every such offence; and no person shall be permitted to slaughter cattle, sheep, or pigs, intended for sale within the Borough, except at a duly licensed slaughter-house.

5. The only form of license necessary shall be a certificate under the hand of the Mayor, countersigned by the Council Clerk, that the necessary fee has been paid, and that the person or persons for whom it has been so paid is henceforward permitted to slaughter; but no such license shall be issued or granted for any other slaughter-house within the limits of the Borough than for any now in existence at the passing of these by-laws.

6. The license fee shall be 2s. 6d. per annum.

7. The license shall be in force twelve months from the 1st January in each year.

8. Nothing herein contained shall extend to or affect any person or persons slaughtering at his, or her, or their own residences within the Municipality, animals for his, or her, or their family, servants, or labourers.

9. The owner or occupier of any slaughter-house within the Municipality of West Maitland, used for the slaughter of animals intended for human food, shall keep the milts or spleens and lungs of all animals slaughtered in the said slaughter-house for a period of six hours after the animals have been slaughtered, unless the Inspector of Slaughter-houses shall have previously examined the milts or spleens and lungs of such slaughtered animals. And any such owner or occupier as aforesaid who shall neglect or refuse so to do, shall forfeit and pay a penalty of not less than forty shillings nor more than twenty pounds.

10. Every person who may from time to time be in that behalf appointed by the West Maitland Municipal Council, shall be the Inspector of Slaughter-houses within the Borough of West Maitland; and such Inspector shall from time to time enter into and examine all such slaughter-houses, and the milts or spleens and lungs and carcasses of all animals slaughtered, or any animals intended to be slaughtered therein.

11. It shall be lawful for any such Inspector, appointed or to be appointed as aforesaid, to ask, demand, and receive the sum of three-pence for each and every head of cattle or skin, and one penny for each and every head of sheep, pig, calf, and lamb inspected by him under the authority of these by-laws, to be paid by the keeper of such licensed house or place, and to be recovered before any one or more Justice or Justices of the Peace.

12. Any person who shall assault, resist, or obstruct any such Inspector of Slaughter-houses when in the execution of his duty, or shall aid, abet, or incite any person so to do, shall, for every such offence, forfeit and pay a penalty of not less than twenty shillings nor more than ten pounds.

13. The blood, offal, and filth of all such animals as may be slaughtered in any such slaughter-house and premises used therewith, shall be removed at least once in every twelve hours; and any owner or occupier of any such slaughter-house who shall fail, neglect, or refuse to comply with this by-law, shall, for every such offence, forfeit and pay a penalty of not less than forty shillings nor more than ten pounds.

14. If the owner or occupier of any such slaughter-house shall knowingly cause, permit, or suffer any animal infected with any disease affecting the milt or spleen, or lungs, to be slaughtered in any such slaughter-house, or if, after the slaughter of any animal, it shall be found to be diseased, and such owner or occupier, as soon as the animal is inspected and condemned, shall not immediately thereupon cause the entire carcass to be destroyed by fire in the presence of the Inspector, such owner or occupier shall, for every such offence, forfeit and pay any sum not exceeding fifty pounds nor less than ten pounds: Provided, however, that should the owner of any animal which may be condemned by the Inspector, object to the decision of that officer, the owner thereof shall be at

liberty to appoint some veterinary surgeon, or other competent person, as arbitrator in his behalf; and in the event of the Inspector and such veterinary surgeon, or other competent person, not agreeing, it shall be lawful and incumbent upon them, under a penalty of ten pounds, to appoint an umpire, whose decision shall be final.

15. All penalties imposed under these by-laws may be sued for and recovered in a summary way before any two Justices of the Peace.

16. The word "animal" shall, for the purposes of these by-laws, be held to include cattle, sheep, pigs, calves, and lambs; and the words "die of any disease" shall be held to apply to all cases of death other than death caused by killing or slaughtering.

17. All penalties recovered under any of these by-laws shall be paid over to the Council Clerk, to be appropriated towards the Borough funds.

All fines, penalties, and forfeitures, incurred under these by-laws may, unless otherwise provided for, be recovered in a summary way, by distress and sale of the offender's goods, before any two Justices of the Peace in Petty Sessions, according to the provisions of the Act 14 Victoria, No. 43, and the Acts therein adopted; and all such fines, penalties, and forfeitures, when recovered as aforesaid, shall be paid into the corporate fund of the Borough; and no person shall be liable to any penalty, fine, or forfeiture, under this Act, unless proceedings in respect thereof be commenced within six months after the same shall have been incurred.

Made and passed by the Borough Council of West Maitland, this 14th day of April, one thousand eight hundred and sixty-eight.

JOHN LEE, Mayor.

JAMES FULLFORD, JUNR., Council Clerk.

1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF NEWCASTLE—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 23rd June, 1868.

## BOROUGH OF NEWCASTLE.

BY-LAWS, TO REGULATE, BY MEANS OF STANDING ORDERS, THE PROCEEDINGS OF THE COUNCIL OF THE BOROUGH OF NEWCASTLE.

THE following By-laws, made by the Council of the Borough of Newcastle, to regulate, by means of Standing Orders, the proceedings of the said Council, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

HENRY PARKES.

## BOROUGH OF NEWCASTLE.

BY-LAWS, to regulate, by means of Standing Orders, the proceedings of the Council of the Borough of Newcastle.

*Order of business.*

1. Confirmation of the minutes of last meeting, upon which no discussion shall be allowed, except as to the accuracy thereof.
2. Reading of copies of letters sent by authority of Council.
3. Reading of letters received, and considering and ordering thereon.
4. Reception and reading of petitions and memorials.
5. Reception and reading of reports from Standing or Special Committees.
6. Consideration of all business standing over from, or arising out of, former meetings.
7. Motions, of which previous notice has been given.

*General duties of the Mayor or Chairman.*

8. The Mayor or presiding Alderman shall preserve order, and his decision on disputed points of order shall be final.
9. When the Mayor or presiding Alderman is called upon to decide a point of order or practice, he is to state the rules applicable to the case, without argument or comment.
10. Whenever any matter of order arises, it shall be immediately taken into consideration.
11. The Mayor or presiding Alderman shall put all questions, and declare the sense of the Council thereon.
12. If two or more members rise to speak at the same time, the Mayor or presiding Alderman shall decide which member is entitled to pre-audience.
13. The Mayor or presiding Alderman shall, on every motion made and seconded, put the question first in the affirmative and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion from the show of hands as to which party has the majority.

14. The Mayor or presiding Alderman shall, without waiting for the interposition of any member of the Council, call to order any member who shall use any expressions capable of being applied offensively to any other member; and the member so offending shall be required to withdraw the expressions, and to make a satisfactory apology to the Council.

*Committees.*

15. Besides such special Committees as may from time to time be found necessary, there shall be two Standing Committees, namely, a Finance Committee and an Improvement Committee.

16. The Standing Committees shall be appointed for each municipal year, within one month after the election of the Mayor, and any vacancies occurring therein during the year shall be filled up by the election of another member by the Council.

17. No Committee shall consist of less than three nor more than five members, except when the Council shall resolve itself into a Committee of the whole. A majority in every case to form a quorum.

18. Every Committee, of which the Mayor is not a member, shall choose its own Chairman; and the Chairman of every Committee shall be the convener thereof, and may at any time direct the Town Clerk to summon meeting of such Committee.

19. Every Committee shall be chosen by ballot in manner following, viz.: A list of the names of all the members of the Council shall be furnished by the Town Clerk to every member present, who shall then strike out the names of all members except those for whom he votes; and having folded the paper, he shall hand the same to the Mayor or Presiding Alderman, who, having mixed the papers so as to prevent identification, shall open and inspect them in the presence of the Council, and the result shall be recorded in the minute book.

20. Reports from Committees shall not be taken into consideration, nor adopted without notice in the usual way; but the question of the reception of any report may be moved, and (if seconded) put at once.



21. All reports from Committees shall be fairly written upon foolscap paper, for the convenience of filing or binding, and shall be signed by the Chairman of such Committee.

22. The Improvement Committee shall have the general inspection of all public works in progress throughout the Borough, and shall have the right of calling the attention of the Council, by report, to any matter connected with such works, or with the state of any public thoroughfare, which may seem to require such attention. It shall also consider and report upon any question of an analogous character, which may be referred to it by a resolution of the Council.

23. The Finance Committee shall examine all accounts for payment, before any cheque shall be issued for payment thereof, and report upon them to the Council.

24. The Finance Committee shall also deliberate and report upon all questions affecting the finances of the Borough which may be committed to it by a resolution of the Council. It shall be the duty of this Committee to watch over generally the financial administration of the Borough; and it shall have the right of calling the attention of the Council, by report, to any matters connected with such administration, which may appear to require such attention.

25. The orders of the Council shall be observed in all Committees, except the order limiting the number of times of speaking.

26. The appointment of Special Committees shall continue until the specific duties for which they are appointed shall have been discharged, unless the Council shall deem it necessary to dissolve such Committee.

#### *Motions and Amendments.*

27. No notice shall be taken by the Mayor or Presiding Alderman of any motion or amendment, unless it be seconded.

28. If the proposer of any motion be absent when the same is called on in order, and has not deputed any member to take charge of it for him, such motion shall be struck off the business paper.

29. No motion, the effect of which, if carried, would be to rescind or be repugnant to any resolution which has been passed by the Council, shall be moved without express notice, and a call of the whole Council for a particular day to be named for that purpose; and no such motion, if negatived, shall be again entertained during the same municipal year.

30. Any motion for adjournment shall be immediately put without discussion; but if such motion be negatived, it shall not be competent for any member to make a similar motion until half an hour at least shall have elapsed from the moving the one that has been negatived.

31. When a motion has been proposed and seconded it shall be the property of the Council, and shall not be withdrawn without the consent of the Council.

32. That whenever an amendment is made upon an original proposition, no second amendment can be taken into consideration until the first amendment is disposed of.

33. When an amendment is carried it only displaces the original question, and so becomes itself the question for consideration, whereupon any further amendment may be moved, and such further amendment being received, then the mover of the amendment which has displaced the original question will be entitled to a reply, and the like course will be pursued as to any further displacing and fresh amendment.

34. That if the first amendment be negatived, then a second may be moved to the original question under consideration.

35. All notices of motion must be in writing, dated, and signed by the member making the same, and shall be filed and kept by the Town Clerk until the end of each municipal year, when they may be destroyed.

#### *Divisions.*

36. It shall be competent for any member to divide the Council on any question, both in full Council and in Committees of the whole; and upon such divisions, those who are on the affirmative side shall seat themselves on the right hand of the Mayor or presiding Alderman, and those who are on the negative shall seat themselves on his left hand; and no member shall leave his seat till the names of the members be taken down by the Town Clerk, or person officiating for him.

37. All divisions of the Council or of Committees of the

whole shall be entered on the minutes of proceedings.

38. In all divisions, every member present shall be compelled to vote.

#### *Petitions.*

39. No debate shall take place on the presentation of a petition; but the question of its reception, or that it be referred to a Committee, may be moved and put at once.

40. It shall be the duty of any member presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable.

41. That all petitions be received only as the petitions of the parties signing the same.

#### *Miscellaneous.*

42. Except in Committee, no member shall be allowed to speak twice on the same question, unless in explanation merely; but the mover of any motion shall have the right of reply, without introducing any new matter: Provided, however, that every member shall have the liberty of speaking once on every amendment as well as on the original motion.

43. No member shall digress from the matter under discussion, or make personal reflections on members, or impute motives.

44. A debate may be adjourned to a later hour of the same day, or to another day which may be specified.

45. The member upon whose motion any debate shall be adjourned by the Council, shall be entitled to pre-eminence on the resumption of the debate.

46. Every member shall stand while speaking, and address the Chair.

47. Any member may demand the production of any of the documents of the Council relating to the subject under discussion.

48. Whenever the Council is adjourned for want of a quorum, the names of the members then present, and the hour at which the adjournment takes place, shall be entered on the minutes.

49. Any member may require the question or matter under discussion to be read for his information at any time during the debate, but not so as to interrupt any other member while speaking.

50. Any member may record his protest against any decision of the Council, or ruling of the Mayor or presiding Alderman, provided the same, made in writing before the next meeting of the Council, be in respectful language and consistent with truth. Notice of such protest must, however, be given at the time the decision out of which it may arise is delivered.

51. For the consideration of any by-law, or for the borrowing of money, or for the rescission of any motion previously adopted by the Council, it shall be competent for any member, without previous notice, to move for a call of the whole Council, for the consideration of any such subject, at the next or any subsequent meeting; and upon such motion being carried, due notice thereof shall be given in the business paper of the day.

52. The Mayor and any two Aldermen, or, in the absence of the Mayor from the Municipality, any three Aldermen may, in writing, order any sum, not exceeding twenty pounds, to be expended in repairing any public work under the control of the Council, which may be suddenly damaged: Provided it shall appear to them that such repair cannot be delayed until the next sitting day of the Council; and they may appoint a proper person to execute such repairs: Provided always, that the making of such order shall be reported at the next meeting of the Council, and provided also, that not more than one such order shall be made between the termination of one meeting and the commencement of another.

53. No election to any paid office at the disposal of the Council shall take place until seven clear days' notice shall be given in one or more of the local newspapers inviting applications for the same.

54. The Town Clerk shall have the charge of the common seal of the Corporation, and shall be responsible for the safe custody and proper use of the same—each impression thereof being duly verified by the signature of the Mayor.

55. The Town Clerk shall affix the common seal to all contracts, bonds, and licenses requiring the same, and to all by-laws and addresses to the Governor, and also to all petitions to Parliament passed by the Council, but he shall not affix it to any other document without the authority of the Council.

56. The Council shall vote by show of hands, except in cases of elections—but any member may call for a division.

57. A detailed account of all moneys received and of all sums disbursed on behalf of the Council, up to the end of each month, and also the cash-book and bank pass book, balanced, shall be laid before the Council by the Town Clerk, at each monthly meeting, or oftener, if required.

58. No officer shall be at liberty to shew, lay open, or expose any of the books, papers, or records, to any person not a member of the Council, without leave from the Council, except as otherwise provided by law.

59. Contracts for all public works shall be by tender.

60. Every contractor shall be required to find approved securities for the due performance of his contract.

61. In no case shall the Council accept as surety for the due and faithful performance of any duty or contract, any member of the Council, nor any person holding office or employment under the Council.

62. The Town Clerk shall have the custody of, and shall be responsible for the safe keeping of, all books, charters, deeds, municipal documents, and records of the Corporation, or relating to the property thereof.

63. The monthly meetings of the Council shall be held as by law required—upon the first Monday in every month, at 4 o'clock p.m.

64. Any one or more of the standing orders of the Council may be suspended, *pro tempore*, in cases of emergency, provided that the majority of members present deem it necessary.

Made and passed by the Council of the Borough of Newcastle, on the 20th day of April, 1868.

JAMES HANNELL,

JNO. BURROWS,  
Town Clerk.

Mayor.





1868.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF BALMAIN—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, Sec. 158.

Colonial Secretary's Office,  
Sydney, 12th May, 1868.

## BOROUGH OF BALMAIN.

BY-LAWS FOR THE REGULATION, BY MEANS OF STANDING ORDERS, OF THE PROCEEDINGS OF THE COUNCIL, AND FOR DELEGATING CERTAIN POWERS TO THE MAYOR.

WHEREAS, by the Municipalities Act of 1867, section 153, it is amongst other things enacted, that the Council of any Municipality may, from time to time, make by-laws for regulating their own proceedings, and the duties of their officers and servants, and preserving order at Council Meetings, and for other purposes therein mentioned: And whereas, by the 158th section of the said Act, it is further enacted, that all or any such by-laws, being consistent with the provisions of the said Act, and not repugnant to any other Act or law in force within the Colony of New South Wales, shall have the force of law when confirmed by the Governor and published in the *Government Gazette*, but not sooner or otherwise: And whereas the Council of the Municipality of Balmain have, under the power hereinbefore recited, made the following by-laws for the regulation, by means of Standing Orders, of the proceedings of the Council, and for delegating certain powers to the Mayor, and the said by-laws having been confirmed by the Governor, with the advice of the Executive Council, in accordance with the said Act, the same are hereby published in the *Government Gazette*.

HENRY PARKES.

BY-LAWS for the regulation, by means of Standing Orders, of the proceedings of the Council of the Borough of Balmain, and for delegating certain powers to the Mayor.

## No. 1.—STANDING ORDERS.

*Duties of the Mayor.*

1. If at any meeting of the Council duly held, the Mayor shall be absent at the expiration of fifteen minutes after the time appointed for holding the meeting, the Aldermen present shall forthwith choose one of themselves to preside.

2. All questions duly proposed shall be put by the Mayor or presiding Alderman, and the sense of the Council thereon shall be declared by him.

3. Every such question shall be put first in the affirmative and then in the negative; and this may be done as often as the Mayor or presiding Alderman shall deem necessary for enabling him to determine which side has the majority.

4. If two or more members rise to speak at the same time, the Mayor or presiding Alderman shall decide which of them is entitled to pre-audience.

5. The Mayor or presiding Alderman shall preserve order; his decision on disputed points of order shall be final, unless exception shall be taken thereto by any Alderman, in which case the Mayor or presiding Alderman shall submit the same to the Council for their decision.

*Order of business.*

6. The business of each ordinary meeting of the Council shall be transacted in the following manner, viz. :—

1. The reading and the confirmation of the minutes of the previous meeting.
2. The reading of official correspondence.
3. The presentation of petitions.
4. Reports brought up from Committees.
5. Miscellaneous business.
6. Motions of which notice has been given.
7. Notices of motion to be given.
8. Orders of the day.
7. The question for confirming the minutes of the previous meeting shall be proposed by the Mayor or presiding Alderman immediately upon their being read, and shall be to the effect that the minutes now read are a correct record of the proceedings; and no discussion shall be allowed thereon, except on the point of accuracy.
8. The orders of the day shall comprise all business set down for the day by order of any previous meeting, or necessarily arising out of the proceedings of a former meeting, or the consideration of such matters as the Mayor may deem necessary to bring before the Council.

*Rules of Debate.*

9. Every member shall stand when speaking, and shall address the Chair.

10. Except in Committee, no member shall speak more than once on the same question, unless in explanation when misrepresented or misunderstood: Provided, however, that the mover of any question shall be allowed the liberty of reply; and provided further, that every member shall be at liberty to speak once on any amendment, as well as on the original motion; but the right of reply shall not extend to the mover of an amendment.

11. No member shall speak upon any motion or amendment for a longer time than fifteen minutes, unless by permission from the Council.

12. No member shall digress from the matter under discussion, nor make personal reflections on members, nor impute motives.

13. When any member shall use any expression which the Mayor or presiding Alderman shall think capable of being applied offensively to any other member, the member so offending shall be required by the Mayor or presiding Alderman to withdraw the expression, and to make a satisfactory apology to the Council.

14. Whenever any matter of order arises, it shall be taken into consideration immediately; and upon a member rising to order he shall be heard, and the member who was speaking shall sit down until the question of order has been decided.

15. Any member may require the question under discussion to be read for his information at any time during a debate, but not so as to interrupt any other member when speaking.

16. A debate may be adjourned to a later hour of the day, or to another day specified; and the member upon whose motion a debate is adjourned shall be entitled to pre-audience on resumption of the debate.

#### *Divisions.*

17. It shall be competent for any member to divide the Council upon any question put from the Chair, either in full Council or in Committee of the whole Council; and upon such division, those who are on the affirmative side shall place themselves on the Mayor or presiding Alderman's right hand, and those who are on the negative shall place themselves on his left hand; and no member shall leave his place until the names of all the members present have been taken down by the Council Clerk or person officiating for him.

18. All divisions of the Council shall be entered on the minutes of the proceedings.

19. In division every member present shall be compelled to vote, except as provided by section 106 of the Municipalities Act of 1867.

#### *Motions.*

20. No motion shall be put unless it be seconded.

21. When a motion has been proposed and seconded it shall be the property of the Council, and shall not be withdrawn without the consent of the Council.

22. Any number of amendments may be proposed on a motion before the Council; and when more than one amendment is moved and seconded, the question shall first be put on the last amendment, and then on to the one next to the last, and so on in the inverse order in which they are moved: Provided, however, that when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, the lowest sum shall be put first, then the next lowest, and so on to the highest.

23. Any motion for adjournment, if seconded, shall be put immediately, without discussion; but if such motion be negatived, it shall not be competent for any member to make a similar motion until at least half an hour shall have elapsed from the period of moving the one that has been negatived.

24. No motion, the effect of which, if carried, would be to rescind, or be repugnant to any resolution which has been passed by the Council, shall be entertained during the same municipal year, unless a special meeting of the Council have been duly called for that purpose; and no such motion, if negatived by the Council, shall be again entertained during the same municipal year.

#### *Petitions.*

25. It shall be incumbent on any member presenting a petition, to acquaint himself with the contents thereof, and to report to the Council that it does not contain disrespectful language.

26. On the presentation of petitions no debate shall take place, and the only question that can be entertained by the Council shall be that the petition be received, or that it be referred to a Committee: Provided, however, that any petition which has been received by the Council may be taken into consideration upon notice of motion in the usual way.

27. Every petition received by the Council shall be received as the petition of the party or parties whose signatures it bears; and no petition shall be received unless at least one signature be upon the sheet containing the petition.

#### *Committees.*

28. In a Committee of the whole Council the general rules of the Council shall be observed, except the rule limiting the number of times of speaking.

29. Every Select Committee, of which the Mayor of the Borough is not a member, shall choose its own Chairman, and the Chairman of every Committee shall be the convener thereof, and may direct the Council Clerk to call meetings of the Committee whenever he shall think fit.

30. Every report of a Committee shall be signed by the Chairman thereof.

31. When the report of a Select Committee is brought up and presented to the Council, the question as to its reception may be moved and put at once, but it shall not be adopted or taken into consideration without notice in the usual way.

#### *Finance Committee.*

32. No matters of account shall be disposed of by the Council until they have been examined and reported by the Committee of Finance.

33. No payments out of the funds of the Corporation shall be made but such as are authorized by a vote of the Council: Provided always, that the Committee of Finance may, on its own discretion, authorize disbursements for current expenses to any amount not exceeding five pounds (£5) in any one week: And provided further, that in cases of emergency, the Mayor, with the assent of any two members of the Committee of Works, may authorize the expenditure of any sums not exceeding ten pounds (£10) in all, during a recess; but all such discretionary payments, whether by the Committee of Finance or by the Mayor, shall be reported to the Council at its next meeting.

#### *Committee of Works.*

34. No public works involving a probable expenditure of more than fifty pounds (£50) shall be undertaken until the Committee of Works have reported to the Council an estimate of the cost thereof.

35. All accounts against the Corporation relating to works shall be examined by the Committee of Works, and such as are found correct shall be certified and passed to the Committee of Finance.

#### *Committee of General Purposes.*

36. All matters which the Council shall think fit to refer to a Committee, and which do not fall within the province of any other Standing Committee, shall be referred to the Committee of General Purposes: Provided, however, that the Council may at any time refer such matters to a Committee appointed for that particular business.

#### *Making By-laws.*

37. Before any proposed by-law is discussed in Council, a copy thereof shall be open for public inspection in the office of the Corporation not less than seven days.

38. No by-law shall be passed until it has been reported upon by a Committee of the whole Council, nor until it has been twice read in Council on different days.

#### *Miscellaneous.*

39. Whenever the Council is adjourned for want of a quorum, the names of the members then present, and the hour at which the adjournment took place, shall be entered on the minutes.

40. Any member may record his protest against any decision of the Council, provided the protest be handed to the Council Clerk not later than the next Council meeting; and provided also, that notice of his intention to protest be given immediately on the passing of the resolution to which the protest refers.

41. The common seal and all charters, deeds, muniments, and records of the Corporation, shall be kept in the Town Hall or office of the Corporation, in custody of the Council Clerk, unless for any special purpose the Council shall otherwise order.

42. No officer of the Corporation shall be at liberty to show, lay open, or expose any of the books, papers, or records of the Corporation, to any person other than an Alderman, without leave from the Council, except as otherwise provided by the Municipalities Act of 1867.

43. Any one or more of the standing orders may be suspended *pro tempore* in a case of emergency, if a majority of two-thirds of the members then present shall deem such suspension necessary.

44. Any Alderman or officer of the Corporation offending against the provisions of this by-law, by refusal, neglect, or otherwise, shall forfeit and pay a sum not exceeding five pounds (£5).

H. PERDRIAU, Mayor.

Made and passed by the Council of the Borough of Balmain, this 17th day of March, in the year of our Lord one thousand eight hundred and sixty-eight.

JAMES M'DONALD,  
Council Clerk.

No. 2.—FOR DELEGATING CERTAIN POWERS TO THE  
MAYOR.

That the Mayor be the officer appointed by this Council for the purpose of carrying out the provisions of the 128th clause of the Municipalities Act of 1867, except so much of the clause as apply to the setting out and defining of the carriage-way and foot-ways of streets and public places.

H. PERDRIAU, Mayor.

Made and passed by the Council of the Borough of Balmain, this 17th of March, in the year of our Lord one thousand eight hundred and sixty-eight.

JAMES M'DONALD,  
Council Clerk.



1868-9.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF RANDWICK—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

Colonial Secretary's Office,  
Sydney, 30th December, 1868.

## BOROUGH OF RANDWICK.

## BY-LAWS.

THE following By-laws made by the Council of the Borough of Randwick,—to repeal the original By-laws of the Borough, Nos. 1 and 2, to regulate by means of Standing Orders the proceedings of the Borough Council, for the collection of rates, the licensing of public vehicles, the slaughtering of cattle, the suppression of nuisances, the sewerage, and for the general good rule and government of the Borough,—having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

## BOROUGH OF RANDWICK.

## BY-LAWS No. 1.

To repeal original By-laws Nos. 1 and 2, to regulate by means of Standing Orders the proceedings of the Municipal Council of Randwick, the collection of rates, the licensing of public vehicles, the slaughtering of cattle, the suppression of nuisances, the sewerage, and general good rule and government of the Borough.

*Original By-laws repealed.*

1. The By-law of the Municipal Council of Randwick, No. 1, dated the 23rd day of May, 1859, and the By-law of the said Council, No. 2, dated the 17th day of August, 1860, are hereby repealed.

*Regulation and order of proceedings.*

2. The sittings of the Council shall on all ordinary occasions be open to the Public, but any Alderman may require the exclusion of strangers while the sense of the Council is taken on any case mentioned in the 101st clause of the Act, 31 Vic., No. 12, as to whether the question proposed shall be discussed with closed doors.

3. The business of the Council shall commence with a quorum. If at the expiration of thirty minutes from the time of the meeting there is no quorum, no business shall be transacted, but the names of the Aldermen present shall be recorded in the Minutes.

4. If the Mayor be not present one quarter of an hour after the time appointed for the meeting of the Council, an Alderman shall be elected to preside as Chairman for the time being.

5. The Mayor or Chairman of the Council for the time being may take part in all the proceedings of the Council, and in case of an equality of votes upon any division, may give a casting vote in addition to his vote as Alderman.

*Chap. I.—Order of business.*

1. Confirmation of minutes of last meeting.
2. Reading of copies of letters sent by authority of Council.
3. Reading of letters received, and considering and ordering thereon.
4. Reception and reading of petitions and memorials.
5. Reading and ordering on reports of permanent committees.
6. Reading and ordering on reports of select committees.
7. Reading and ordering on reports of deputations.
8. Financial statement and accounts.
9. Special business not classified.
10. Order of the day, including subjects arising from proceedings of former meetings.
11. Motions of which previous notice has been given.
12. Notices of motion.
6. The first business of each meeting of the Council shall be to confirm the minutes of the preceding meeting; and no discussion shall take place thereupon, except as to the accuracy thereof.
7. All communications by letter intended for the Council shall be made and addressed to the Council Clerk, and all applications and memorials shall be addressed to the Mayor, under cover to the Council Clerk.
8. No motion shall be decided on at any meeting of the Council unless notice in writing signed by the Alderman

proposing shall have been given at the previous meeting of the Council, except with the consent of two-thirds of the Aldermen then present.

9. The order of the day shall include all business of which due notice has been given, and also all matters arising out of former meetings of the Council.

10. Any motion entered on the notice paper, and the Alderman having given notice of the same being absent, and no other Alderman deputed to bring forward such motion when the business is called in order, such motion shall be struck out.

11. No by-law shall be decided on without due notice (as in cases of motions), and a copy of the proposed by-law shall be open in the Council Chambers seven days for the inspection of all ratepayers, free of charge, or of any person duly qualified to vote at elections under the Municipalities Act.

#### *Chap. II.—Order of debate.*

1. Any Alderman proposing a motion or amendment, or discussing any matter, must rise and address the Mayor or Chairman, and no Alderman shall be interrupted unless by a call to order, when he shall sit down, and the Alderman calling to order shall then be heard, and the question of order decided before the subject is resumed or any other business.

2. Any Alderman proposing a motion or an amendment, must state the nature of it before addressing the Council.

3. No Alderman shall speak twice on the same question, unless by way of explanation merely, or in reply as the mover of an original motion, or upon any amendment; and after such explanation or reply the question shall forthwith be put to the vote.

4. If more than one Alderman rise at one time, the Mayor or Chairman for the time being shall decide which is entitled to pre-audience.

5. No Alderman shall digress from the subject under discussion, nor impute motives; and all personal reflections shall be considered highly disorderly, and withdrawn accordingly.

6. The Chairman, when called upon to decide a point of order or practice, shall state the rule or precedent applicable to the case, without argument or comment; and his decision as to what is order or explanation shall be final.

7. The Chairman shall arise when addressing the Council in discussion of any question.

8. Any Alderman may demand the production of any of the documents of the Council relating to the subject under discussion.

9. Only one amendment shall be discussed at one time; and upon the adoption of any amendment, the original motion shall be deemed rejected, and the amendment so carried shall be acted upon as an original motion.

10. The Chairman shall, on taking the sense of the Council, put the question first in the affirmative, then in the negative; and the votes of all Aldermen shall, if demanded, be entered on the minutes.

11. The Council shall vote by show of hands, except in cases of elections.

12. No proposition once brought before the Council shall be withdrawn without leave of the Council, nor shall any proposition be entertained by the Council until the same be seconded.

13. No discussion shall be allowed on any motion of adjournment; but if the question be negatived, the next motion or order of the day shall be considered before the question of adjournment shall be again entertained: Provided the motion be carried, any business left undecided shall take precedence at the next meeting of Council.

14. Any Alderman may record his protest against any decision of the Council, provided the same be made, in writing, before the next meeting of the Council, and couched in respectful language, and be consistent with truth. Notice of such intention, however, must be given on the adoption of the resolution.

15. No motion, the effect of which if carried would be to rescind any motion which has already passed the Council, shall be entertained during the same municipal year, unless a call of the whole Council has been duly made for that purpose; and no such motion for rescinding any resolution of the Council which shall have been negatived by the Council, shall be again entertained during the same municipal year.

16. All notices of motion shall be dated and signed by the intended mover, and read by the Council Clerk at the close of the ordinary business, before the adjournment of the Council.

#### *Chap. III.—Elections.*

1. No election to any paid office at the disposal of the Council, which may exceed the sum of one hundred pounds per annum, shall take place until four clear days' notice shall have been given in one of the local newspapers, inviting applications for the same; and the salary of such office shall in all cases be fixed for the municipal year before proceeding to the election.

2. No Alderman or officer of the Council shall be received as security for any officer appointed by the Council, or for any work to be performed for the Council; and in all cases in which security for the due and faithful performance of any duty or contract is required, the expense of preparing such security shall be defrayed by the person or persons giving the same.

3. At all such elections, and also at the election of Mayor of Council, the votes shall be taken in the usual manner, by a show of hands; and the votes of all the Aldermen shall be entered on the minutes in the order in which they are given.

4. The Council Clerk shall make a half-yearly return of the revenue and expenditure of each ward, and shall charge to each ward one-third share of the general expenses of the Borough, and the balance of revenue of each ward shall be expended in such ward to which such revenue belongs: Provided, however, that it shall be lawful for the Council to lend to any or either of the said ward or wards, for any general improvement, the whole or any part of the balance of the general revenues of the Borough for one year only; and the sum or sums so lent to such ward or wards shall be repaid from the future revenues of such ward or wards which may have borrowed as aforesaid, and be expended in the ward or wards entitled to such expenditure; and the Mayor of the Borough shall, at the expiration of every three years after the division into wards has been made, cause all such accounts to be properly and equitably adjusted; and the Council shall spend forthwith, in the ward or wards so entitled to such expenditure, the amount so due to such ward or wards respectively.

5. In every case where the boundaries of any two wards shall be a road, street, or thoroughfare, one-half of the expense of making and upholding such road, street, or thoroughfare, shall be charged to each of the wards so connected; and in case of any emergency, for the repair of any street, fence or bridge, the Mayor shall, with the consent of two Aldermen, authorize the expenditure of any sum not exceeding ten pounds, providing, however, that such expenditure shall be reported to the Council at the next meeting.

6. No officer of the Council shall show, lay open, or expose any of the books, papers, or records of the Council, to any person, without the consent of the Mayor, except as otherwise provided by law.

#### *Chap. IV.—Miscellaneous regulations.*

1. For the consideration of any by-law, or for the raising or appropriating of money, or for the objects contemplated in the standing order, it shall be competent for any Alderman, without previous notice, to move for a call of the whole Council, for the consideration of any such subject at the next or any subsequent meeting; and upon such motion being carried, due notice thereof shall be given in the notice paper of the day or notice of motion for which such call was made and set down for consideration; and any member not in attendance when such order of the day or notice of motion comes under consideration, or not in attendance at the voting upon such question or any amendment thereof, whether of adjournment or otherwise, shall be liable to a penalty of five shillings unless reasonable cause for such absence be shown to the satisfaction of the Council.

2. The Council Clerk shall have the charge of the common seal of the Corporation, and shall be responsible for the safe custody and proper use of the same; each impression thereof being made under the authority of the Council, and duly verified by the signature of that officer.

3. The Council Clerk shall affix the municipal seal to all contracts, bonds, and licenses requiring the same, and to all by-laws and addresses to the Governor passed by the Council; but he shall not affix it to any other document without the authority of the Mayor and under his signature.

4. Any one or more of the standing orders may be suspended *pro tempore* in case of emergency, provided that the majority present deem it necessary.

*Chap. V.—Collection of rates.*

1. All rates and assessments made and authorized by the Council shall be levied and collected yearly, and shall be held to be due and payable on or before the first day of July in each and every year.

2. Every person who shall have been assessed or who shall be liable to pay any such rate or assessment, shall, on or before the date above mentioned, pay the amount of such rate or assessment to the Treasurer, Collector, or Council Clerk, at the Council Chambers, Randwick, or at such other place as the Council may by any resolution appoint.

3. The Council Clerk shall prepare every year, a list of the names of all persons whose rates are unpaid on the first day of July; and the Mayor of the said Council shall, as soon as the necessary arrangements can be made, proceed against such persons for the recovery of the rates and assessments then due and unpaid, either by summons, or the issue of distress warrants, as he may determine.

*Chap. VI.—Bailiff and his duties.*

4. The bailiff shall be appointed by the Mayor, and shall give such security as he shall approve, for the faithful performance of the duties of such office.

5. The bailiff shall make all levies and distresses for the recovery of rates, under the warrant of the Mayor, such warrant to be made in accordance with the form in the schedule hereto annexed, marked A.

6. The bailiff shall be paid for every entry and levy made under these by-laws, according to the annexed schedule marked B.

7. At the time of making a distress, the bailiff shall forthwith make out a written inventory, in the form or to the effect of the schedule annexed hereto, marked C; which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person on his or her behalf, resident in the place where the distress has been made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made; and the bailiff shall deliver a copy of such inventory to the Council Clerk of the Borough, for the information of all parties concerned.

8. It shall be lawful for the bailiff and such assistants as he may require, to enter into any part of the land, building, tenement, or other property, in respect of which a warrant has been issued, for the recovery of any rate or rates as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property, in charge thereof; and if the sum for which distress shall have been made or taken, shall not be paid on or before the expiration of five days, it shall be lawful for such bailiff to sell the goods so distrained, or a sufficient portion thereof, by public auction, either on the premises or at such other place within the Borough as the said bailiff may think proper to remove them to for such purpose; and the surplus (if any) that may remain after deducting the amount of the sum distrained for, together with the expenses attendant upon such distress, shall be paid over on demand to the owner of the goods so sold: Provided always that nothing herein contained as to the time of sale, shall apply to any crop of fruit or vegetables which may be growing at the time when such distress shall be made.

9. The bailiff in making a distress as aforesaid may impound or otherwise secure the distress so made, of what nature or kind soever it may be, in such places, or in such part of the land or premises chargeable with the rate, as shall be most fit and convenient for such purpose; and it shall be lawful for any person whatsoever, after the expiration of the five days hereinbefore mentioned, to come and go to and from such place, or part of the said land or premises where any distress shall be impounded and secured as aforesaid, in order to view and buy, and in order to carry off and remove the same on account of the purchaser thereof.

10. The owner of any goods so distrained upon, may by writing direct and specify the order in which they shall be successively sold; and the said goods and chattels shall in such case be put up for sale according to such direction.

11. The bailiff shall hand over to the Council Clerk all proceeds of such distresses as soon as possible after such sale, also the copy of every inventory and account of every such sale or sales.

12. The bailiff, with the sanction of the Mayor, may authorize any person to act temporarily as his deputy; and the person thus authorized shall have and exercise for the time being all the powers of the bailiff himself, but the bailiff and his sureties shall in every case be held responsible for the acts of such deputy.

## SCHEDULE A.

*Warrant of Distress.*

I, Mayor of the Borough  
of Randwick, do hereby authorize you  
Bailiff of the said Borough, to distrain the goods and chattels  
in the dwelling-house or in and upon the land and premises of  
situate at  
for the sum of being the amount of municipal  
rates due to the said Borough to the day of  
for the said dwelling-house, land, or premises, as the case may  
be, and to proceed thereon for the recovery of the said rates,  
according to law.

Dated this day of 18  
Mayor.

## SCHEDULE B.

*Fees to Bailiff.*

	s.	d.
1. For making every entry and inventory in the execution of warrant.....	5	0
2. If in possession more than five hours .....	5	0
3. For every other day or part of a day .....	5	0
And five per cent. on the net amount of sale.		

## SCHEDULE C.

*Inventory.*

I have this day, in virtue of a warrant under the name of the  
Mayor of the Borough of Randwick, dated  
distrained the following goods and chattels in the dwelling  
house (or in and upon the land and premises) of  
situate at  
within the said Borough, for the sum of  
being the amount of rates due to the said Borough, to the  
day of 18

Dated this day of 18  
Bailiff.

## BY-LAWS

For regulating and licensing public vehicles plying for hire or carrying passengers within the Borough of Randwick.

1. Each proprietor or driver of every omnibus, coach, or other public vehicle, carrying passengers or plying for hire within this Borough, shall pay to the Council thereof the charge or sum mentioned in the Schedule hereunto annexed marked A.

2. Every person holding an authority or license from this Council as such proprietor or driver, according to the form annexed marked B, shall be permitted to ply for hire and carry passengers within the said Borough for the term therein mentioned; but it shall not be lawful for any person to ply for hire or carry passengers as aforesaid, until having obtained the said authority or license so to do.

3. The said charge or sum for every such vehicle shall be paid in advance, commencing on the first day of January, and ending on the thirty-first day of December in every year, or rateably, according to the date of the said authority or license, and the production of such authority, license, or receipt, shall free the vehicle numbered therein from all other charges by this Council, except fines and tolls, during the current year or the period therein specified.

4. The driver of every such omnibus, coach, or other public vehicle, plying for hire, or carrying passengers within or through any part of this Borough, shall, previous to doing so, pay unto the said Council the said charge or sum therein provided; and any person found plying for hire, or carrying passengers in any vehicle within this Borough (except in hackney carriages and other conveyances hired by an individual or party for an especial occasion, and who shall not take up or set down passengers during their route), shall forfeit and pay for every such offence any sum not more than one pound, nor less than ten shillings; and in case of a second conviction within six months, not less than one pound.



5. Every public vehicle driven to or from any public stand for vehicles now appointed by the Council of the City of Sydney, or which may be appointed by the Council of this Borough, or shall be employed in carrying passengers in or through this Borough, shall be deemed and taken to be a public vehicle plying for hire.

6. The Council of this Borough may appoint stands for public vehicles within their own boundaries, at such times and places as may be considered necessary by any resolution of Council, and may also under any such resolution regulate the time of starting of every such vehicle from any such public stand, on giving public notice thereof to the licensed drivers one month previous to the commencement of such regulation; but in the absence of any such regulation by resolution as aforesaid, no such licensed vehicle shall leave any such appointed stand within thirty minutes of each other; and any person who shall offend against this or any other such regulation, shall forfeit and pay for every such offence not more than one pound nor less than ten shillings.

7. These by-laws shall come in force on the 1st day of January, 1869.

#### SCHEDULE OF CHARGES.

##### A.

1st. For every vehicle plying for passengers, having four wheels, per annum, £5.

2nd. For every vehicle plying for passengers, having two wheels, per annum, £3.

##### SCHEDULE B.

#### *License and Certificate of payment for public vehicles.*

Borough of Randwick,

18

I, the undersigned, do hereby certify that of the public vehicle No. has paid unto the Council of this Borough the sum of £ for permission to ply for hire and carry passengers within this Borough for the period of from the date hereof, and that the said is hereby authorized and entitled to ply for hire and to carry passengers in the said vehicle, within the limits of the said Borough, for the period above stated.

Mayor.

Registered,

Council Clerk.

#### *Slaughter-houses, &c., Borough of Randwick.*

1. The Council of the said Borough may appoint houses and places for the slaughtering of cattle and other animals, and grant licenses for such houses or premises, in such place or places as the said Council shall approve. The license fee for every such house or premises shall be two shillings and sixpence per annum, paid in advance.

2. It shall not be lawful for any person to slaughter or cause to be slaughtered for the purpose of sale any cattle, sheep, or other animal, in any house or place within the said Borough other than in such house or premises for slaughtering as may be appointed and licensed as aforesaid; and any person who shall so offend shall, on conviction, forfeit and pay for every such offence the sum of ten pounds.

3. Any officer of the said Council, shall be at liberty, at all times during the day, to enter such licensed house or premises for the purpose of inspecting the same with reference to its cleanliness, and also all cattle slaughtered or intended to be slaughtered in such house or premises; and the owner or occupier of such house or premises who shall neglect to keep such house or premises in a clean and wholesome state, or shall refuse to admit the said officer for the purposes aforesaid, shall, for every such offence, on conviction thereof, forfeit and pay the sum of two pounds.

4. Any person who shall knowingly slaughter for human food any animal infected with any disease affecting the milt or spleen, or shall offer or expose for sale any such animal or any part thereof, or of any animal which shall, after being slaughtered, be found to be so diseased, shall, on conviction thereof, forfeit and pay for every such offence any sum not exceeding fifty pounds, nor less than ten pounds.

#### *Suppression of nuisances, &c.*

1. In case any privy, hog-sty, or any other matter or thing whatsoever, which shall at any time be or become a nuisance, by causing unwholesome smells to arise within any part of this Borough, it shall be lawful for any two

Justices, upon complaint thereof by any person, to investigate such complaint, and to order that such privy, hog-sty, boiling-down establishment, or other matter or thing, being a nuisance, as aforesaid, to be cleansed, removed, or discontinued, as the case may be, within seven days after such order has been made, and notice given to the owner or occupier of the premises whereon such nuisance shall exist; and every such owner or occupier neglecting to remedy or remove such nuisance pursuant to such notice or order, and to the satisfaction of such Justices, shall forfeit and pay the sum of ten pounds for every such neglect or disobedience; and also it shall be lawful for such Justices to indict or cause to be indicted for such nuisance such person or persons so neglecting or disobeying any such notice or order at the then next Court of General or Quarter Sessions to be held nearest to the said Borough; and the person or persons being found guilty, shall be subject to such punishment and to such further order as the Justices assembled at such Sessions shall lawfully decide.

#### *Sewerage, and general good rule and government of the Borough.*

1. It shall be lawful for the Council of the said Borough, at any time and at all times, and they are hereby authorized and empowered, by themselves, their servants, agents, or contractors, to make and construct any sewer or drain as the said Council may think necessary in, under, or through any part of the said Borough, and to do and perform all excavations and other works connected therewith, and to cause all or any such sewers or drains to communicate with the sea or otherwise as the case may be; and also, from time to time, to open, cleanse, or repair such sewers or drains, or alter the position thereof, to connect or repair other sewers or drains, or to cleanse the same: Providing also that the said Council shall repair and make good all damage or loss occasioned by the excavations, &c., required for the making, connecting, altering, cleansing, or repairing as aforesaid.

2. No person shall open or connect with either of the main sewers, drains, or connections, any private sewer or drain, without the written consent of the Council; and the work shall then be performed according to the direction and under the control of the said Council, at the expense of the person requiring such connection; and the owner or person who shall require any such work or improvement shall, at his own expense, make good all roads, streets, kerbing, &c., which shall have been injured by or through any such work; and all such repairs shall be performed to the satisfaction of such officer as the Council shall appoint to superintend such work; and any person who shall do or perform anything contrary to this clause, or shall neglect to make good all such damage as aforesaid, shall, on conviction thereof, forfeit and pay any sum not exceeding fifty pounds, nor less than one pound.

3. No surface-drain shall be made in any footpath, nor any pipes laid across the same, without the authority of the Council; and no such pipe or drain shall be used for the discharge into any street or roadway of any offensive liquid or matter of any kind whatsoever; and any person who shall so offend shall forfeit and pay for every such offence any sum not exceeding fifty pounds, nor less than one pound.

#### *General good rule and government of the Borough.*

1. Any person who shall wilfully destroy or damage any shrub or tree growing on any street, thoroughfare, or other place within this Borough, or shall injure any hedge, fence, gate, or building in such street, thoroughfare, or other public place, or shall set fire to any shrubs or trees, or shall cut or remove any timber from any such street, thoroughfare, or public place as aforesaid, shall, on conviction thereof, forfeit and pay for every such offence any sum not exceeding fifty pounds, nor less than one pound.

#### *Obstructing public watercourses.*

2. Any person who shall cast any filth or rubbish into any public watercourse, sewer, drain, or canal supplying water or used for drainage within this Borough, or shall obstruct or divert from its channel or proper course any such watercourse, sewer, drain, or canal, except under the authority of the said Council, shall, on conviction, forfeit and pay any sum not exceeding five pounds, nor less than one pound: and shall also pay all costs and charges of removing such filth or obstruction, or of restoring such watercourse, sewer, drain, or canal to its proper channel or connection.



*Injuring public fountains, &c.*

3. Any person who shall injure any public fountain, pump, cock, water-pipe, or any other thing connected with the preservation or supply of water to the said Borough, or to any portion thereof, shall forfeit and pay the amount of such damage and any further sum not exceeding twenty pounds nor less than one pound; and any person who shall bathe or wash himself, or shall wash any clothes or other article, at or in any reservoir, channel, fountain, or basin provided for public use, or who shall in any other way foul the water preserved or used for the purposes aforesaid, shall forfeit and pay any sum not exceeding one pound nor less than five shillings.

*Indecent exposure.*

4. It shall not be lawful for any person to bathe in any waters exposed to public view from any road, street, or public place within the said Borough, between the hours of six a.m. and eight p.m.; and any person who shall indecently expose himself or herself, by bathing as aforesaid within the prohibited time herein mentioned, shall, on conviction before any Justice, forfeit and pay any sum not exceeding one pound.

*Cattle, &c., not allowed to go about the streets, &c.*

5. It shall not be lawful for any person whomsoever to suffer any kind of cattle, horse, ass, mule, sheep, swine, or goats belonging to him or under his or her charge, to depasture, stray, or go about, or to be tethered or depastured in any street, road, or public place within the said Borough; and any person who shall so offend shall forfeit and pay, in respect of every such offence, any sum not exceeding two pounds nor less than five shillings.

*Throwing filth, &c., on or near public places, roads, streets, or thoroughfares.*

6. If any person shall in any public place, road, street, or thoroughfare within this Borough, throw, cast, lay, or deposit any manure, filth, rubbish, night-soil, offal, dead

animal, or any other offensive matter or thing, except in such place or places as this Council may appoint, or shall deposit or cause to be deposited any such unwholesome matter within two hundred yards of any such public place, road, street, or thoroughfare, or shall allow any such matter to flow in or upon, or to be in any way deposited on any such place, road, street, or thoroughfare, shall, on conviction, forfeit and pay any sum not exceeding two pounds nor less than five shillings.

*No materials to be removed from roads, &c.*

7. It shall not be lawful for any person to remove any stone, sand, turf, clay, or gravel, or other material, from any road, street, or public place, without the authority of the said Council, neither shall it be lawful for any person to place any timber or other material on any such road, street, or public place, or to cause any obstruction whatever to any such road, street, or public place, or to ride or drive upon any footpath, or to furiously race, ride, or drive, any horse or other animal through, in, or upon any such road or street as aforesaid; and any person who shall offend against any of these provisions shall forfeit and pay any sum not exceeding ten pounds, nor less than two pounds.

*Disposal of offences.*

8. All offences against any of these by-laws may be determined in a summary way, before any Justice or Justices of the Peace, as the case may require.

Made and passed by the Municipal Council of the Borough of Randwick, this 4th day of November, 1868.

S. H. PEARCE,

Mayor.

E. T. SAYERS,  
Council Clerk.



1868-9.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF GOULBURN—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

Colonial Secretary's Office,  
Sydney, 23rd February, 1869.

## BOROUGH OF GOULBURN.

## BY-LAWS.

THE following By-laws, made by the Council of the Borough of Goulburn, to regulate its proceedings—for regulating the duties of its officers, servants, and contractors—for works and contracts—for the collecting and enforcing the payment of rates—for preventing and extinguishing fires—for the extirpation of weeds—and for the general good rule and government of the Municipality—having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

**BY-LAWS for regulating the proceedings of the Council of the Borough of Goulburn, and preserving order at meetings of the said Council ;**  
 For regulating the duties of the officers and servants of, and contractors with, the said Council ;  
 For works, and contracts for the same ;  
 For collecting and enforcing the payment of the rates ;  
 For preventing and extinguishing fires ;  
 For the extirpation of weeds ; and  
 Generally maintaining the good rule and government of the Municipality.

*By-law for regulating the proceedings of the Council, and preserving order at the meetings thereof.*

1. The Council shall meet at the Council Chamber, during the months of April, May, June, July, August, and September, at 4 p.m., and during the other six months of the year, at 7 o'clock p.m., on the first Thursday in every month ; but if such day be a public holiday, then on the day following ; and each meeting may be adjourned from day to day, until all the business then pending shall have been disposed of : Provided also, the Council may, by resolution, appoint any other hour for adjournment.
2. If the Mayor shall be absent at the expiration of fifteen minutes after the time appointed for the holding of any meeting of the Council, the Aldermen present shall choose a chairman : Provided always, that if the Mayor shall afterwards attend, such Alderman shall leave the chair to be taken by the Mayor.
3. Whenever any meeting called shall lapse or be adjourned for want of a quorum, the names of the members present shall be recorded by the Council Clerk in the minute book, and such record shall be read at the next meeting of the Council ; and each Alderman absent shall pay a fine of five shillings, to be remitted only in case of illness, or other cause deemed sufficient by a majority of the Council at the next meeting. Such fines to go to the poor fund, to be administered by the Mayor.

*Order of business.*

4. The business of each ordinary meeting of the Council shall be transacted in the following manner, viz. :—

1. Reading and confirming minutes of last meeting.
2. Reading of correspondence, reception of reports and petitions.
3. Notices of motion to be given.
4. Adjourned motions, and motions of which notice has been given.
5. Orders of the day.

Provided that it shall be competent for the Council to take any particular matter out of the regular order on the paper, on cause shewn, and in like manner, to direct that any particular motion or matter of business shall have precedence at a future meeting.

5. The orders of the day shall comprise all business set down for the day by order of any previous meeting, or necessarily arising out of the proceedings of a former meeting, and motions on notice.

6. The Council shall have power, in case of any emergency that may arise within four days preceding the meeting, to suspend *pro tem.* one or more of the by-laws : Provided that no such suspension shall be allowed for the purpose of voting money.

7. Except in Committee, every Alderman shall stand when speaking, and shall address the chair.

8. No Alderman shall be allowed to speak on any motion or amendment for more than fifteen minutes, without the consent of the Council.

9. Any debate or order of the day, when called on, may be postponed to another time to be duly specified ; and the Alderman upon whose motion any debate shall be adjourned, shall be entitled to open the debate on resumption.

10. All resolutions proposed, and all amendments, shall be handed to the Council Clerk in writing.

11. No motion proposed shall be withdrawn if any Alderman shall object; and if the Alderman who has given notice of a motion, shall fail or decline to move it, the Mayor, or any other Alderman, may take up and move the same.

12. No question shall be put to the Mayor or Aldermen unless twenty-four hours' previous notice in writing shall have been given thereof to the Council Clerk.

13. Any number of amendments may be proposed upon a motion before the Council; and when more than one amendment has been moved, the question shall first be put upon the last amendment, and then upon the one next to the last, and so on in inverse order to that in which they were moved: Provided always, that when such motion or amendment shall relate to the fixing of salaries, rates, or other matters of finance, the lowest sum shall be put first, then the next lowest, and so on to the highest.

14. Any motion for adjournment shall be put immediately without discussion. If such notice be negatived, the business then under consideration, or the next order on the business paper, shall be discussed before any other motion for adjournment may be moved; and if a motion shall be made at the same meeting for adjournment, it shall not be deemed carried, except by a majority of two-thirds in its favour.

15. It shall be competent for any Alderman to divide the Council upon any question put from the chair, either in full Council or in Committee of the whole Council; and upon such division, every member present shall give his vote by standing up, whereupon his name and vote shall be taken down and recorded by the Council Clerk; and any Alderman so present, refusing to vote, shall be liable for every such offence to a penalty of not less than twenty shillings, nor more than forty shillings.

16. Every Committee of the Council shall consist of not less than three Aldermen, two to form a quorum, and shall be called together in pursuance of the direction of the Chairman of such Committee, or any two members thereof, by the Council Clerk, by notice in writing, delivered twenty-four hours at least before any meeting. There shall be Standing, Finance, and Improvement Committees; and one Alderman representing each Ward of the Borough shall be appointed to every such Committee.

17. When the report of a Committee is brought up and presented to the Council, the question as to its reception may be moved, and notice of motion for its adoption may then be given for the next day of meeting; but if notice shall be given to the Council Clerk, by any member of the Committee, four days previous to the time of such report being brought up, of his intention to move its adoption, such motion may then be made.

18. No motion, the effect of which, if carried, would be to rescind, or be repugnant to any resolution which has been passed or negatived by the Council, shall be entertained during the same municipal year, unless a special meeting of the Council have been duly called for that purpose; and no such notice, if negatived by the Council at such special meeting, shall be again entertained during the same municipal year.

19. Any Alderman presenting a petition shall acquaint himself with the wording thereof, and report to the Council that he considers such petition unobjectionable; but he shall not be regarded as affirming the statements therein, or be bound to support the prayer of such petition. All petitions shall be received only as the petitions of the parties signing the same.

20. No debate shall take place on the presentation of a petition, nor until notice has been given in the usual manner; and the only question in reference thereto that shall be entertained by the Council on the day of its presentation shall be, that the petition be received, or that it be referred to a Committee.

21. The Rules of the Council shall be observed in Committee of the whole, except the rule limiting the number of the times of speaking.

22. Any Alderman who shall be guilty of any contempt of Council, shall pay a penalty of not less than one pound for every such offence. Such fines to go to the "*Poor Fund*."

*Works, and contracts for the same.*

23. No work affecting the funds of the Borough shall be determined upon, until the probable expense shall have been first ascertained by the Council, on the report of some officer nominated for the purpose, or the report of the Improvement Committee.

24. Tenders shall be called for all works undertaken by the Council, upon such terms and subject to such conditions as to the Council may seem expedient; and no Tender shall be entertained unless it be accompanied by an agreement, signed by two or more responsible parties, agreeing to become sureties for the contract, if tender be accepted: Provided that this law shall not apply to any works provided for by by-law No. 25, nor to any labourers employed by authority of the Council. Contractors shall, with sufficient sureties, give bonds to the Council for the due performance of their contracts, in such sum as the Council shall fix.

25. The Mayor and any two Aldermen, or, in the absence of the Mayor from the Municipality, any three Aldermen may, in writing, order any sum not exceeding £20 to be expended in repairing any public work, under the control of the Council, which may be suddenly damaged: Provided that it shall appear to them that such repair cannot be delayed until the next sitting day of the Council; and they may appoint a proper person to execute such repairs: Provided always, that the making of such order shall be reported at the next meeting of the Council; and provided also, that not more than one such order shall be made between the termination of one meeting and the commencement of another.

26. It shall not be competent for the Council, where surety is required for officers, servants, or contractors, to accept as such surety any of its members, or any person holding office under the Council.

27. No appointment to any permanent office shall take place until public notice shall have been given, inviting applications for the same. Such notices shall in all cases state the salary affixed to such office by the Council; and the Council shall, by resolution, determine the times and places when and where such notice shall be given. Every such appointment shall be by ballot, although there shall be but one applicant for such office. The Council shall require all officers and servants of the Council to give bonds for the faithful discharge of their duties, in such sum as the Council may determine.

28. The Council Clerk shall in all things generally assist the Mayor and Council in carrying out the provisions of the Act and the by-laws.

29. The Treasurer shall, immediately on the receipt of moneys, deposit the same into the Bank for the time-being selected by the Council, to the credit of the Borough of Goulburn; and the Treasurer's cash-book, and the Bank pass-book balanced, shall be laid before the Council at all its meetings.

30. No money shall be paid by the Council until the account for the same shall have been examined and reported on by the Finance Committee.

31. The Mayor shall have custody of the common seal, and shall affix it to all documents creating obligation on the Corporation, in the presence of the Town Clerk; but for the purpose of authenticating documents, the Mayor may alone affix the seal, and charge a fee for so doing of one pound (£1); such fee or fees to form a poor relief fund, to be administered by the Mayor.

32. All charters, deeds, muniments, and records of the Municipality, shall be kept in the office thereof, in custody of the Council Clerk, unless the Council shall otherwise order.

*For collecting and enforcing payment of rates.*

33. The rates of the Borough shall be levied and collected half-yearly, and shall be held due and payable on or before the first day of June and the first day of December in each municipal year.

34. All persons liable to pay any rates or assessments shall pay the same within the time prescribed by law, to the Council Clerk, at the Municipal Council Chamber, during office hours, that is to say, between the hours of 10 o'clock a.m. and 4 o'clock p.m., Saturdays excepted.

35. It shall be the duty of the Council Clerk to furnish the Council with a list of the names of all persons whose rates are unpaid at the expiration of thirty days from the time of notice prescribed by the Act; and the Mayor of the Borough shall take immediate proceedings authorized by law, against all defaulters reported to the Council in the manner aforesaid.

*Bailiff, and his duties.*

36. The Bailiff shall be appointed by the Mayor, and shall find two sureties, to the extent of ten pounds each, for the faithful performance of his duty; such surety to be approved by the Mayor.

37. The Bailiff shall make all levies and distress for the recovery of rates under warrant, in the form of the Schedule hereunto annexed and marked with the letter A, under the hand of the Mayor or any Alderman who may for the time being be duly authorized to perform the duties of that office.

38. The Bailiff shall be paid for every entry and levy made under these by-laws according to the Schedule hereunto annexed and marked with the letter B.

39. The Bailiff, and such assistants as he may take with him, shall enter into any part of the land, building, or tenement in respect of which a warrant has been issued for the recovery of any rate or rates as aforesaid, and to distrain the goods therein or thereon, and to remain in such building, tenement, or other property in charge thereof; and if the sum for which such distress shall have been made or taken shall not be paid on or before the expiration of two days, it shall be lawful for the bailiff to sell the goods so distrained, or a sufficient portion thereof; and if the party distrained upon shall so require, by public auction, either on the premises or at such other place within the Borough as the bailiff may think proper to remove thereto, such party consenting in writing to pay the charges of the auctioneer, if so sold; and the surplus, if any remain after deducting the amount distrained for, together with the expenses attendant upon such distress and sale, shall be paid over to the owner of the goods so sold: Provided that nothing herein contained shall apply to the sale of any produce whatever which may be growing upon the land at the time of making the distress: Provided always, that no distress shall be made on the goods of any casual visitor, or on the goods of any lodger in any house or apartment, ordinarily let or used as a lodging-house or apartment.

40. At the time of making a distress, the bailiff shall make out a written inventory, in the form of the schedule hereto annexed and marked with the letter C, which inventory shall be delivered to the occupant of the land or premises, or the owner of the goods so distrained, or to some person for his or her behalf, resident at the place where the distress has been made; and in case there shall be no person at such place with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made.

41. The bailiff, in making a distress as aforesaid, may impound or otherwise secure the distress so made of what nature or kind soever it may be, in such place or part of the land or premises chargeable with the rate as shall be most fit or convenient for this purpose; and it shall be lawful for any person whatsoever, after the expiration of the two days hereinbefore mentioned, to come and go to and from such place or part of the said land or premises where any distress shall be impounded, in order to view or buy, and in order to carry off and remove the same on account of the purchaser thereof.

42. The owner of any goods so distrained upon may, at his or her option, direct and specify the order in which they shall be offered for sale; and the said goods and chattels shall in such case be sold according to such direction.

43. The bailiff shall hand over to the Council Clerk or the Treasurer all proceeds of such distress, immediately after having received the same, with the particulars of the goods distrained, and of the sale thereof.

44. The bailiff, with the sanction of the Mayor of the Borough, may authorize any person to act temporarily as his deputy; and the person thus authorized shall have and exercise, for the time being, all the powers of the bailiff himself, but the bailiff and his sureties shall in every case be held responsible for the acts of his deputy.

#### SCHEDULE A.

##### Warrant of Distress.

I, \_\_\_\_\_, Mayor of the Borough of Goulburn, do hereby authorize you, \_\_\_\_\_, bailiff of the said Borough, and your deputy or deputies duly appointed, or either of them, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of \_\_\_\_\_, situate at \_\_\_\_\_, within the Borough of Goulburn, for the sum of \_\_\_\_\_, being the amount of municipal rates due to the Borough of Goulburn, to the \_\_\_\_\_ day

of \_\_\_\_\_, for the said (dwelling-house, land, or premises, as the case may be), and to proceed thereon for the recovery of the said rates, according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_, Mayor.  
(Corporate seal) \_\_\_\_\_, Council Clerk.

#### SCHEDULE B.

##### Borough of Goulburn.—Fees of Bailiff.

For making every entry or inventory in the execution of distress warrant, five shillings; if in possession more than five hours, five shillings additional; and for every subsequent day whilst in possession, five shillings, and five per cent. on the net amount of sale.

#### SCHEDULE C.

##### Borough of Goulburn.—Inventory.

I have this day, in virtue of a distress warrant, under the name of the Mayor of the Borough of Goulburn, dated \_\_\_\_\_, distrained the following goods and chattels in the dwelling-house, or in and upon the land and premises of \_\_\_\_\_, situate at \_\_\_\_\_, within the Borough of Goulburn, for the sum of \_\_\_\_\_, being the amount of rates due to the said Borough, to the \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_, Bailiff.

##### For preventing fires.

45. No person shall make, or knowingly permit to be made, any fires in the open air nearer to any building or public way than twenty feet, under a penalty not exceeding five pounds.

46. No person shall stack any hay or straw, otherwise than in an enclosed building, nearer than two hundred feet to any building or public way, under a penalty not exceeding ten pounds.

47. Any person throwing hot ashes or live coal adjacent to any buildings or into any enclosures, shall be liable to a fine not exceeding five pounds.

48. Upon the representation of one or more householders, that fire is being used to the danger of adjacent buildings, it shall be lawful for the Mayor to cause a notice in writing to be served upon, or left at the residence of the owner or occupier of the premises on which any such fire may exist, and direct, if the urgency of the case should require it, that the said fire shall be removed at once, or within any reasonable time afterwards, which he may deem expedient: Provided always, that any such owner or occupier shall have a right to shew cause, except in what may as already related be considered urgent cases, why the said or any such fire should not be removed, and the opinion of the majority of the Council shall be final.

49. That in every case in which it shall be made to appear that the chimney of any house or building within the Borough has taken fire from the occupier thereof having omitted to have such chimney regularly and sufficiently cleaned, such occupier shall, upon conviction, forfeit and pay for every such offence forty shillings; and in every such case the proof that any such chimney did not take fire through the neglect of such occupier having the same regularly and sufficiently cleaned, shall be on such occupier.

##### For the extirpation of weeds.

50. Any person appointed by the said Council may enter upon any lands within the said Municipality, and for that purpose may break open gates, or take down or remove fences, to extirpate the weed known as the Bathurst burr or Scotch thistle, or other noisome weeds: Provided always, that if any gates be broken open or fences removed, the same shall immediately after the work then required be done, be restored to their former condition as nearly as may be. Any person hindering or obstructing any person so appointed as aforesaid, shall, for every such offence, be liable to a penalty of forty shillings.

Passed by the Municipal Council of the Borough of Goulburn, this nineteenth day of November, one thousand eight hundred and sixty-eight.

WILLIAM DAVIS,  
Mayor.

THEOPH. KIRKE,  
Town Clerk.



1868-9.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(BOROUGH OF ORANGE—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

Colonial Secretary's Office,  
Sydney, 18 March, 1869.

## BOROUGH OF ORANGE.

## BY-LAWS.

THE following By-laws, made by the Council of the Borough of Orange, to regulate, by means of Standing Orders, their own proceedings, for the general good rule and government of the Municipality, for the collection of rates, the prevention and abatement of nuisances, and other matters, for the care and management of the roads, &c., and for regulating the right to be enjoyed by the inhabitants over the Town Common, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

## BOROUGH OF ORANGE.

BY-LAWS to regulate, by means of Standing Orders, the proceedings of the Municipal Council of Orange, for the general good rule and government of the Municipality, and for the collection of rates, the prevention and abatement of nuisances, and other matters.

1. That the by-laws made and passed by the Municipal Council, under the Municipalities Act of 1858, section 72, so far as the same may now be in force, shall be and the same are hereby repealed; and in lieu thereof the following shall be the By-laws of the Municipality of Orange:—

*Meetings of Municipal Council, and duties of Mayor and Aldermen.*

2. The Council shall meet at the Court-house, or other place that may hereafter be appointed within the Borough of Orange, at 7 o'clock, p.m., on every alternate Tuesday, for the transaction of business, unless otherwise adjourned; subject, however, to the provisions of the Municipalities Act of 1867.

3. There shall be two half-yearly meetings of the Council, in the months of March and September in each municipal year, for the purpose of making up the accounts of the Municipality for the half-year respectively expiring in the preceding months of February and August in such year.

4. The Mayor or presiding Alderman shall preserve order, and his decision on disputed points of order shall be final.

5. The Mayor or presiding Alderman may take part in all the proceedings of the Council.

6. When the Mayor or presiding Alderman is called upon to decide upon a point of order or practice, he is to state the rules applicable to the case, without argument or comment.

7. The Mayor or presiding Alderman shall put all questions, and declare the sense of the Council thereon.

8. If two or more members rise to speak at the same time, the Mayor or presiding Alderman shall decide which member is entitled to pre-audience.

9. The Mayor or presiding Alderman may, without waiting for the interposition of any member of the Council, call to order any member proceeding to speak a second time on the same subject, except in the way of explanation only, or of reply by the mover of any motion then under consideration.

10. The Mayor or presiding Alderman shall, on every motion made, put the question, first in the affirmative, and then in the negative; and he may do so as often as may be necessary to enable him to form and declare his opinion from the show of hands as to which party has the majority.

11. Every Alderman shall enter his name and address in a book, to be kept by the Council Clerk, where summonses and other papers may be left for him.

12. Every Alderman present shall record his vote openly upon all subjects.

*Order of Business.*

13. The business of the Council shall be taken in the following order:—

1. Reading and signing minutes of last meeting.
2. Reading of copies of letters sent by authority of Council.
3. Reading of letters received, and considering and ordering thereon.
4. Reception and reading of petitions and memorials, but without discussion.
5. Reception and reading of reports from permanent and select committees, and ordering thereon.
6. Order of the day and adjourned motions.
7. Motions according to notice.
8. Payment of accounts and special payments.
9. All motions shall be made, and petitions presented, by Aldermen in their places; and every Alderman shall stand when speaking, and address the chair.

14. The order of the day shall include all business of which due notice has been given, and all matters arising out of former meetings of the Council.

15. Any motion entered on Notice Paper, and the Alderman having given notice of the same being absent, and no other Alderman having been deputed to bring forward such motion when the business is called on, shall be struck out.

16. Any number of amendments may be proposed on a motion before the Council; and when more than one amendment is moved, the question shall first be put on the last amendment, and then on the next, and so on, in the reverse order in which they were moved; except when such motion or amendment shall relate to the acceptance of tenders, the fixing of salaries, or other matters of finance, in which case the lowest sum shall be put first, then the next lowest, and so on, to the highest.

17. It shall not be necessary for any motion to be seconded.

18. Motions for adjournment shall be put without discussion, and, if negatived, it shall not be competent for any Alderman to make a similar motion until half an hour shall have elapsed.

19. Motions to rescind or to vary a former vote of the Council shall not be moved without express notice, and a call of the Council on a particular day to be named for the purpose.

#### *Notices of Motion.*

20. The Council Clerk shall enter in a book to be kept for that purpose, to be called the "Notice Book," all notices of motion in the order in which they are received.

#### *Petitions.*

21. No discussion shall take place on the presentation of any petition without notice of motion given after its reception.

22. It shall be incumbent on any Alderman presenting a petition to acquaint himself with the language thereof, and to report to the Council that he considers it unobjectionable in that respect.

23. All petitions shall be received only as the petitions of the parties signing the same.

#### *Committees and their Reports.*

24. No committee shall consist of less than three members of the Council, which number shall form a quorum.

25. The mover of any motion for a committee shall be a member thereof; and at all meetings of such committee the Mayor, if a member, shall preside, or if he be not a member, then such Alderman shall preside as a majority of the members of the committee shall have appointed permanent chairman thereof; and in the absence of the Mayor or the permanent chairman respectively, such chairman as the members present shall appoint shall preside.

26. No report of any committee shall be adopted unless due notice of motion for that purpose be given after its reception.

27. The rules of the Council shall be observed in a committee of the whole Council, except the rule limiting the number of times of speaking.

#### *Order of Debate.*

28. Any Alderman proposing a motion or amendment, or discussing any matter, shall not be interrupted, unless by a call to order; when he shall sit down; the Alderman calling to order shall then be heard, and the question of order decided before the subject is resumed or any other business proceeded with.

29. Any Alderman proposing a motion or any amendment must state the nature of it before addressing the Council.

30. Except in committee, no Alderman shall speak twice on the same question, unless in explanation, when he has been misrepresented or misunderstood: Provided, however, that the mover shall be allowed to reply, and that every Alderman shall have the liberty of speaking once on every amendment as well as on the original motion.

31. No Alderman shall digress from the subject under discussion, nor shall he speak upon any motion or amendment for a longer period than fifteen minutes without the consent of the Council.

32. A debate may be adjourned to a later hour of the same evening, or to another day, to be specified.

33. The Alderman upon whose motion any debate shall be adjourned by the Council shall be entitled to pre-audience on the resumption of the debate.

34. It shall be competent for any Alderman to divide the Council on any question, both in full Council and committee, and the Mayor or presiding Alderman shall take the division in the usual way, by show of hands; and the names given by the Mayor or presiding Alderman to the Council Clerk shall be taken down by him and recorded.

35. All divisions of the Council shall be entered in the Minute Book.

36. Any Alderman using offensive or abusive language towards any other Alderman, or persisting in speaking when requested by the Mayor or presiding Alderman to desist, or refusing to sit down when called to order by the Mayor or presiding Alderman, shall forfeit and pay for every such offence a sum of money not being less than five shillings nor exceeding five pounds.

#### *The Estimate.*

37. No work affecting the expenditure of the funds of the Municipality shall be undertaken until an estimate of the expense shall have been laid before the finance committee, reported thereon at the next meeting, and approved of by the Council.

38. A committee or surveyor shall in all cases be appointed to inspect the work performed, as soon as completed; and on the written approval of such committee or surveyor, the same shall be paid for.

39. It shall be lawful for any ratepayer, at any time previous to any tender for work being accepted, to petition the Council in support of or against the expenditure on account of such contract.

#### *Officers.*

40. The Council Clerk shall have the custody of the common seal, and of all books, charters, deeds, muniments, and records of the Corporation, or relating to the property thereof.

41. The Treasurer's cash-book and the banker's pass-book shall be laid before the Council at all its meetings.

#### *By-laws.*

42. That no new by-law shall be proposed at any meeting unless notice in writing has been duly given, and no new by-law, amendment, or repeal, shall be finally passed at the meeting at which it is first proposed.

43. That not less than seven days shall intervene between the meeting at which the new by-law, amendment, or repeal shall be proposed, and the meeting at which the same shall be passed by the Council.

44. That any proposed new or amended by-law, or repeal of any existing by-law, shall be filed in the Council Clerk's office, for the inspection of the Aldermen or inhabitants of the Borough, from the time at which it is proposed until the meeting at which it is to be finally adopted.

45. Any one or more of the by-laws of the Council may be suspended, *pro tempore*, in cases of emergency, if notice of the intended motion for that purpose be given to the Council Clerk four days before the day of meeting at which such motion shall be intended to be made, and the majority of the Aldermen present agree thereto, or without such notice, if the whole of the Aldermen present at such meeting agree thereto.

#### *Miscellaneous Regulations.*

46. All contracts for municipal works shall be by tender, or otherwise, as the Council may see fit.

47. No Alderman or officer of the Council shall be surety for any contractor or officer of the Municipality.

#### *Collection of Rates.*

48. That, if necessary, a duly qualified person shall be appointed for the collection of the municipal rates; and the remuneration shall be an agreed percentage upon the actual amount collected by such officer from the ratepayers.

49. That such rates be collected by half-yearly instalments.

50. The collector of such rates for the time being, if appointed, shall be the bailiff for the Municipality; and in the meantime, until such collector be appointed, a proper person shall be appointed as bailiff.

51. The collector, if appointed, shall, in accordance with the provisions of the Municipalities Act of 1867, collect the rates, when made, from the ratepayers, and shall from time to time report the result of his collection to the Council, and shall execute all warrants for distresses, or take such proceedings for enforcing payment of the said rates, if in arrear, as the Mayor, or any person who may for the time being be duly authorized to perform the duties of that office, shall direct.

52. The collector, if appointed, shall keep such books required for the collection of rates as shall be furnished him by the Council Clerk, and shall produce the same for the inspection of any ratepayer at any reasonable time.

53. All levies and distresses shall be made under warrant, in the form of the Schedule hereunto annexed, and marked with the letter A, under the hand of the Mayor or any person who may for the time being be duly authorized to perform the duties of that office.

54. The bailiff shall be paid for every levy made by him under these by-laws the fees mentioned in the Schedule hereunto annexed and marked B.

#### *SCHEDULE A.*

##### *Warrant of Distress.*

I, \_\_\_\_\_ Mayor of the Borough of Orange, do hereby authorize you, \_\_\_\_\_, the bailiff of the said Borough, to distrain the goods and chattels in the dwelling-house [or in and upon the land and premises] of \_\_\_\_\_, situate at \_\_\_\_\_, being the amount of rates due to the Corporation of the said Borough to the \_\_\_\_\_ day of \_\_\_\_\_ for the said dwelling-house [or premises as the case may be], and to proceed thereon for the recovery of the said rates according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

Mayor.



## SCHEDULE B.

*Fees to Bailiff.*

For making entry and inventory, three shillings; if in possession more than five hours, three shillings additional; and for every subsequent day whilst in possession, five shillings per day, and five per cent. upon the net proceeds of sale.

**BY-LAWS** for the care and management of the public roads and streets, and the general good rule and government of the Municipality.

55. No cattle intended for slaughter and sale in the town shall be driven through any street or public thoroughfare of the Municipality between the hours of 8 o'clock in the morning and 6 o'clock in the evening; and every person who shall drive, or cause to be driven, any such cattle through any street or public thoroughfare of the Municipality between such hours shall, on conviction, forfeit and pay for every such offence a sum of money not being less than five shillings nor exceeding five pounds.

56. That any person who shall draw any logs, stumps, or any kind of rubbish, on to any of the reserves within the Municipality, or take loam, sand, or stone, from off any of the streets within the said Municipality, without the permission of the Mayor, shall, on conviction, for every such offence, forfeit and pay a sum of money not being less than five shillings and not exceeding five pounds.

**BY-LAWS** for regulating the right to be enjoyed by the inhabitants of the Municipality of Orange over the Town Common.

57. Every inhabitant of the Municipality who shall hold a license to slaughter cattle under any Act now or hereafter to be in force for such slaughtering, shall be entitled, on payment of the fees hereinafter provided, to depasture over any land lawfully set apart as a common any number of sheep not exceeding two hundred.

58. Every such inhabitant shall, before depasturing such sheep upon such common, pay to the Treasurer of the Municipality, or to such officer or person as the Municipal Council may appoint, in respect of such sheep, a fee or charge at the rate of two pounds sterling per annum for every one hundred sheep; and shall at all times keep registered, in a book to be kept for that purpose in the Council Clerk's Office in Orange,

and to be called the "Register of Brands," an accurate description of all such sheep as may be from time to time depasturing upon such common under this by-law.

59. Every inhabitant of the said Municipality shall be allowed—on payment, in advance, to the Treasurer, or such officer as shall be appointed, of the fees or charges hereinafter mentioned—to depasture on such common any number of horses or cattle not exceeding twelve: Provided that this provision shall not extend to entire horses over the age of twelve months, and bulls over the age of six months; and no fees or charges shall be taken in respect of the progeny of such horses or cattle running with their dams, and under the age of six months.

60. Every such inhabitant shall, for the depasturing of such horses or cattle, pay yearly, to the Treasurer of the Municipality, and previous to such depasturing, the fees and charges hereinafter mentioned:—

For horses or cattle, not exceeding four in number, one shilling and sixpence per head.

For each head of horses or cattle exceeding four in number, the sum of five shillings.

61. Every such inhabitant shall, before so depasturing such horses or cattle, cause to be registered in the "Register of Brands," in the Council Clerk's office in Orange, an accurate description of such horses and cattle, with their brands and distinguishing marks.

62. Nothing hereinbefore contained shall limit or abridge the right of the said Municipality to exercise their powers to impound any cattle, horses, or sheep, in excess of the number which it is hereby provided may be so depastured upon such common.

63. The ranger, or any person authorized by the Council of the Municipality, may impound, in the public pound at Orange, any cattle, sheep, horses, or other animals which are not authorized, in manner hereinbefore mentioned, to be depastured upon such common, or in respect of which the fees hereinbefore mentioned have not been paid.

JAMES DALE,

Mayor.

Made and passed by the Municipal Council of Orange, this third day of November, in the year one thousand eight hundred and sixty-eight.

GEORGE TOWSON,  
Council Clerk.



1868-9.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF GRAFTON—BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vict., No. 12, sec. 158.

Colonial Secretary's Office,  
Sydney, 11th March, 1869.

BOROUGH OF GRAFTON.

BY-LAWS.

THE following By-laws, made by the Council of the Borough of Grafton, for regulating its proceedings and for the collection of rates, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

JOHN ROBERTSON.

BOROUGH COUNCIL OF GRAFTON.

CHAPTER I.

BY-LAWS for regulating proceedings of Council Committees, Officers, &c.

*General conduct of business.*

1. That the ordinary sittings of the Council shall be on the second Wednesday in every month, at 4 p.m.
2. In the event of any meeting or intended meeting lapsing or being adjourned for want of a quorum, the names of the Aldermen present shall be recorded in the minute book.
3. At every meeting of the Council the first business shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting; and no discussion shall be permitted thereon, except as to their accuracy as a record of the proceedings; and the said minutes of the proceedings at the said preceding meeting shall then be signed by the Mayor or chairman.
4. After the signing of the minutes as aforesaid, the order of business of an ordinary or adjourned meeting shall be as follows, or as near thereto as may be practicable; but, for the greater convenience of the Council, at any particular meeting thereof, it may be altered by resolution of the Council:—
  1. Reading of copies of letters sent by order of the Council.
  2. Reading letters received, and considering and ordering thereon.
  3. Reception and reading of petitions and memorials.
  4. Reception of and acting on reports of Standing Committees.
  5. Reception of reports of Select Committees.
  6. Payments.
  7. Questions.
  8. Order of the day, including subjects continued or arising out of the proceedings of former meetings.
  9. Other motions of which previous notice has been given.
  10. Notices of motions.

And the order of business at a special meeting shall be in the order in which it stands in the notice thereof.

5. All notices of motion shall be dated and numbered, and given by the intending mover to the Council Clerk, at the close

of the meeting of the Council, or four clear days prior to the next monthly meeting of the Council; and the Council Clerk shall enter the same in the Notice of Motion Book, in the order in which they may be received.

6. No member shall make any motion initiating a subject for discussion, but in pursuance of a notice given as prescribed in the last preceding clause.

7. No motion, except that for receiving the same, shall be made on any petition, memorial, or other like application, until the next ordinary or adjourned meeting of the Council after that at which it has been presented.

8. Except by leave of the Council, motions shall be moved in the order in which they have been received and recorded by the Council Clerk in the Notice of Motion Book, and if not so moved or postponed, shall be struck out.

9. A motion, entered in the Notice of Motion Book, may (with the consent of the Council) be proceeded with, in the absence of the Alderman who gave notice thereof, by some other Alderman on his behalf, or shall otherwise lapse.

*Order of debate.*

10. Any Alderman desirous of making a motion or amendment, or taking part in any discussion, shall rise and address the Mayor or chairman, and shall not be interrupted, unless called to order, when he shall sit down until the Alderman (if any) calling to order shall have been heard thereon, and the question of order disposed of, when the Alderman in possession of the chair may proceed with the subject.

11. Any Alderman desirous of proposing an original motion or amendment must state the nature of the same, before he addresses the Council thereon.

12. No motion or amendment shall be withdrawn without the consent of the Council.

13. No motion or amendment shall be discussed or put to the vote of the Council unless it be seconded, but an Alderman may, however, require the enforcement of any standing order of the Council, by directing the Mayor's or chairman's attention to the infraction thereof.

14. An Alderman moving a motion shall be held to have spoken thereon, but an Alderman merely seconding a motion shall not be held to have spoken to it.

15. The Aldermen in meetings of the Council shall designate each other by their official titles, namely, that of Mayor, chairman, or Alderman, as the case may require.

16. If two or more Aldermen rise to speak at the same time, the Mayor or chairman shall decide which is entitled to priority.

17. The Mayor or chairman shall rise in addressing the Council to discuss any motion, but shall not leave the chair on such occasions.

18. No Alderman shall speak a second time on the same question, unless entitled to reply, or in explanation when he has been misrepresented or misunderstood.

19. At all meetings the Mayor or chairman shall preserve order. His decision on disputed points of order shall be final, unless exception shall be taken thereto by any Alderman, in which case the Mayor or chairman shall submit the same to the Council for its decision.

20. No Alderman shall digress from the subject matter of the question under discussion, or comment upon the words used by any other Alderman in a previous debate; and all imputations of motives, and all reflections on members of the Council, shall be deemed highly disorderly.

21. Whenever any Alderman shall make use of any expressions disorderly, or capable of being applied offensively to any other Alderman, the Alderman so offending shall be required by the Mayor or chairman to withdraw the expression and make a satisfactory apology to the Council.

22. An Alderman called to order shall sit down, unless permitted to explain.

23. Any Alderman using offensive or disorderly language, and having been called to order, or to withdraw and apologize for such conduct, and refusing so to do, shall be guilty of an offence.

24. Any person, not being an Alderman, who shall, having been admitted to or present at any meeting of the Council, be guilty thereof of any improper or disorderly conduct, or who shall not leave when lawfully requested by the Mayor or chairman so to do, may be forthwith removed, and shall be deemed guilty of an offence.

25. For the consideration of any by-law, or for the raising or appropriation of money, or for any of the objects contemplated in the Standing Order, it shall be competent for any Alderman, without previous notice, to move for a call of the whole Council for the consideration of any such subject, at the next or any subsequent meeting; and upon such motion being carried, due notice thereof shall be given to the members by summons, and any member not in attendance when such order of the day comes on for consideration, or not in attendance at the voting upon such questions or any amendment thereof, whether of adjournment or otherwise, shall, unless reasonable cause for such absence be shown, to the satisfaction of the majority of the Council, be guilty of an offence.

26. Any Alderman may of right demand the production of any of the documents of the Council applying to the question under discussion.

27. The Council shall vote by show of hands, except in cases of elections, and every Alderman present, if called upon, shall vote.

28. The Mayor or chairman shall, in taking the sense of the Council, put the question first in the affirmative, then in the negative; and the result thereof shall be recorded in the minutes, and the votes of the Aldermen shall be entered when demanded.

29. At every meeting of the Council, all motions, whether original motions or amendments, shall be reduced into writing, signed by the mover, and delivered to the Mayor or chairman, immediately on their being moved and seconded.

30. No second or subsequent amendment, whether upon an original proposition or on an amendment, shall be taken into consideration until the previous amendment has been disposed of.

31. If an amendment be carried, the question as amended shall become itself the question, whereupon any further amendment upon any portion of the question coming after such first-mentioned amendment may be moved.

32. The mover of every original proposition, but not of any amendment, shall have a right to reply—immediately after which the question shall be put from the chair; but no Alderman shall be allowed to speak more than once on the same question, unless permission be given to explain, or the attention of the chair be called to a point of order.

33. No discussion shall be allowed on any motion for adjournment of the Council; but if, on the question being put, the motion be negatived, the subject then under consideration, or the next on the notice paper, shall be discussed, or any other that may be allowed precedence, before any subsequent motion for adjournment be made.

34. An Alderman may protest against any resolution of the Council; and notice of intention to protest shall, in every case, be given forthwith on the adoption of the resolution protested against; and the protest shall specify the reasons for protesting, and shall be entered three days at least before the next ordinary meeting of the Council, by the protesting Alderman, in a book to be kept for that purpose in the Council Clerk's office, and signed by such Alderman; and shall be also entered in the minutes of the meeting at which notice of the intention

to protest shall have been given, previously to the confirmation thereof. But such protest may be expunged from the minutes, if declared by a majority of the Council to be not in accordance with the truth, or in its terms respectful to the Council.

35. No motion the effect of which if carried would be to rescind any motion which has already passed the Council shall be entertained during the same municipal year, unless a call of the whole Council has been duly made for that purpose; and no such motion for rescinding any resolution of the Council which shall have been negatived by the Council shall be again entertained during the same municipal year.

36. A debate may be adjourned to a later hour of the same day, or to another day which may be specified.

#### *Lapsed questions.*

37. If a debate, or any motion moved and seconded, be interrupted by the number of the members present becoming insufficient for the transaction of business, such debate may be resumed at the point where it was so interrupted, upon motion by notice.

38. If a debate upon any order of the day be interrupted by such insufficiency of numbers as aforesaid happening, such order may be restored to the Notice Book for a future day, on motion upon notice, and then be resumed at the point where it was so interrupted.

#### *Committees.*

39. Besides such Select and Special Committees as may from time to time be found necessary, there shall be three Standing Committees, namely,—a Finance Committee, a Public Works Committee, and a Committee of General Purposes.

40. The Standing Committees shall consist of three members, one from each ward, two to form a quorum. Every Committee, of which the Mayor of the Borough is not a member, before proceeding to other business shall choose its chairman. If the chairman of a Committee shall cease to be a member of the Council, or shall decline to act further as such chairman, a new chairman shall be chosen before any further business is entered upon.

41. In a Committee of the whole Council, the general rules of the Council shall be observed, except as to limiting the number of times of speaking.

42. When the report of a Select Committee is brought up and presented to the Council, the question as to its reception may be moved and put at once; but it shall not be adopted or taken into consideration without notice in the usual way.

43. No matters of account shall be disposed of by the Council until they have been examined and reported upon by the Finance Committee.

44. No payments out of the funds of the Corporation shall be made but such as are authorized by a vote of the Council: Provided always, that the Mayor with the assent of any two members of the Committee of Public Works may, in cases of emergency, authorize the expenditure of any sum not exceeding ten pounds (£10), during a recess; but such discretionary expenditure shall be reported to the Council at its next meeting.

45. The Finance Committee shall report generally upon the finances of the Borough, at the monthly meetings of the Council, in February, May, August, and November, or oftener if required by the Council.

46. No public works involving a probable expenditure of more than fifty pounds (£50) shall be undertaken until the Public Works Committee have reported to the Council an estimate of the cost thereof.

47. The Public Works Committee, as such, shall have the general inspection of all public works in progress throughout the Borough, and shall have the right of calling the attention of the Council by report to any matter connected with such works, or with the state of any public thoroughfare which may seem to require such attention.

48. All accounts against the Corporation relating to works shall be examined by the Public Works Committee; and such as are found correct shall be certified and passed by the Finance Committee.

49. All matters which the Council shall think fit to refer to a Committee, and which do not fall within the province of any other Standing Committee, shall be referred to the Committee of General Purposes: Provided, however, that the Council may at any time refer such matters to a Committee appointed for that particular purpose.

50. Every Committee shall have a right to take evidence upon any question or questions of fact, wherein it is the duty of such Committee to report. A minute of the evidence thus taken, or of its substance, must, however, in all cases, be appended to the Committee's report.

51. Minutes of all proceedings of Committees, as well as their reports, numbered in consecutive order, shall be entered in the Committee's Minute Book, and being signed by the chairman of the Committee, to the Council Clerk twenty-four hours previous to the meeting of Council when such report is to be brought up. (*sic*)

52. The chairman of every Committee shall have the right, without asking leave of the Council, to remove from the Council Chamber, for any space of time not exceeding sixty hours, any

book, document, or paper, other than the Minute Book, either for inspection by such Committee, or for reference in the preparation of the report. In all such cases, however, he shall deliver to the Council Clerk an acknowledgment under his hand of having received such book, document, or paper, and shall be held responsible for the safe keeping of the same.

53. The Standing Committees shall be reappointed within one month after the commencement of the municipal year.

54. Any Alderman moving for a Select Committee may propose certain Aldermen as members of the same; or he may simply state the nature of such intended Committee, leaving the selection to be made by ballot.

55. Every Alderman proposing the appointment of a Select Committee must name himself as one.

56. The appointment of every Special Committee shall continue until the specified duty for which it has been appointed shall have been discharged.

57. Before any proposed by-law is discussed in Council, a copy thereof shall be open for public inspection in the office of the Corporation, not less than seven days.

58. No by-law shall be passed until it has been reported upon by a Committee of the whole Council, nor until it has been twice read in Council on different days.

#### *Petitions.*

59. No petition shall be presented after the Council shall have proceeded to the order of the day.

60. It shall be incumbent on every Alderman presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council, and that the contents do not violate any by-law or any provision thereof.

61. Every Alderman presenting a petition to the Council shall write his name at the beginning thereof.

62. Every petition shall be in writing, and not printed or lithographed, and shall contain the prayer of the petitioners at the end thereof, and be signed by at least one person on every skin or sheet upon which it is written.

63. Every petition shall be signed by the persons whose names are appended thereto, by their names or marks, and by no one else, except in cases of incapacity by sickness.

64. No letters, affidavits, or other documents, shall be attached to any petition.

65. Every Alderman presenting a petition to the Council shall confine himself to a statement of the persons from whom it comes, of the number of signatures attached to it, of the material allegations contained in it, and to the reading of the prayer thereof.

#### *Appointment of officers.*

66. No appointment to any paid office at the disposal of the Council shall take place until seven clear days' public notice shall have been given, by advertisement in one or more newspapers circulating in the borough, inviting applications from qualified candidates for the office.

67. The salary or allowance attached to all offices and places at the disposal of the Council, shall in all cases be fixed before proceeding to appoint any person to fill the same, before the advertisement inviting applications as aforesaid, and shall be specified in such advertisement.

68. No Alderman, or officer of the Council, or Auditor of the borough, shall be received as a surety for any officer appointed by the Council, or for any work to be done for the Council.

69. In all cases of security being given for the faithful performance of any duty or contract, the expense of preparing such security shall be borne by the person providing the same.

70. All such appointments shall be by election, the voting being (except at that of chairman of Council) on cards or paper to be provided for that purpose, on which the voter shall write the name of the candidate he supports, and sign his own; no others will be received, and the Council Clerk shall preserve them as a record.

#### *Miscellaneous.*

71. The common seal of the Borough shall be kept in a box having two locks, of one of which locks the Mayor shall have the key, and of the other of which locks the key shall be kept by the Council Clerk; and the seal shall not be affixed to any document unless in the presence of the Mayor and one other member of the Council, and such sealing shall be duly certified by the Council Clerk.

72. All charters, deeds, documents, and records of the Corporation, shall be kept in the Town Hall, or office of the Corporation, in custody of the Council Clerk, unless for any special purpose the Council shall otherwise order.

73. No officer or servant of the Corporation shall be at liberty to show, lay open, or expose, any of the books, papers, or records of the Corporation, to any person other than an Alderman, without leave from the Council, except as otherwise provided by the Municipalities Act of 1867.

74. Any person altering or defacing any such book, paper, or record, shall for every such offence forfeit and pay a penalty of not more than fifty pounds (£50).

75. No cheque shall be drawn, except a warrant authorizing the same has been first issued—the number of the warrant to be entered on the butt of the cheque.

76. Any member absenting himself for more than two consecutive monthly meetings of the Council, without leave having been previously granted, shall forfeit and pay a sum not exceeding one pound, unless reasonable cause for such absence be shown to the satisfaction of the Council.

77. Any one or more of the standing orders may be suspended, *pro tempore*, in a case of emergency, if a majority of two-thirds of the members then present shall deem such suspension necessary.

78. The Council Clerk shall be the officer appointed by this Council for the purpose of carrying out the provisions of the Municipalities Act of 1867, except so much thereof as applies to the setting out and defining of the carriage-way and foot-ways of streets and public places.

79. If any person shall be guilty of any wilful offence or misfeasance, or wilful or negligent act of commission or omission of these by-laws, and to which no penalty is otherwise affixed, shall forfeit a sum not exceeding five pounds.

Passed by the Borough Council of Grafton, this 12th day of August, 1868.

T. BAWDEN,  
Mayor.

#### CHAPTER 2.

#### BY-LAWS for enabling the Borough Council of Grafton to collect rates.

1. The rates shall be levied and collected yearly, for the municipal year, and shall be held to be due and payable thirty days after notice of assessment and rates, as provided by the 164th clause of the Municipalities Act of 1867: Provided that special rates may by order of the Council be collected half-yearly.

2. All persons liable to pay any rates or assessments shall pay the amount within the time prescribed by the Act, to the rate collector, at the Council Office, during office hours, on the days appointed for that purpose by order of the Council.

3. It shall be the duty of the Bailiff to serve the notices of the rate upon all ratepayers residing within the Borough, and to make levies by distress for the recovery of rates, under warrant in the form or to the effect of the schedule A hereto annexed, signed by the Mayor.

4. It shall be lawful for the Bailiff, or his deputy, and such assistants as he may take with him, to enter into any part of the building, tenement, or premises, in respect of the rate or rates for which a warrant shall have been issued, and to distrain the goods or chattels therein or thereon, and to remain in such building, tenement, or other premises, in charge thereof.

5. At the time of making a distress, the Bailiff, or other officer acting as Bailiff, shall hand a copy of the warrant to the occupant of the land or premises, or the owner of the goods distrained on, or to some person resident at the place where such distress is made, and shall forthwith make out a written inventory, in the form or to the effect of schedule B hereto annexed, which inventory shall be delivered to the aforesaid person occupying or owning the premises; and in case there shall be no person at such place, with whom such inventory can be left as aforesaid, then such inventory shall be posted on some conspicuous part of the land or premises on which the distress has been made.

6. Where a distress has been made, and the rates levied for shall not be paid within five days thereafter, the Bailiff may sell the goods and chattels distrained upon, at public auction, or may cause the same to be sold by any licensed auctioneer, towards the satisfaction of the said distress; and the costs thereof, the surplus (if any) arising from any such sale shall be paid to the owner of the goods, or the occupant of the land or premises upon which the distrains have been made; and a full and true account in writing shall in every case be given by the Bailiff to the said owner or occupier on demand: Provided always, that nothing herein contained as to the time of sale, shall apply to any crop which shall be growing at the time of the same being levied upon.

7. The Bailiff, on making a distress for rates as aforesaid, may impound or otherwise secure the distress so made, of what kind soever it may be, in such places as he may deem most fit and convenient for his purpose; but no distress shall be made upon the goods of any casual visitor in any house, nor on the goods, other than furniture, of any lodger, in any house or apartment: Provided that such ownership is established to the satisfaction of the Bailiff, by declaration taken before a Justice of the Peace.

8. All sales of goods and chattels upon which levy has been made, shall be held between the hours of twelve at noon and two in the afternoon, either on the premises where the levy has been made, or at some other place within the Borough as the Bailiff or his deputy may think proper to remove the said goods and chattels to.

9. The Bailiff shall pay to the Borough Council account, at the bank where such account is kept, all moneys received by him on account of the Council, within forty-eight hours after receiving the same.

10. The Bailiff may, with the sanction in writing of the Mayor, authorize any person to act temporarily as his deputy ; and the person thus authorized shall have and exercise all the powers of the Bailiff himself ; but the Bailiff and his sureties shall in every case be held responsible for the acts of such deputy.

11. The Bailiff shall receive such salary or allowance as the Council may from time to time appoint for the performance of his general duties ; and, in the execution of warrants, shall be empowered to charge, in addition to the sum set forth in the warrants, the fees according to the schedule C hereto annexed.

SCHEDULE A.

I, the Mayor of the Borough of Grafton, do hereby authorize you the Bailiff of the said borough, to distrain the goods and chattels in the dwelling-house, or in and upon the land and premises of situate at for the sum of being the amount of rates due to the borough to the day of for the said (dwelling-house, land, or premises, as the case may be), and to proceed therein for the recovery of the said rates according to law.—Dated this day of A.D. 18 .

(Signature) (L.S.)  
Mayor.

SCHEDULE B.

I have this day, by virtue of the warrant under the hand and seal of the Mayor of the Borough of Grafton, dated the day of (a copy of which is hereto annexed), distrained the following goods and chattels in of situate in street, within the Borough of Grafton, for (exclusive of costs), being the amount of rates due to the said borough to the day of 18 . 18 .

Grafton, this day of 18 .

(Signed) . Bailiff.

SCHEDULE C.

Fees to Bailiff—	s.	d.
For making entry .....	2	6
For making inventory.....	2	6
If in possession more than three hours, additional	5	0
For every subsequent day whilst in possession.....	5	0

Passed by the Borough Council of Grafton, this seventh day of October, 1868.

T. BAWDEN,  
Mayor.

[Price, 3d.]

1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MUNICIPALITIES.

(PETITION FROM BOROUGH OF COOK, RESPECTING BOUNDARIES THEREOF, &c.)

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

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

The humble Petition of the Municipal Council of the Borough of Cook,—

SHewETH:—

(1.) That the inhabitants of this district petitioned for and accepted incorporation, upon the faith that the boundaries asked for would have been granted.

(2.) That the boundaries requested in the original Petition for incorporation included not only the University and Colleges, but the present Borough of Camperdown.

(3.) That the area of this Borough has been greatly reduced, by the formation of the Borough of Camperdown, which was included in the original Petition.

(4.) That a further curtailment of the revenue of this Municipality has taken place, to the extent of one hundred and fifty-six pounds per annum, by the exemption of the University and Colleges from taxation.

(5.) That no Municipality in the Colony is so affected, by the operation of the Municipalities Act of 1867, as this Borough.

(6.) That, in consequence of the loss of revenue sustained by the reduction of the area, and the exemption of the University and Colleges from taxation, this Council is far behind others in municipal progress, and have not been able to effect the improvements which otherwise would have been done.

(7.) That, in the belief that the revenue of the Borough would not be reduced by exemptions of the nature mentioned above, the Council raised a loan upon the security of such revenue, and are now greatly in debt.

Your Petitioners, therefore, pray that your Honorable House will take the premises under your favourable consideration.

And your Petitioners will ever pray.

WM. J. HOWE,  
Council Clerk.

JAMES MALONEY,  
Mayor. (L.S.)





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

MUNICIPALITIES ACT AMENDMENT BILL (No. 2).

(MESSAGE RESPECTING.)

---

*Ordered by the Legislative Assembly to be Printed, 26 February, 1869.*

---

BELMORE,  
Governor.

*Message No. 14.*

In accordance with the 54th clause of the Constitution Act, His Excellency the Governor recommends to the Legislative Assembly, that provision be made out of the Consolidated Revenue Fund, of such sums of money as may be necessary for carrying into effect the provisions of "An Act to amend the Municipalities Act of 1867."

*Government House,  
Sydney, 26th February, 1869.*

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## SYDNEY BOUNDARIES AMENDMENT BILL.

(PETITION—INHABITANTS OF PADDINGTON.)

---

*Ordered by the Legislative Assembly to be Printed, 3 February, 1869.*

---

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

The Petition of the undersigned Owners of Property, Leaseholders and Householders of the Borough of Paddington,—

RESPECTFULLY SHEWETH :—

(1.) That your Petitioners have memorialized the Right Worshipful the Mayor and Aldermen of the City of Sydney, to take such steps as may be requisite for obtaining an extension of the present boundary of the City, by the annexation of the Borough of Paddington thereto as a Ward thereof.

(2.) That your Petitioners, comprising more than two-thirds of the electors of said Borough, are anxious for such annexation, and therefore pray that their desire may be granted, by the passing of the Bill for that purpose which is now before your Honorable House.

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

[*Here follow 524 Signatures.*]

---



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

SYDNEY BOUNDARIES AMENDMENT BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
16 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1869.

[*Price*, 2s. 2d.]

286—a

---

---

CONTENTS.

## PAGE.

Extracts from the Votes and Proceedings .....	3
Report .....	5
Proceedings of the Committee .....	7
Schedule of Amendments .....	10
List of Witnesses.....	11
Minutes of Evidence .....	1
Appendix .....	29

---

---

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 38. FRIDAY, 12 FEBRUARY, 1869.

7. Sydney Boundaries Amendment Bill :—Mr. Windeyer moved, "That" this Bill be now read a second time.  
Mr. S. Brown moved, That the Debate on this Question be postponed till this day week.  
Debate ensued.  
Motion for Postponement of Debate, by leave withdrawn.  
Mr. Hart moved, That the Question be amended by the omission of all the words after the word "That," with a view to insert the following words, viz. :—"this Bill be referred to a Select Committee for its consideration and report, with power to send for persons and papers."  
(2.) That such Committee consist of the following Members, viz. :—Mr. Forster, Mr. Sutherland, Mr. Windeyer, Mr. Hill, Mr. S. Brown, Mr. Lucas, Mr. Oatley, Dr. Lang, Mr. Neale, and the Mover."  
Debate ensued.  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Question then,—That the words proposed to be inserted be so inserted,—put and passed.  
Whereupon, Question,—(1.) That this Bill be referred to a Select Committee for its consideration and report, with power to send for persons and papers ;—  
(2.) That such Committee consist of the following Members, viz. :—Mr. Forster, Mr. Sutherland, Mr. Windeyer, Mr. Hill, Mr. S. Brown, Mr. Lucas, Mr. Oatley, Dr. Lang, Mr. Neale, and the Mover,—put and passed.

VOTES, No. 42. FRIDAY, 19 FEBRUARY, 1869.

8. Sydney Boundaries Amendment Bill :—  
(1.) Mr. Hill presented a Petition, bearing the Seal of the Corporation, from the Mayor and Aldermen of the Municipal Council of the Borough of Waverley, praying that, for the reasons therein set forth, the House may not pass this Bill into law without such Amendments as will prevent the closing of certain Roads within the Municipality.  
Petition received, and referred to the Select Committee now sitting upon the Bill.  
(2.) Mr. S. Brown presented a Petition, signed by the Mayor, on behalf of the Municipal Council of Paddington, and bearing the Seal of the Corporation, praying that, for the reasons therein set forth, this Bill may not be passed into law.  
Petition received, and referred to the Select Committee now sitting upon the Bill.  
(3.) Mr. S. Brown presented a Petition from certain freeholders, leaseholders, and householders—ratepayers of the Borough of Paddington—praying that, for the reasons therein set forth, this Bill may not be passed into law.  
Petition received, and referred to the Select Committee now sitting upon the Bill.

VOTES, No. 43. TUESDAY, 23 FEBRUARY, 1869.

4. Sydney Boundaries Amendment Bill :—Mr. Neale presented a Petition from certain freeholders and ratepayers of the Borough of Waverley, in opposition to this Bill in its present form, and protesting against the annexation to Sydney of any portion of the land in the said Borough.  
Petition received, and referred to the Select Committee now sitting upon this Bill.

VOTES, No. 55. TUESDAY, 16 MARCH, 1869.

2. Sydney Boundaries Amendment 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 12th February, 1869, together with Appendix.  
Ordered to be printed.

\* \* \* \* \*





1868-9.

## SYDNEY BOUNDARIES AMENDMENT BILL.

## REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 12th February, 1869,—“ *The Bill to amend the Boundaries of the City of Sydney*”—“ *with power to send for persons and papers*”—to whom were referred, on the 19th February,—“ *A Petition, bearing the Seal of the Corporation, from the Mayor and Aldermen of the Municipal Council of the Borough of Waverley, praying that, for the reasons therein set forth, the House may not pass this Bill into law without such Amendments as will prevent the closing of certain Roads within the Municipality*”;—also—“ *A Petition, signed by the Mayor on behalf of the Municipal Council of Paddington, and bearing the Seal of the Corporation, praying that, for the reasons therein set forth, this Bill may not be passed into law*”;—also—“ *A Petition from certain freeholders, leaseholders, and householders—ratepayers of the Borough of Paddington—praying that, for the reasons therein set forth, this Bill may not be passed into law*”;—and to whom was referred, on the 23rd February—“ *A Petition from certain Freeholders and Ratepayers of the Borough of Waverley, in opposition to this Bill in its present form, and protesting against the annexation to Sydney of any portion of the land in the said Borough*”—have agreed to the following Report :—

Your Committee have examined the promoters of the Bill, and also several of the inhabitants of Randwick, Waverley, and Paddington, whose interests would be likely to be affected by the measure; and, having given it their attentive consideration, have arrived at the following conclusions :—

1. As regards the portion known as the Water Reserve, a part of which runs into the Municipality of Waverley, your Committee consider that, instead of extending the boundaries as proposed, it would be better to allow the land to remain, as it at present is, in trust for the purposes for which it is dedicated.

2.

2. The evidence given before your Committee leads them to the opinion, that it would be to the interests of the inhabitants of Paddington, in a sanitary point of view, to be incorporated with Sydney ; but as there is a wide difference of opinion upon the subject, amongst those who are interested, your Committee consider that it would not be wise to legislate upon the subject, until your Honorable House is formally advised by the Municipality of that Borough as to the wishes of the inhabitants.

3. With respect to the land known as the Sydney Common, containing 490 acres, and which has been dedicated under the Crown Lands Alienation Act for a permanent Common, your Committee consider that, as upwards of £15,000 has already been spent upon it, with the sanction of your Honorable House, it would be advisable to extend the boundaries so as to include that land, and place it more immediately under the control of the Sydney Corporation. An apportionment of the tolls derivable from the Randwick Road will become necessary.

4. The evidence shows that it is highly necessary to include the spot called No Man's Land.

5. Your Committee have accordingly amended the Bill and Schedules, and now present the same to your Honorable House.

JAMES HART,  
Chairman.

*No. 3 Committee Room,  
Sydney, 12 March, 1869.*

---

# PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 16 FEBRUARY, 1869.

MEMBERS PRESENT:—  
Mr. Hart, | Mr. Lucas,  
Mr. Oatley.

Mr. Hart called to the Chair.

Printed copies of the Bill referred, on the Table.

Committee deliberated as to their course of proceedings.

*Ordered*,—That Edward Bell, Esq., City Engineer, Charles Moore, Esq., Mayor of Sydney, and P. F. Adams, Esq., Surveyor General, be summoned for next meeting.

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

[Adjourned.]

FRIDAY, 19 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Hart in the Chair.

Mr. Neale, | Dr. Lang,  
Mr. Sutherland, | Mr. Oatley.

P. F. Adams, Esq. (*Surveyor General*), called in and examined.

Witness produced two plans, shewing boundaries of the Sydney Common, and Water Reserve, marked No. 1 and No. 2.

Charles Moore, Esq. (*Mayor of Sydney*), examined.

Edward Bell, Esq. (*City Engineer*), examined.

Witness produced three plans, marked A, B, and C, of City of Sydney and Suburbs, with accompanying Schedules.

Witness withdrew.

*Ordered*,—That Mr. S. Dickson, Mayor of Waverley, Mr. R. Watkins, Mr. W. Mortimer, Mr. C. Logue, Mr. J. Hooper, Mr. T. Holland, S. H. Pearce, Esq., Mayor of Randwick, Mr. T. Taylor, Mr. J. Madden, Alderman Baglin, Alderman Cary, and Mr. W. Taylor, Mayor of Paddington, be summoned for next meeting.

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

TUESDAY, 23 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Hart in the Chair.

Mr. Forster, | Mr. Oatley,  
Dr. Lang, | Mr. Hill,  
Mr. Sutherland, | Mr. Neale.

Mr. Stephen Dickson (*Mayor of Waverley*), called in and examined.

Witness handed in Plan of Municipality of Waverley.

Witness withdrew.

Mr. R. Watkins called in and examined.

Witness withdrew.

Mr. John Madden called in and examined.

Witness withdrew.

Mr. Charles Logue called in and examined.

Witness withdrew.

Mr. James Hooper called in and examined.

Witness withdrew.

Mr. Llewellyn Baglin called in and examined.

Witness withdrew.

S. H. Pearce, Esq. (*Mayor of Randwick*), called in and examined.

Witness withdrew.

Committee deliberated.

Clerk directed to summon Edward Lord, Esq., City Treasurer,—George Layton, Esq., Accountant to the Treasury,—and John S. Adam, Esq., Chief Draftsman, Surveyor General's Office,—for examination next meeting.

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

FRIDAY,

FRIDAY, 26 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. Hill,		Mr. Neale,
Mr. Sutherland,		Dr. Lang.

Petitions referred to the Committee, on the Table.

John S. Adam, Esq. (*Chief Draftsman, Surveyor General's Office*), called in and examined.

Witness withdrew.

George Layton, Esq. (*Accountant to the Treasury*), called in and examined.

Witness withdrew.

Edward Lord, Esq. (*City Treasurer*), called in and examined.

Witness handed in—Statement of the Liabilities of the Municipal Council of the City of Sydney, 1 January, 1869; also, Statement shewing Receipts and Disbursements on account of the City Fund, for the year 1868. Do. do. Water Fund. Do. do. Sewerage Fund.

Ordered to be appended. (*Vide Appendix, A 1 and A 2.*)

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Henry Nicholson, Mr. Charles Artlett, Mr. Thomas Peate, J. B. Holdsworth, Esq., and Mr. William Taylor, Mayor of Paddington, be summoned for next meeting.

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

TUESDAY, 2 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. Hill,		Mr. Oatley,
Mr. Neale,		Dr. Lang.

Committee deliberated.

Mr. Henry Nicholson called in and examined.

Witness withdrew.

Mr. Charles Artlett called in and examined.

Witness withdrew.

Mr. William Taylor (*Mayor of Paddington*) called in and examined.

Witness withdrew.

Mr. William Stone called in and examined.

Witness withdrew.

S. H. Pearce, Esq. (*Mayor of Randwick*), called in and again examined.

Witness handed in copy of Report of the Commission appointed to inquire into the suitability of certain land to the east and south-east of Sydney as a Reserve for Water Supply.

Ordered to be appended. (*Vide Appendix B.*)

Witness withdrew.

Committee deliberated.

[Adjourned to to-morrow, at *Eleven* o'clock.]

WEDNESDAY, 3 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. Hill,		Mr. Oatley,
Dr. Lang,		Mr. Forster.

J. B. Holdsworth, Esq., called in and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to Tuesday next, at *Eleven* o'clock, to consider Draft Report.]

TUESDAY, 9 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Hart in the Chair.

Mr. Neale,		Mr. Sutherland,
		Dr. Lang.

Chairman brought up Draft Report.

Committee deliberated.

Ordered,—That printed copies of the Draft Report be distributed to Members of the Committee prior to next meeting.

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

THURSDAY,

THURSDAY, 11 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Hart, | Mr. Oatley.

In the absence of a Quorum, the Meeting called for this day lapsed.

FRIDAY, 12 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Hart in the Chair.  
Mr. Oatley, | Mr. Hill,  
Dr. Lang.

Committee deliberated.

E. Bell, Esq. (*City Engineer*), examined.

Witness *handed in* proposed new Boundaries of "Cook Ward," and Schedule showing the Boundaries of the City of Sydney, as per Plan marked D.

Ordered to be appended. (*Vide Appendix, C 1 and C 2.*)

Witness also *handed in* Plan of the proposed Boundaries of the City of Sydney, including the Sydney Common and No Man's Land.

Ordered to be appended. (*Vide Plan marked D.*)

Witness withdrew.

Committee deliberated.

Bill considered.

Preamble postponed.

Clause 1 read and agreed to.

Clause 2 read and agreed to.

Clause 3 read and considered.

Amendments proposed (*Mr. Oatley*),—to omit from line 15 the word "nine," and substitute the word "eight," also to omit the words "Paddington Ward" from line 17,—*agreed to.*

Clause, as amended, agreed to.

New clause proposed (*Dr. Lang*), to stand clause 4 of the Bill.

Same read as follows:—

"4. From and after the passing of this Act one-half of the proceeds derivable by the Commissioners of the Randwick and Coogee Bay Road Trust from the tolls arising from that Trust and also a moiety of any moneys payable by the Government for the maintenance of the said road shall be payable to the Municipal Council of Sydney who shall be bound to keep that portion of the Randwick Road included in Schedule A in good order and repair."

Apportionment  
of tolls.

*Question*,—That the clause as read stand clause 4 of the Bill,—*agreed to.*

Clause 4, to stand as clause 5, read and agreed to.

Schedule A. Amendment proposed (*Mr. Oatley*),—to omit Schedule A, with the view of *inserting* new Schedule,—*agreed to.*

New Schedule proposed (*Mr. Oatley*),—to stand as Schedule A.

Same read as follows:—

#### " SCHEDULE A.

"Commencing in the centre of Parramatta-street at its junction with Bay-street thence on the west by a straight line along the centre of Bay-street and its prolongation to the eastern shore of Blackwattle Cove thence again on the west and on the north-west north-north-east and east by the waters of Port Jackson to the centre of the bridge at the foot of William-street East thence on the east by the stream entering Rush-cutter's Bay to a culvert on the South Head Old Road at the north-west corner of Sydney Common thence again on the east by the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence on the north by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment to its intersection with a line laid down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence again on the east by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of the said Common thence in a northerly direction by the western boundary of the said Common to its intersection with the centre of Cleveland-street thence by the centre of that street and a prolongation thereof to a landmark on the road to Cook's River thence on the west by the western side of that road to the north-eastern angle of the University Reserve thence by a straight line from that angle to the point of commencement in the centre of Parramatta-street opposite the centre of Bay-street."

*Question*,—That the Schedule, as read, stand Schedule A of the Bill,—*agreed to.*

Schedule B. Amendment proposed (*Mr. Hill*),—to omit "Cook Ward," in order to *insert* new boundaries to that Ward,—*agreed to.*

New boundaries of "Cook Ward" proposed (*Mr. Hill*).

Same read as follows:—

#### " COOK WARD.

"The portion of the City of Sydney bounded by the centre of Liverpool-street from its junction with Elizabeth-street to the South Head Old Road along the centre of that road to the north-west angle of Sydney Common thence along the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment easterly to its intersection with a line laid

down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence in a south-westerly direction by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of Sydney Common thence in a northerly direction by the western boundary of that Common to its intersection with the centre of Cleveland-street thence along the centre of that street to the centre of Elizabeth-street thence along the centre of Elizabeth-street to the centre of Liverpool-street."

*Question*,—That the new boundaries of "Cook Ward" stand part of Schedule B,—*agreed to*.

Amendment proposed (*Mr. Oatley*),—to omit "Paddington Ward,"—*agreed to*.

Schedule B, as amended,—*agreed to*.

Preamble read and considered.

Amendments proposed (*Mr. Oatley*),—to omit the words "the Water Reserve," in line 4, and the words "and Paddington," in line 5,—*agreed to*.

Preamble, as amended, *agreed to*.

Title read and *agreed to*.

Chairman submitted Draft Report.

Same read, amended, and *agreed to*.

Chairman to report.

#### SCHEDULE OF AMENDMENTS.

Preamble, line 4. *Omit* "the Water Reserve."

" " 5. *Omit* "and Paddington."

Clause 3, " 15. *Omit* "nine," *insert* "eight."

" " 17. *Omit* "Paddington Ward."

*Insert* the following *new clause*, to stand clause 4 of the Bill:—

"4. From and after the passing of this Act one-half of the proceeds derivable by the Commissioners of the Randwick and Coogee Bay Road Trust from the tolls arising from that Trust and also a moiety of any moneys payable by the Government for the maintenance of the said road shall be payable to the Municipal Council of Sydney who shall be bound to keep that portion of the Randwick Road included in Schedule A in good order and repair."

#### SCHEDULE A.

*Omit* Schedule A, and *insert* new Schedule A, as follows:—

##### "SCHEDULE A.

"Commencing in the centre of Parramatta-street at its junction with Bay-street thence on the west by a straight line along the centre of Bay-street and its prolongation to the eastern shore of Blackwattle Cove thence again on the west and on the north-west north north-east and east by the waters of Port Jackson to the centre of the bridge at the foot of William-street East thence on the east by the stream entering Rushcutter's Bay to a culvert on the South Head Old Road at the north-west corner of Sydney Common thence again on the east by the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence on the north by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment to its intersection with a line laid down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence again on the east by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of the said Common thence in a northerly direction by the western boundary of the said Common to its intersection with the centre of Cleveland-street thence by the centre of that street and a prolongation thereof to a landmark on the road to Cook's River thence on the west by the western side of that road to the north-eastern angle of the University Reserve thence by a straight line from that angle to the point of commencement in the centre of Parramatta-street opposite the centre of Bay-street.

#### SCHEDULE B.

*Omit* "Cook Ward" and *insert* new Boundaries, as follows:—

##### "COOK WARD.

"The portion of the City of Sydney bounded by the centre of Liverpool-street from its junction with Elizabeth-street to the South Head Old Road along the centre of that road to the north-west angle of Sydney Common thence along the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment easterly to its intersection with a line laid down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence in a south-westerly direction by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of Sydney Common thence in a northerly direction by the western boundary of that Common to its intersection with the centre of Cleveland-street thence along the centre of that street to the centre of Elizabeth-street thence along the centre of Elizabeth-street to the centre of Liverpool-street.

*Omit* "Paddington Ward."

Apportionment  
of tolls.

## LIST OF WITNESSES.

	PAGE.
Adams, P. F., Esq. ( <i>Surveyor General</i> ) ... ..	1
Adam, J. S., Esq. ... ..	16
Artlett, Mr. C. ... ..	19
Baglin, Mr. L. ... ..	12
Bell, E., Esq. ( <i>City Engineer</i> ) ... ..	4, 27
Dickson, Mr. S. ... ..	7
Holdsworth, J. B., Esq. ... ..	26
Hooper, Mr. J. ... ..	12
Layton, George, Esq. ... ..	17
Logue, Mr. C. ... ..	11
Lord, E., Esq. ... ..	17
Madden, Mr. J. ... ..	19
Moore, Charles, Esq. ( <i>Mayor of Sydney</i> ) ... ..	2
Nicholson, Mr. H. ... ..	18
Pearce, S. H., Esq. ... ..	14, 25
Stone, Mr. W. ... ..	23
Taylor, Mr. W. ... ..	20
Watkins, Mr. R. ... ..	10





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

# MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

## SYDNEY BOUNDARIES AMENDMENT BILL.

FRIDAY, 19 FEBRUARY, 1869.

Present:—

MR. HART,  
MR. NEALE,

MR. SUTHERLAND,  
DR. LANG,

MR. OATLEY.

JAMES HART, Esq., IN THE CHAIR.

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

P. F. Adams,  
Esq.

19 Feb., 1869.

1. *Chairman.*] There is a Bill before this Committee to amend the boundaries of the city of Sydney, so as to include the lands known as the Sydney Common, the Water Reserve, No Man's Land, and Paddington; and the Committee wish to have some information from you respecting the boundaries of the land so proposed to be included within the boundaries of the city. Have you any plan in your possession showing the lands respectively known as the Sydney Common, and the Water Reserve? I produce a plan, which shows, I think, everything that will be required by the Committee. (*Plan produced, marked No. 1.*) I can give you a copy of this, but I cannot spare the original.

2. Does the plan you now refer to, show the original boundaries of the Sydney Common? It shows the boundaries in 1811, and also the boundaries of the Municipality of Randwick, as proclaimed on 27th February, 1859, and the portion dedicated on the 5th October, 1866.

3. How are these boundaries tinted on the plan? They are tinted red for the boundaries of 1811; the purple and red edgings taken together show the space within the limits indicated by four posts originally erected, and referred to in the description.

4. Upon referring to the *Government Gazette* of 21st August, 1849, now before you, do you find a notice bearing date 17th August, 1849, in which the boundaries of the Sydney Common are described? Yes, it appears here.

5. Will you be good enough to read the description of the land known as the Sydney Common? "Parish of Alexandria, 1,300 acres of land known as the Water Reserve, or Sydney Common; bounded on the west by Foveaux and Hall's grant (known as the 'Surry Hills,' and 'Campbell's Grant'); on the south by S. Terry's 570 acres (known as the 'Lachlan Mills'), and the Sydney Racecourse Reserve; on the east by a line north, to near the three-milestone on the Old South Head Road; and on the north by that road to nearly opposite the Gaol at Woolloomooloo. This land is situated on both sides of the Botany Road, and is exclusive of the small grants of Gordon, Newcombe, Levey, Brooks,—Church of England, Presbyterian, and Wesleyan appropriations,—the General Cemetery, —and St. James' Glebe."

6. Have you any plan showing the boundaries of the 1,300 acres there described? This plan shows it by the purple edging.

7. Are you aware of the Government having appointed a Commission, in 1861, with the view of reporting upon the alienation of lands, in or near the city, for the purpose of the Water Reserve? Yes; Mr. Pearce, Mr. Maclean, and Mr. Bell, were appointed. Their report

P. F. Adams, Esq., report will be found attached to the Progress Report of the Select Committee on "Sydney Water Reserves" (ordered to be printed, 21st April, 1864), and forms Appendix A to the evidence given by Mr. Davidson, the then Surveyor General, before that Committee, on 19 Feb., 1869. 18th November, 1862.

8. Have you the plan illustrating the result arrived at by that Commission? Yes. (*Plan produced, marked No. 2.*)

9. Will you hand in to the Committee a copy of it? Yes, as soon as it can be prepared.

10. Did the Government, acting under the power conferred upon them by the Land Alienation Act of 1861, proclaim that land as a permanent common, and also as a water reserve? Yes, by notice dated 5th October, 1866.

11. What quantity of land was proclaimed as a common? 490 acres.

12. And as a water reserve? 768 acres.

13. Making, in all, 1,258 acres? Yes.

14. Does the plan you have already handed in, marked No. 1, show the portions so appropriated, and how they are tinted? It does. The purple edging indicates the additional space which is claimed by the Corporation, as being (according to report) within the limits indicated by the four posts originally erected, and referred to in the description.

15. How is the Water Reserve indicated—the 768 acres? By a broad, green edging.

16. Are there any streets laid out or recognized by the Government, over the portion appropriated as a water reserve? Yes; there are streets through the Water Reserve.

17. I refer more particularly to that portion which lies within the Municipality of Waverley, and which was lately added to the original grant? I really could not say, from this plan; I should have to look to other plans.

18. Do any appear on that plan? There are lines indicating either proposed or actual streets—I cannot say which.

19. On further reference to official plans, you will be able to inform the Committee? I can tell you precisely.

20. Do you think it would be advisable to allow any streets to be constructed over the Water Reserve—so far as regards the supply of water to Sydney? I do not think that one or more streets would injure the water at all. The Randwick Road goes through a portion of the Botany Water Supply, and I cannot say it does any injury at all. Of course, it would not be advisable to cut up the Reserve with streets in the ordinary way; but I cannot see that public interests should be obstructed simply by the fact of its being a water reserve.

21. I suppose it would depend altogether on the locality in which it might be proposed to lay out streets? In a great measure.

22. It would not do to carry them through the midst of the swamp? A street through the middle of the swamp might, perhaps, be injurious to the water supply, by stopping the percolation of the water; I do not see that otherwise it would make any difference whether it went through the swamp or not.

23. *Mr. Oatley.* At present, you are not prepared to give the Committee the information as to where these streets really are? No, I could not say, from memory.

24. But, by examining other maps in the office, you will be able to form a better opinion as to whether they would be likely to be injurious or not? I can.

25. I understand you to say that, if they were on the heights above the flat, it would not be injurious to have two or three streets or roads made through the Reserve? No; I do not think a road or two, more or less, would injure it.

26. But if these roads or streets were lined with houses, would not the drainage be injurious to the water supply? That is an extreme case—I would never think of proposing anything of that sort.

27. *Mr. Neale.* You have said that there are some lines marked on the plan which seem to indicate proposed streets? Yes.

28. May they not indicate the boundaries of allotments of land proposed for sale, and not streets at all? Possibly so. I think it very probable.

29. *Mr. Oatley.* Do you know when Waverley was proclaimed a municipality? In 1859.

30. This portion added to the Reserve—was that a portion of the Municipality of Waverley in 1859? It was.

31. Then, this portion has been taken from that municipality by proclamation? Yes.

32. And that is the portion on which these supposed streets or allotments are marked out on the plan? Yes. They are continuations of Market, Bourke, and Victoria Streets, and are about being proclaimed under the Road Act (4 Wm. IV, No. 11). There is also another road or street passing over the part (taken from Waverley) added to the Common; thence to St. Matthias' Church, which is about being proclaimed under the same Act. The roads shown on plan No. 1, coloured brown, are opened to the public; those coloured red are intended to be opened to the public.

Charles Moore, Esq., Mayor of Sydney, called in and examined:—

Chas. Moore, Esq., 33. *Chairman.* Are the Sydney Municipal Council the promoters of the Bill, now before this Committee, to amend the boundaries of the City of Sydney? Yes; the Municipal Council of Sydney want to extend the boundaries of the city, as proposed in the Bill.

19 Feb., 1869. 34. So as to include the lands known as the Sydney Common and Water Reserve, as defined

defined by proclamation of the 5th October, 1866,—the piece of land at the Glebe known as No Man's Land,—and Paddington? Yes. We have been petitioned to take Paddington in, by the inhabitants of Paddington. A petition was sent to the Sydney Municipal Council, and passed by the Council, to take it in.

Chas. Moore,  
Esq.  
19 Feb., 1869.

35. *Mr. Neale.*] Have any other petitions been sent in? We have had none.

36. *Dr. Lang.*] You are aware there have been petitions against it? One to the Legislature—not to the City Council. We have had only the one petition—that is, for taking in Paddington.

37. *Chairman.*] With regard to the Sydney Common, containing 490 acres of land,—is it desirable that it should be incorporated with the city? No doubt about it.

38. Will you explain your reasons? The Municipal Council of Sydney have got a Bill for its improvement; they have also got a Bill to borrow £15,000 for its general improvement; and, under these considerations, it is my opinion it should belong to the city, simply because it was originally granted to the citizens in 1811.

39. Has any sum of money been spent upon it already? Yes; I think, somewhere about thirteen or fourteen thousand pounds.

40. How has that money been raised? By debentures: a portion of the outskirts of the Common to be sold, to pay them on maturity, when the improvements are made.

41. Then, the improvement of the Common has been no additional tax upon the citizens of Sydney? None whatever.

42. Can any revenue be made derivable from it when the improvements are completed? A revenue can be derived from the grazing. The grass will be in splendid condition, and it must bring a large revenue when the improvements are completed.

43. That Common, or a portion of it, lies, I believe, within some municipality? The whole of the Common lies within the Randwick Municipality, and a portion of the Water Reserve is in Waverley.

44. And another portion in Randwick? And a portion in Paddington—a small reserve intended for another reservoir at Paddington.

45. One of the reservoirs for supplying the city of Sydney with water lies within the municipality of Paddington? Yes; and the vacant ground for another lies alongside it.

46. Do the Paddington Municipality tax that reservoir? They have taxed it.

47. Do the Municipality of Randwick claim to tax the whole of the land known as the Sydney Common and Water Reserve? They have not attempted it yet.

48. It would be very desirable to exempt the reservoir from taxation? No doubt it would be, because it is for the general use of the public—the public benefit.

49. If it is for the public benefit, how can it be taxed under the Municipalities Act? They have taxed us, and we have paid it.

50. There is a piece of land that joins the city boundary, near the Glebe, known as "No Man's Land"—that is also included in this Bill? Yes.

51. It is very desirable, for preserving the public health, that that should be included in the boundaries of the city? Yes, very desirable.

52. Will the mere fact of the city taking it in, yield any revenue to the city? I think it will be the other way, for some considerable time to come. There may be a small revenue from it, but nothing like equal to the expenditure that will be necessary upon it.

53. Now, with respect to Paddington, is there any reason why that should be included within the boundaries of Sydney? A portion of the Common is in Paddington—that is, the sand-hill from Dowling-street towards the Barracks—and that portion should be taken out of Paddington.

54. If the Sydney Common, as defined by the Surveyor General, is included in the Bill, that will exempt it from the municipality of Paddington? Yes.

55. Therefore, so far as that reason is concerned, there is no necessity for taking in Paddington? There would be no necessity to take in Paddington, provided we have the Sydney Common and Water Reserve exempted. I am not in favour of taking in Paddington myself, but I must give way to the larger number.

56. *Mr. Outley.*] The fact of taking in Paddington would be no benefit to the city at all, in any way—the amount that would have to be expended on it would be more than the benefit to be derived from the taxes paid? It would be no benefit at all to the city.

57. The Municipal Council of Sydney took no action in the matter, until they were applied to by petition from the people of Paddington? No. We brought in a Bill last year to take in the reservoir and sand-hill only.

58. It was at the request of the people of Paddington that the City Council took action in this matter? Yes.

59. Speaking of No Man's Land,—the amount that will have to be expended to improve the sanitary condition of that particular portion of the city will be considerably more than the amount of revenue? Ten times more.

60. I suppose from ten to fourteen thousand pounds will have to be expended upon the sewerage of that piece of land? Yes—a very large amount for years to come.

61. The Municipality of the Glebe refused to take it in, on account of its requiring so large an expenditure? Yes; they refused to take it, as they had not the means to make improvements on it.

62. Do you know if the people of Waverley object in any way to this portion of that municipality being handed over to the Municipal Council of Sydney? I have not heard any objection; all they wanted was the street.

63. Have you heard of any objection from the Randwick people? I have heard of none from the Randwick people.

64. *Chairman.*] With regard to the reservoir, does it not lie within the original boundaries of the Sydney Common? It did, but it was taken into Paddington in 1859 or 1860. They should never have been allowed to have it, if our old aldermen had done their duty. They have filched these properties from the city—they have no right to do it.

65.

Chas. Moore, Esq. 65. *Mr. Oatley.*] You speak of the large revenue that will be derivable from grazing cattle on this Common after the improvements are completed—Do you not think the Common will be injured by the cattle tearing and trampling down the shrubs? No; it will be covered with grass when we have finished the improvements.

19 Feb., 1869.

66. Are not the cattle that are grazing there now destroying the shrubs, and thereby allowing the sand to drift into the city? That is where there is no grass—on the portion which remains in its original state. On the portion which has been made, the grass is as good as in the Domain; consequently, the cattle cannot do it any harm.

67. Inside the fence of the Water Reserve, the ground is nicely covered with shrubs; while, outside, the shrubs have been nearly all torn down? I should never think of allowing cattle to go into the inner portion of the Water Reserve.

68. *Chairman.*] You only contemplate allowing cattle to graze there when the grassing is completed? Yes, and only a limited number.

69. It will be a benefit then? It will; it will bring in, I am sure, £400 or £500 a year. I would just like to mention that, in this plan of 1862 (*handed in by Mr. Adams, and marked No. 2*), there are no streets shown through the Water Reserve; but I am aware of another plan got up by a private party—not by the Government—showing these streets.

70. *Dr. Lang.*] Is the ground within the Water Reserve so level as to enable grass-cutters to perform their operations within it? We do not allow any person inside the fence of the Water Reserve at all.

71. I asked the question, with a view to mention the case of the city of Edinburgh. There is a large revenue derived by the City of Edinburgh from meadows that are watered with the stuff from the city, and they raise a large amount from the grass that is grown? That could not be adjacent to a water reserve; it would never do to use any stuff from the city in a water reserve. That might be done, perhaps, on a portion of the Common where it would not drain into the Water Reserve.

72. *Mr. Oatley.*] The night-soil is, in fact, spread about now on portions of the Common? Yes.

73. *Dr. Lang.*] Are you aware that there is a party at Paddington opposed to the junction of that municipality with the city? I know a petition has been received by the Legislature, from the people of Paddington, against the junction with Sydney.

74. The ground on which they allege that it would be inexpedient for them to join their municipality to the city is, that they would be subject to the debt for sewerage—Are you aware of that? That is mere talk. Paddington is a mere trifle, compared to the rest of the city.

75. Do you think it would be desirable, for sanitary objects, that that municipality should be joined with the city? I think it would, because they want both water and sewerage. It would be beneficial to them. One sewer made in the year would take all their funds.

Edward Bell, Esq., City Engineer, called in and examined:—

Edward Bell, Esq. 76. *Chairman.*] Are you acquainted with the localities mentioned in the Bill to amend the boundaries of the city of Sydney? I am.

19 Feb., 1869.

77. Can you speak to the accuracy of the Schedules to the Bill? I can. There are some corrections necessary in Schedule A,—chiefly mistakes in the printing.

78. Schedule A, as printed, I believe, comprises the land known as the Sydney Common and Water Reserve, containing 1,258 acres? It does.

79. The piece of land at the Glebe (known as No Man's Land), and Paddington? Yes.

80. Have you any plan showing the boundaries of the city as so extended? I have, as proposed to be so extended by the Bill. The plan is marked A, and coloured blue. (*Plan handed in.*) That I hand in, accompanied by a revised Schedule. (*Schedule handed in.*)

81. Have you any plan showing the several places separately, and with reference to the municipalities? I produce a plan marked B (*handed in*), which shows the boundaries of the city and adjacent municipalities, as they now exist. The part tinted red indicates the portion lying between the city of Sydney and the Glebe, known as No Man's Land.

82. How is the Sydney Common shown there—Is it shown separately from the Water Reserve? The plan marked B shows the Water Reserve and Sydney Common in the municipality of Randwick.

83. Are they separately indicated by any lines? They are separately indicated by lines, and also by colours. The city of Sydney is tinted blue; Sydney Common and Water Reserve and Randwick, green; Waverley, neutral tint; Woollahra, yellow; Paddington, pink; and No Man's Land, red.

84. Supposing it were proposed to omit Paddington, can you supply the Committee with a description showing how Schedule A would then stand? I can. I produce a plan, marked C. (*Handed in.*) Plan C, where tinted blue, shows the city of Sydney, No Man's Land, Sydney Common, and Water Reserve, leaving out Paddington, excepting a small portion of that municipality which is a part of the Sydney Common, and the site of the reservoir. I also hand in a Schedule, which may be used as Schedule A, in the event of that plan being adopted. (*Schedule handed in.*)

85. Schedule B of the Bill would also have to be amended, by omitting Paddington Ward? Yes. That will depend upon which plan you adopt—whether A or C.

86. Do you think it is desirable that the boundaries of the city should be extended as proposed, either including Paddington or omitting it? I think it would be a great benefit to Paddington to include it in the city, but none whatever to the city to be joined to Paddington. There is one thing with regard to the sewerage: the boundary between Paddington

Paddington and the city is Rushcutter's Bay Creek, which now is a watercourse, but must eventually become a sewer; and it will have to be made, either at the expense of the city or Paddington, or both. I think it would be far beyond the means of the municipality of Paddington to make such a sewer. I believe their revenues to be about £1,100 a year; and I think the first sewerage work we should have to perform, after having been connected with Paddington, would be to lay a sewer through that creek, which would cost four or five thousand pounds.

Edward Bell,  
Esq.  
19 Feb., 1869.

87. Is any portion of the city now drained by that watercourse? Yes, a small portion—the slope from Darlinghurst Road to the creek.

88. With reference to the Sydney Common, or Water Reserve,—would it, or would it not be desirable simply to include the land known as the Sydney Common, and leave the land known as the Water Reserve in trust for the purpose for which it is now held, so as not to include it within the boundaries of the city? It must be put into the hands of somebody—some trustees who have means to keep it in order, and to keep up the fences, so that there may be no trespass on the Reserve. It strikes me it could not be better placed than in the hands of the municipal body, who have the means to keep it in order, and whose interest it is to do so.

89. In course of time, is it your opinion that the land known as the Water Reserve will become wholly insufficient for the purpose of supplying Sydney with water, and that the land may be then dealt with as public land? I think, if the Reserve is preserved, it will supply the present city of Sydney to all time, but it will not supply the suburbs too. We have more than sufficient water now for the supply of the city of Sydney, without going to any extraordinary expense to husband it; but we have not water enough for the city and suburbs. If that Water Reserve is properly preserved, I have no hesitation in saying we will have water for the city, and those portions of the suburbs that are now supplied, for the next thirty or forty years, and the best water that can be had.

90. *Chairman.*] Are not its powers of supplying water yearly diminishing? No; I am decidedly of the reverse opinion.

91. If the Government determine upon some large scheme for the purpose of supplying Sydney with water, that land known as the Water Reserve could be appropriated for public purposes? Yes, if the present Sydney Water Works are abolished.

92. Would it not suit all the purpose of the promoters of this Bill to have that land vested in them in trust, instead of making it a portion of the city? That depends upon the powers you confer upon the trust. The city are virtually trustees of that land now, without any power whatever to take care of it or keep it in order; and unless it be taken out of the adjacent municipalities, by special enactment, it would always be subject to be rated by those municipalities.

93. Is that through some defect in the Crown Lands Alienation Act? I am not aware from what it is; but it appears to me the Corporation has not power to protect that land from trespass.

94. Have any of the lands that have been dedicated to the city been given by grant, or are they merely dedications? Merely dedications.

95. No grants have been issued? I think there have been one or two, for markets. There is a grant of the land for the Market Wharf, for instance, and I believe for the Haymarket. I have never seen the grant for the Haymarket, but I have seen the grant for the Market Wharf. With reference to the water supply, I may say that the rainfall for the last twelve months did not exceed thirty-seven\* inches (the average for ten years being about forty-nine† inches), and yet we have had plenty of water, although during last year we have pumped in 267 millions of gallons more than in any previous year.

96. *Mr. Sutherland.*] You have stated that the Corporation have no power over the Water Reserve to protect it at present? Yes.

97. Have they not full power, by an Act called the Water Act, to protect this water? They have to protect the water from pollution; but they are not sufficiently in charge of the land to give them the power to protect the land from trespass.

98. Is not the Botany Reserve proclaimed in the same way? That is proclaimed and purchased.

99. From private individuals? That is purchased from private individuals, by the Corporation, in fact. It was first proclaimed under the Act, and then purchased and paid for.

100. But the Corporation has no deeds or grants for it? I am not aware; I have never seen any deeds. It was proclaimed under the Act, and they required no deeds.

101. And a similar proclamation proclaims this under the Act? Yes, if it were proclaimed under the Water Act. I have always maintained that it should be proclaimed under the Water Act, but I have been told repeatedly there was no occasion.

102. *Mr. Oatley.*] Have you made a survey of this place—No Man's Land? I have not made an actual survey of the land, only of the creek between it and the city boundary.

103. Have you any idea what it would cost the city to drain it? I have just brought in an estimate of over £8,000.

104. That is for one portion? Yes. I think it will take about £5,000 more.

105. Are there many houses there? I should think the taxes would not amount to more than three or four hundred pounds a year. It is a poor neighbourhood.

106. *Mr. Sutherland.*] Have you put in any Schedule showing the boundaries of the Common, in the event of the Committee or the Legislature excluding the Water Reserve from this Bill? No, I have not.

107. But it is shewn clearly on the plan? A line has been surveyed, which is shown on the plan, dividing the Sydney Common from the Water Reserve—the line of the watershed.

108. Does not the watershed at present take in a large portion of the municipality of Waverley? It does.

109.

\* NOTE (on revision):—Thirty-two.

† NOTE (on revision):—Fifty.



Edward Bell, Esq. 109. Could you give the Committee any idea of the number of acres included in the watershed that now supplies the Lachlan Swamp with water, which lie within the municipality of Waverley, and which have been alienated? About 163 acres; 52 of which have no building on the several allotments. The drainage of these lands may be taken away by sewers, so as to preserve the Water Reserve from pollution, as stated in Report of Commissioners, of February, 1862.

110. With reference to the junction of Paddington with the city,—would it not be a great benefit to both the city and Paddington if they could join in the sewerage, and in making the streets? I think it would be a great benefit for them to be joined, in one respect, to enable us to work the sewerage under the Sewerage Act; because it would not be pleasant for the Paddington Municipality to be taxed under the Sewerage Act by the City of Sydney. The City of Sydney have power to tax where they lay a sewer, when the sewer is finished, both in city and suburbs, for the sewerage rate; and that would be unpleasant for both parties—the taxed and the assessors.

111. Would it not be a great benefit hereafter, in a sanitary point of view, to have the streets, crossing the dividing creek or gully between Paddington and Sydney, raised, instead of letting people's houses be built there, where they must hereafter be almost buried? No doubt about that, especially on the Paddington side. There is a very long slope leading from the creek to the higher parts of Paddington; the slope on the Sydney side is very short indeed.

112. *Dr. Lang.*] From your experience of the last eighteen months, are you still of opinion that the Botany Swamps are adequate to supply the city with water for any considerable time to come? I am, undoubtedly, for the next twenty-five years—the city and suburbs as now supplied—and the city alone for all time.

113. *Mr. Oatley.*] With additional expense, of course? Yes, out of the revenues of the water.

114. *Dr. Lang.*] So that you do not consider there is any immediate necessity for the action which is recommended—bringing water from the Nepean, or other distant sources, for the city? For the city itself, no; for some of the surrounding municipalities and towns, which lie between here and where they may propose to bring the water from, it might be advisable; but for the city itself, I conceive there is abundance of water—more than they can use.

115. You stated that the average rainfall in this locality, for ten years past, has been about 49\* inches? Yes; and during the last twelve months the rainfall has not exceeded 37† inches. I am not speaking of last year, but of the last twelve months.

116. Are you aware that a similar process of junction to that which is proposed for the city and the municipality of Paddington, has been carried into effect in the city of Glasgow? I have heard of it, but I do not know it of my own knowledge.

117. A municipality on the opposite side of the river was taken into the city? Yes.

118. Do you not think there would be considerable objection to the formation of a separate trusteeship for the Water Reserve, apart from the Corporation generally? I think it would be very objectionable.

119. You think the Corporation should be the trustees? While they hold the Water-works, they ought to have the control over the Reserve for collecting the water.

120. *Mr. Oatley.*] In fact, a great deal of the citizens' money has been expended on these water-works? Yes, a great deal. We are expending money every year, particularly on the swamps.

121. *Mr. Sutherland.*] Can you give the length of the road within the boundaries of the Sydney Common and Water Reserve—the new line as well as the old—from where the trust begins to where it crosses the boundary and leaves the Reserve?

#### Measurement of Old Road—

From city boundary to the new toll-house .....	97 chains
From the new toll-house to the boundary of the Water Reserve, where the road crosses .....	44 „
Total .....	141 chains

#### Measurement of New Road—

From city boundary to the new toll-house .....	94 chains
From the new toll-house to the boundary of the Water Reserve, where the road crosses .....	44 „
Total .....	138 chains

\* NOTE (on revision) :—50.

† NOTE (on revision) :—32.

TUESDAY, 23 FEBRUARY, 1869.

Present:—

MR. HILL,  
MR. OATLEY,  
DR. LANG,MR. FORSTER,  
MR. SUTHERLAND,  
MR. NEALE.

JAMES HART, ESQ., IN THE CHAIR.

Mr. Stephen Dickson called in and examined:—

122. *Chairman.*] You are Mayor of the municipality of Waverley? Yes.

123. You are desirous, I believe, of affording some information to this Committee, respecting the Bill before the House to amend the boundaries of the city of Sydney? I am.

Mr.  
S. Dickson.

23 Feb., 1869.

124. The Bill recites that it is desirable to include within the boundaries of the city the lands severally known as Sydney Common, the Water Reserve, No Man's Land, and Paddington. I believe it is more with reference to the Water Reserve than anything else that you desire to speak? Yes; it is a part of the proclaimed district of the municipality of Waverley, as will be shown on this Government plan—a copy of the parish map. (*Handed in.*)

125. Have you any objection as far as regards the Sydney Common? That does not come within our district.

126. You have no objection as far as that is concerned? No.

127. But you allege that the portion known as the Water Reserve, comprising, I think, 768 acres, lies within the municipality of Waverley, and that the municipality will be in some way affected by this Bill? Yes.

128. Will you be good enough to state what your objections are to the Bill? By a proclamation in 1859, the municipality of Waverley was properly defined, and the boundaries were fixed accordingly, and we wish to still retain possession of that land. We have been in existence about nine years; and it is only about four years ago that this land which we object to hand over to the city of Sydney was devoted to the city, by proclamation, for a water reserve.

129. What is the date of the proclamation? The proclamation of the municipality is dated 14th June, 1859. The boundaries are described on that map by marked lines.

130. The plan you have handed in shows the boundaries of the municipality by a red edging? Yes.

131. Where does this plan come from? From the Government office—it is a copy drawn by Mr. Langley, I think. In this plan, you will observe certain streets were marked out by the Government, many years ago—as far back as 1844. This green line is what they call the new Water Reserve.

132. That is under the proclamation of 1866? Yes. This is a copy from the old Government maps, parish of Alexandria. I also hold in my hand tracings from the Government office of lands that have been sold on plans showing roads through that Water Reserve.

133. You state that you obtained this from the Surveyor General's Office? Yes.

134. Is it now in the same state as when you obtained it? It is. I can produce the surveyor, who is ready to prove so.

135. I see there are two streets marked here—Bourke-street and Market-street—Are they actually used as streets, or merely laid down on the plan as intended streets? Merely as intended streets, but they have been used by some parties that will appear before you, for many years.

136. If this land is to be retained as a water reserve, is it not extremely desirable to prevent its being cut up by streets? I think it is useless as a water reserve.

137. But supposing the Government deem it desirable to keep it as such, is it not extremely undesirable to have any thoroughfares through it? I do not think the streets would do any harm to it. No harm would accrue to the water reserve by opening these streets, but there would be great damage to those who desire to obtain access to their property, if they are closed.

138. Is there not a public road, parallel with these streets, a short distance from them? It is very much higher, and a round-about road.

139. What is the distance? I should think it is from a mile to a mile and a half further going round. You can take a short cut through a street called Bourke-street, from Birrell-street to Mr. Hooper's land. For him to go across that way, with a properly made road, would save, I am sure, over a mile.

140. Then, by allowing these streets to be formed, two or three persons would be enabled to get to their property more easily than at present? Very much so.\*

141. What are the particular streets that you claim to have opened? Bourke-street and Market-street, and that little bit of Victoria-street. By the map you will see it is fenced right across. I have also to say that, if such a Bill as this is passed, and that land taken away from us, of course we will lose a great portion of our prospective revenue.

142. From the circumstance of this land being within your municipality, do you actually claim it? Yes, most undoubtedly.

143. Has there been any grant to you? Only by the proclamation.

144. *Mr. Sutherland.*] You do not claim it as a freehold? No.145. *Chairman.*] It has been dedicated in trust as a water reserve? That is since our establishment.

146.

\* NOTE (on revision):—I did not hear the words two or three. My answer was given with those omissions.

- Mr. S. Dickson.  
23 Feb., 1869.
146. Is it not the fact? I only know it by seeing a few figures in the *Government Gazette*, but no regular proclamation that I know of. I also go upon the ground that we have been proclaimed with these boundaries, and also been gazetted, under the new Act, as a properly constituted municipality; and as, under the new Act, there are modes of annexation provided for taking away a portion of one municipality and adding it to another, I think it would be wrong to carry it out in the way proposed by this Bill.
147. Would the circumstance of transferring this land from the care of one municipality to another, at all alter the circumstances of the trust? I think we ought to have been consulted. I know we made application for it first for a pleasure ground.
148. Supposing the Government chose to put up this land for sale, would you have any objection? No, because it would then bring us revenue.
149. Do you derive any revenue from it at present? Not from Government land. These tracings of pieces of land that have been sold, show that the parties have bought with a right to expect these streets to be made.
150. You say that land adjoining this water reserve has, at various times, been sold to different individuals, with streets laid out on the Government plan? Yes; these are some of the tracings of the different lands (*referring to tracings exhibited by the witness*).
151. *Mr. Oatley.*] Have they not a right of road as far as the land has been sold already? If you shut off the road at any part of it, the right is taken away.
152. Have they not a right of road as far as the land has been sold,—that is what I ask? I believe so.
153. Then their frontage to the road is not taken away, if they have a right to the road as far as the land has been sold at the present time? No, except one plot of ground belonging to a man named Guinsey; which, I think I can show you, cannot be got at if this street is closed. (*Witness explained by reference to the map.*) We object to this Bill, on the principle that it takes away a portion of the revenue which we expect to get at a future time —
154. *Mr. Hill.*] Contemplated revenue? Contemplated revenue; and also, that it destroys the rights of some of our ratepayers, by taking away the roads they ought to have free access over.
155. *Mr. Oatley.*] Was any objection taken at the time, by the Municipality of Waverley, to the proclamation of this additional piece of ground for a water reserve? We never observed it.
156. Then no objection was made? We have never seen it.
157. How many allotments are sold fronting this reserve you speak of? It is sold all round it.
158. Do you not think it would be injurious to the Water Reserve if persons were to build on these allotments—that the drainage from water-closets and such things would be objectionable? I think not, because there is no water in that portion of it.
159. Does it not drain into the Water Reserve—the fall is that way? Yes, but there is no water on this land. I do not think it would interfere with the water, because the drainage would have such a distance to go; and the sand is a perfect filter. All the land in Waverley abuts on the Water Reserve, every bit of it—the whole of the hills.
160. *Chairman.*] Did not the Government withdraw a large portion of these lands from sale, in consequence of a Report from a Committee of this House, representing that the sale would be injurious to the public interests, on account of the damage to the water supply? Yes.
161. That was the reason why it was handed over to the city as a water reserve? I suppose so.
162. And as to the portions that were sold, were they not accompanied by conditions that only one house should be built on each acre? I am not aware of that.
163. *Mr. Forster.*] Are there not some other objections, to which you have not referred, to this proposal—Does it not strike you that it would very much destroy the symmetry of your municipality, by cutting a piece of it out and handing it over to another? It would take away nearly one-fourth of our municipality.
164. And alter the shape of it considerably? Very considerably.
165. Do you not think it would be very undesirable to construct a municipality of the form which yours would assume if this large piece were cut out of it? There would be so many irregularities in it, that it would puzzle people to find out what was the municipality.
166. I suppose, when the municipality was formed, you expected the size of it to be maintained? Yes.
167. Do you speak the sentiments of many of the ratepayers? I do. I represent the Council and the ratepayers.
168. Are these streets you speak of open—Have they been opened yet? Not as regards making them. There is a question of law, two cases pending, about these very streets.
169. Have the Government opened them? No; none of our roads have been opened by the Government.
170. How do you open them then—Are they opened without proclamation by the Government? The Government say the right of user is sufficient. We have requested them to proclaim streets, but they say we have used them, and that is sufficient. That was the reply of Mr. Wilson, the Minister for Lands under the late Government.
171. Have you made any application to the present Government? Yes, about these two streets.
172. What was the answer? The answer, I think, was, that they were about being proclaimed.



173. Supposing this water reserve to be retained, does it follow as a matter of course that these streets might not be dealt with in a way to serve the public interest, without reference to the question of taking so much from the municipality of Waverley? I think they might. There is no occasion to hand it over to the city of Sydney, for I think at some future time we shall not have our water from that district. Mr.  
S. Dickson.  
23 Feb., 1869.
174. Supposing this land to be required as a water reserve, do you not think your municipality is capable of looking after the public interests as well as the City Corporation? Yes.
175. Do you not think it probable that the water reserve being in the hands of three or four municipalities, the public rights would be more likely to be consulted than if it were handed over to a single municipality? I am sure they would.
176. Would not the very circumstance of four municipalities having a joint interest in it, be a greater protection to the public rights than if it were handed over to a single one? I should think they would look after it more than the city of Sydney, which is so far away from it.
177. You would have no objection to the Government selling the land, if that was found to be necessary? Not in the least.
178. You would prefer it almost, because you would get more revenue? Yes, we could tax it at once.
179. Then it is not simply as Government land, or in any particular respect, that you desire this land to be retained within the boundaries of your municipality? We wish to retain our boundaries as given to us in the year 1859, and proclaimed by law.
180. If this land were required for a water reserve, I suppose your interest in it would be proportionate to the interest of the city of Sydney? Not as far as concerns water for the district; but most of us are Sydney residents, and are therefore interested to see that Sydney is supplied with water.
181. Do you apprehend that, if this is retained in your hands, any injury will be likely to be done to the public interest in that respect? I think not.
182. Do I understand that you were not consulted at all in this arrangement? No.
183. Then, this Bill was introduced into the House without any application to your municipality? Without any application. The first we heard of the land in question being handed over to the city as a water reserve, was about twelve months ago.
184. The Mayor of Sydney did not ask your opinion on the matter? No.
185. You have no objection to the Sydney Common being included? No; it does not interfere with us.
186. Does not any part of your boundary touch the Sydney Common? No.
187. Do you not consider your ratepayers have any commonage rights over the Sydney Common? We naturally expected it would be so. We applied for the land some years ago, but did not follow up the application, and therefore, I suppose, it was not handed over to us.\*
188. Is it a matter of fact that your ratepayers, as ratepayers of Waverley, have no commonage rights? None.
189. *Chairman.*] Has your municipality spent any money on this land known as the Water Reserve, for any public purpose? Not in forming the roads. I think there has been some money lately expended in clearing these roads, but not a very great amount.
190. What is the amount of your annual revenue? About £1,100, with the Government endowment.
191. Are you not aware that the dedication of this land by the Government is a portion of a large scheme for supplying the city of Sydney and the surrounding municipalities with water? We were not aware of it until about twelve months ago. When these questions arose, we looked to see whence the city of Sydney obtained their rights over this land; and then we found out that, by a sort of proclamation, it had been handed over to them in 1866.
192. The water that accumulates on this reserve flows into the Lachlan Swamp, I believe? There is no water accumulates there; the only water that would come from there would be from the rainfall; it may come from it underground, but there is no visible water there.
193. *Mr. Neale.*] Is it of a swampy nature? It is all sand; I do not think any portion of it is swamp.
194. *Chairman.*] Have you ever tried it by boring? No.
195. Then you are speaking without any data to go upon? Only by observation of its outward appearance.
196. *Mr. Oatley.*] Does the rainfall wash any rubbish into the Water Reserve? Yes, from the whole of Waverley.
197. If the Municipal Council of Sydney had not attempted to close these two roads you have been speaking of, you would not have taken any objection to the Bill? We would not have taken so much objection; but still, if this land is handed over to the city, of course our right to tax it will cease.
198. Do you not think the fact of these roads being occupied by houses would lead to the pollution of the Water Reserve? If it became a district like the city of Sydney—very closely built upon—then it might.

\* NOTE (on revision):—I meant my answer to refer, not to the City Common, but to the 768 acres of land set apart as a water reserve.

Mr. Richard Watkins called in and examined :—

- Mr. Richard Watkins.  
23 Feb., 1869.
199. *Chairman.*] You reside at Waverley? I do.
200. I believe you are desirous of affording the Committee some information respecting the Bill now before the House to extend the boundaries of the city of Sydney—Will you be good enough to state what objection you have to the Bill? I object to it because it deprives us of a good deal of our land, and especially of a street which leads to Randwick, on which frontage I bought my land.
201. When you say "our land," do you mean the municipality? Yes.
202. Are you under the impression that this piece of land belongs to the municipality? I certainly am; I certainly was led to understand that it was our reserve land.
203. Are you aware that that impression is incorrect—that it has been dedicated by the Government as a Water Reserve for the city of Sydney? Such dedication I never was in possession of, and never knew of before the fence was erected by the City Council.
204. By proclamation in the *Gazette*, 5th October, 1866, 768 acres were granted as a Water Reserve, and 490 acres as a Common? As a Water Reserve I think it would be a very bad reserve indeed, because the drainage of the whole neighbourhood goes into it—it is a gully.
205. What is the particular street you say will be shut up? It was what we called the the Lower Randwick Road; it was not named at the time I bought the land.
206. Will you look at this map (*map handed in by Mr. Dickson*), and see if there is any name to it? It appears to be called Bourke-street-here. I bought the corner on the allotment marked "S. H. and J. Pearce—4 acres, 2 roods."
207. Do you not observe that no portion of that street lies within the Water Reserve, as far as your allotment is concerned? No; but the stopping up of that street cuts off our connection with Randwick, as far as straight lines are concerned.
208. Where do you find straight lines? Well, nearly so. (*Witness explained by reference to the plan.*)
209. You say this portion which lies within your municipality is a gully? Yes.
210. And the Government have reserved it from sale? I understood so, and that the reserves were handed over to the Waverley Municipality. You must recollect that the rates of our municipality have been mortgaged for money borrowed, including the whole boundary of the municipality as proclaimed; and, to take away this large block of land, will affect the mortgagee's security.
211. Do you derive any revenue from this land at present? I am not in a position to answer that question.
212. *Mr. Hill.*] Are you an alderman? No, I am only a rate-payer. With respect to these streets, I have been using Bourke-street and Market-street for fourteen years.
213. *Chairman.*] Is there any considerable amount of traffic from Waverley to Randwick, on the road you have been speaking about? Not very much; but we bought our ground with the understanding that it was to be kept open.
214. How many persons travel over it in a day? I could not say.
215. One? Yes, more than that; perhaps a hundred; but I could not say; I am not there to witness it.

Mr. John Madden called in and examined :—

- Mr. John Madden.  
23 Feb., 1869.
216. *Chairman.*] You are a market gardener, I believe, residing at Waverley? Yes, I have been a market gardener.
217. You have heard, I suppose, that it is contemplated to extend the boundaries of the city of Sydney so as to include the piece of land known as the Water Reserve, lying within the municipality of Waverley? Yes.
218. Is there any objection to that course, as far as you are concerned? It would be a great disadvantage to me and those people who bought pieces of land, fourteen or fifteen years ago, with frontage to the road they want to shut up. If that is shut up, we shall have to go another road, about a mile and a half round.
219. If that road is left open, do you see any objection to the Bill? No; we only want the roads open. I do not know what the Council object to, but for myself, I only wish to have the road left open.
220. You allude to the road or track leading from Waverley to Randwick? Yes, from the tea-gardens over to Mr. Hooper's market garden. I helped to measure it, twenty-five years ago.
221. Is there any amount of traffic along that road? Not now, since the fence was put up; but it used to be a good thoroughfare before the fence was put up.
222. *Mr. Sutherland.*] Will you look at this plan (*put in by Mr. Dickson*), and see the name of the street you refer to? There was no name to it that I know of, only it was a Government road.
223. *Chairman.*] It is the road that lies between the Pound and the Roman Catholic Church, and runs down to Mr. Hooper's? Yes. It is more than twenty-five years ago since I helped to measure it with Mr. Lewis Gordon, the Government Surveyor; I held the chain for him.
224. *Mr. Hill.*] Has it been used ever since as a road? Yes; until of late years, Mr. Hooper had no other road to go to his garden.
225. *Chairman.*] Now there is another road? There is another road that takes them a mile or a mile and a half round, and they go that road because this one is so sandy.
226. *Mr. Forster.*] You say if these streets are left all right, you do not care much about the question otherwise? It would be nothing material to me if the ground were given to the City Corporation.

227. Are you not a ratepayer of the Waverley Municipality? Yes.

228. And you vote? Yes.

229. Do you want your municipality to be made smaller? No. If there were more rates to be recovered on the place, the rates would not come so heavy on us ratepayers. 23 Feb., 1869.

230. *Chairman.*] Is any revenue derived from this land at present? No.

231. Is it likely there ever will be? Not if the City Council takes it.

232. *Mr. Hill.*] So far as you are concerned, you are very much opposed to the City Council taking it, on the ground which you state? I am.

Mr. John  
Madden.

Mr. Charles Logue called in and examined:—

233. *Chairman.*] Are you desirous of making any statement to the Committee, respecting the Bill before the House, to extend the boundaries of the city of Sydney? I think it would be very injurious to the municipality of Waverley, to take away any of these lands granted to them. 23 Feb., 1869.

Mr. C. Logue.

234. What lands have been granted to them? The boundaries specified under the Municipalities Act.

235. You must distinguish between lands granted to the municipality and the boundaries of the municipality—the mere fact of proclaiming the boundaries does not vest the lands in the municipality? I thought so.

236. Is there any other objection? Yes; I have a great objection to it personally. If the City Council close the road across to Randwick, it will be a great loss to me. I went to great expense in building boxes for race-horses, and they were in the habit of going by that road to the race-course. It will be a loss of £150 a year to me personally. I built the boxes on account of this road being open, and being a soft road for the horses, feet to travel on, and a mile shorter.

237. But if this land is to be used as a water reserve —? It will never do for a water reserve.

238. Be good enough to hear the question before you answer it. If this land is to be used as a water reserve, would it not be very undesirable to have cattle travelling over it, so as to cut down the herbage, and dry up any water that might find its way there? They would do no harm on the road or street.

239. Then, your objection is, to having the road or track you have used shut up? Yes.

240. That is your principal objection? Yes; and I understood also that the land was part of Waverley—that it was to be used as a common for Waverley—when I built there. I never knew it was to be dedicated as a water reserve. It is not fit for a water reserve.

241. Have you been obliged to discontinue the use of your horse-boxes in consequence of this road being shut up? This last time I have had no horses, on account of the rows we have had about the streets there. It has been a great loss to me, for the gentlemen said they could not send their horses round by the other road.

242. Is there not a public road within a few yards of your horse-boxes? Yes; that is the Randwick and Coogee Road; it is a mile further than what this road would be, and they look to the distance more than anything.

243. *Mr. Forster.*] I think you misunderstood a question of the Chairman's—you seemed to imply that when the municipality was proclaimed, this land was granted to the municipality—Did you mean that it was to be granted as property, or to be a portion of it? To be a portion of it.

244. You did not mean that it was to be the property of the municipality? Yes.

245. To sell or do what they like with it? No, but to tax it.

246. How could it be taxed if it was not sold? I do not think they would have the power to sell it.

247. If it was granted to the municipality, who else would have the power to sell it? I am not aware who would have the power.

248. You said you thought this land was granted to the municipality? I thought so. When I went to build there, I was under the impression that it was a common for the inhabitants.

249. Have you been in the habit of looking on it as a portion of the municipality of Waverley? Yes.

250. Did you ever exercise any commonage rights over this land? Only by going through it and passing over it.

251. What sort of commonage rights have been exercised? People going through it, getting wood, and such things as that.

252. Has it always been an open thoroughfare? Yes.

253. How long has it been in use in that way? For many years.

254. How long? It is about eleven years since I went there.

255. Has it been used as a common by the people during that time? Yes, by Randwick and Waverley, and it has been a continual thoroughfare.

256. Do you object to its being used as a water reserve? I do not think it fit for it.

257. Do you think it would be an infringement of the rights of the commoners if it were so used? Yes.

258. Do you look on this attempt to transfer the land to the city of Sydney as an infringement of those rights? I do.

259. Do you object also on the ground of the municipality being made smaller? Yes, I do.

260. You think the municipality is small enough already? Yes.

- Mr. C. Logue. 261. Who closed these streets? I believe the Mayor of Sydney.  
 262. What authority had he to do so? I do not know.  
 23 Feb., 1869. 263. How was it your municipal authorities allowed the Mayor to close those streets? They did not—they disputed his right.  
 264. Are they closed now? No, I believe they are open now.  
 265. Did they knock the fence down? Yes, I believe so.  
 266. Do you apprehend that, if this land were included within the area of the city of Sydney, they would be closed? Yes, I think that is the purpose it is for.  
 267. You are afraid of that? Yes.  
 268. Suppose it is found necessary for the public good generally, to make a water reserve of this land, would that be inconsistent with retaining it still as a portion of the Waverley Municipality? I think it would never answer that purpose. There is no water there, except perhaps a little after a storm of rain.  
 269. *Mr. Neale.*] Which way does the water from it flow? Right down to the swamps; it is all inclined that way.  
 270. Where does the surface water escape to? I suppose into the old water reserve.  
 271. *Mr. Forster.*] Are the opinions you express now, those of a majority of the people of Waverley? Yes, I believe they are.  
 272. Have you heard many speak of it? Yes, and petitions have been got up against it.  
 273. *Mr. Oatley.*] I believe your chief objection is to the fact of the roads being stopped up? Yes.  
 274. If these roads were kept open, you would not so much object? Not so much.  
 275. *Mr. Forster.*] If these roads were opened, would you agree to hand it over to the city of Sydney? No, I do not think we ought to lose it.  
 276. Supposing the question of the roads were settled, you would still have a strong feeling against handing over this land? Yes.

---

Mr. James Hooper called in and examined:—

- Mr. J. Hooper. 277. *Chairman.*] You reside at Waverley? No, at Randwick.  
 23 Feb., 1869. 278. Have you any interest in the municipality of Waverley? Yes, I have property at Waverley, and property at Randwick.  
 279. You are aware that some land has been dedicated by the Government within the municipality as a water reserve? Yes.  
 280. And that it is now proposed to extend the boundaries of the city of Sydney so as to include that land? Yes; because they are ruining my little property, by dragging me a mile and a half round, as I cannot use the old track to Paddington.  
 281. Have you been in the habit of using the track from the South Head Road to Waverley? Yes, I have for nearly nineteen years. That was the only road we had to go to the garden at that time; no other road was ever laid out for it.  
 282. By going round by the Randwick and Coogee Road the distance would be increased? Certainly it would—nearly a mile and a half.  
 283. You object, then, to the road being closed up? I do, strongly.  
 284. If that road were left open, do you see any other objection to the proposed Bill? No, not so much.  
 285. You do not think the fact of allowing that road to remain open would injure the land as a water reserve? No; there is no water on it, except when it rains hard. I have known it these twenty years.  
 286. Have you ever dug for water upon it? Never; but there is a drain there now deep enough, and no water in it.  
 287. You are not aware, then, of its capabilities? It is a regular sewer for taking all the water from Waverley during rain.  
 288. Do you wish to offer any other observations to the Committee besides those you have mentioned? No.  
 289. *Mr. Hill.*] So far as you are concerned, you have no objection to the Sydney Corporation taking this land, provided they leave the road open? No, except that, if you take that land from us, who is to pay our mortgage debt on the two Councils?  
 290. Are you a member of the Municipal Council? No.  
 291. You are not aware whether the Council derives any revenue from this piece of land? I do not think they ever have yet.  
 292. *Mr. Forster.*] Are you a ratepayer and voter? Yes.  
 293. Do you want your municipality to be made smaller? I want it to be made bigger.  
 294. You do not wish any portion of the municipality to be taken away and added to Sydney? We do not.  
 295. Will it do you any good to take it from your municipality and give it to Sydney? It will do us a great deal of injury.

---

Mr. Llewellyn Baglin called in and examined:—

- Mr. L. Baglin. 296. *Chairman.*] You are desirous of giving some evidence respecting the Bill now before the House? Yes.  
 23 Feb., 1869. 297. Will you be good enough shortly to state your views upon the subject? One point I view it on is, the encroachment on our boundary line—the city of Sydney's encroachment over the line which was granted to the Waverley Council in 1859.

298.

298. Does your Council derive any revenue from the land in question? I do not know that they do from the land in question, but they do from the line of road leading across this land.

Mr.  
L. Baglin.

23 Feb., 1869.

299. Do they derive revenue from the line of road? Yes, from Bourke-street.

300. Has any money been expended by the municipality on that line of road? Yes.

301. How much? I should say nearly 200 pounds since I have been there.

302. Has any money been expended on the street from the southern boundary to the Pound and the Roman Catholic Church? Yes.

303. Has the street been made from Birrell-street up to the Pound? Yes.

304. Has it been made beyond the Pound? No.

305. Has any money been expended on that portion? There has been a little money expended in clearing.

306. You say the Council derives revenue from that road? Yes.

307. In what way? From the ratepayers and freeholders.

308. By reason of the road? Yes; there are houses on Bourke-street.

309. The shutting up of the road does not interfere with the access to these houses? Not from Waverley, but from Randwick it does. I am representing the people of Waverley; I am one of the aldermen, and I came here to look after their interests.

310. You think it would not be desirable to have the road shut up? I do not.

311. If the road were kept open, do you see any valid objections to the Bill? Yes, I do. I mean to say it cuts the boundary line which the Government gave to the municipality of Waverley, thereby taking that land away, and robbing the municipality of its revenue.

312. If this land is appropriated for public purposes, do you not observe that your Council can obtain no revenue from it? They expect to get revenue from it.

313. When? When it is built upon, which will, I have no doubt, be some day.

314. But at present the Government have reserved it, and I want to know if your Council suffers in any respect whatever? Yes, I should say they did suffer greatly. We might just as well say, why should not the corporation of Waverley take a part of the city of Sydney? It is just the same thing as the Corporation of Sydney taking a part of the Corporation of Waverley.

315. You will observe that this is only a trust for public purposes? It might be a trust, but it was given to the Waverley Municipality.

316. That is, it is included within the boundaries? Yes.

317. *Mr. Hill.*] Did you purchase your property originally from the Government? No, I purchased from Simeon Henry Pearce. At the time I purchased, this road was called the Lower Randwick Road. I built houses there.

318. Were you under the impression, when you purchased, that this portion here marked (*referring to the map*), belonged to the municipality of Waverley? I was. I was under the impression that the street ran through to Randwick, and it was called then the Lower Randwick Road. Another thing I would wish to state, that is, that the revenue of the Corporation of Waverley is mortgaged to a certain extent; and if we break the boundary line, we are liable to an action. There are a great many of the people there who have bought allotments fronting that street, with the idea that they were to have a road across to Randwick, which is a short cut—at any rate, it makes a mile difference if you go round by Charing Cross. I have been living there myself from twelve to thirteen years, just by the Pound.

319. *Chairman.*] Opposite the Roman Catholic Church? Yes. I mean to say that it would be doing great injustice to me and fifty others in the same locality, hard-working men who work for their living.

320. When did you purchase your land? About twelve years ago.

321. As the municipality only came into existence in 1859, how can you say you thought this land formed a portion of the municipality? I withdraw what I said then. I thought the road went through to Randwick.

322. Merely a bush track? It was a Government road, 66 feet wide.

323. *Mr. Oatley.*] Are you aware that there were a number of allotments marked out and offered for sale by the Government? Yes.

324. Are you aware that the Municipal Council of Sydney made objection to their being sold, on account of their being likely to pollute the Water Reserve? No, I am not aware of that.

325. The whole of the drainage from this road falls into the Water Reserve—the Lower Randwick Road as you call it? The fact is, the whole of the drainage from Waverley falls into it.

326. If this place were built upon, do you not think it would be injurious to the water—likely to pollute it—the drainage from water-closets, soap-suds, and so on? The water reserve is far away.

327. Would it not be injurious from the fact of this stuff washing down and draining into it? It might be; but the water is a long way from Bourke-street.

328. *Mr. Forster.*] Do you think all the people of Waverley agree with you in objecting to this proposed transfer of land? I think they do.

329. Do you think there is any single ratepayer in Waverley that approves of this measure? I do not know of one.

330. What use has this water reserve been put to? It was never called a water reserve that I know of.

331. What has it been used for—a common? A common; nothing else but for cattle to run upon.

332. Has it been useful in that respect? Yes.

333. Do you think it is suitable for a water reserve? No.

334.



- Mr. L. Baglin.  
23 Feb., 1869.
334. If it should turn out not to be required for a water reserve, I suppose you expect to derive revenue from the land being sold by the Government? Yes.
335. On the other hand, if it is used as a water reserve, and the Sydney Municipality obtain revenue from it, do you not think you are entitled to a portion of that revenue? I should think we would be entitled to all the revenue.
336. To all the revenue derived from what is within your municipality? Yes. If our boundary line is broken, the next thing will be that we will have no municipality at all; perhaps next year some one else will come for a piece.
337. Is there any part of Sydney you would like to have annexed to Waverley? No.

Simeon Henry Pearce, Esq., J.P., called in and examined:—

- S. H. Pearce, Esq., J.P.  
23 Feb., 1869.
338. *Chairman.*] You are desirous of affording the Committee some information about this Bill? I have been deputed, by the Municipal Council of Randwick, to attend here this morning to represent their interests in this matter.
339. Be good enough to state what their views are upon the subject? The views of the Municipal Council of Randwick, as far as I understand them, are these,—that the Bill which has been laid before Parliament seeks to invade and confiscate a portion of their territory.
340. What portion? The Sydney Common, and a portion also of the Water Reserve, which has been attached to the Sydney Common during the last year or two.
341. I suppose you are aware that the Government have dedicated both the pieces of land that you allude to for public purposes; that is to say, that 768 acres have been dedicated as a water reserve, and the remainder, 490 acres, for a common? I am aware that the Government have dedicated certain portions of the land known as Sydney Common for the use of the citizens, and also a portion of land as a part of the Water Reserves for the benefit of the citizens and the suburbs, just in the same way as other dedications or grants are made, I presume—something similar to the grants made to you and to me, without any but the usual exemptions in the grant.
342. Has your municipality expended any money over this land? Yes, in Market-street, a portion of it; we have opened Market-street to our boundary.
343. Do you not observe that no portion of Market-street lying within your municipality is included in this Bill? On reference to the map I see it is not; the other or northern portion of Market-street is in the Waverley Municipality. But a portion of the Water Reserve is within our boundary; and, according to the description of the boundaries given in the Bill, Wentworth-street is included. On the plan before you (*that handed in by Mr. Dickson*) I see the green line excludes it; but the boundaries given in the Bill, as I read them, includes it in that Bill.
344. If the Government thinks it right effectually to provide a supply of water for the city and suburbs, is it not necessary that every precaution should be taken to prevent the water being defiled? If they had taken that care years ago, by reserving all the land at Waverley, Paddington, &c., and all the land that drained into the reserve, there would have been some sense in it; but now it is perfectly preposterous to depend on such a source for the wants of this city and suburbs, and to preserve its purity.
345. You are aware that there is a track from Waverley to Randwick, formerly known as the Lower Randwick Road. Do you think it would injure the Water Reserve by allowing that road to remain open? I have known that road since 1847—since I went to Randwick first. That is the road I used to travel in going to Randwick. I lived at Waverley then. It was merely a bush track at that time. I remember that, about eighteen years ago, I took a person named James Hooper and measured that road, for the purpose of having it cleared. This track has been used by Hooper and others ever since he has been living there, and long previous to that time.
346. Then the roads laid down on the map here (*Mr. Dickson's map*), by these lines, were never in existence? They were never formed according to the present plan, to the exact lines, although laid down on the map, I believe, by Mr. Lewis Gordon. These lands were measured many years ago. This is, as far as I remember, a proper plan of the old Government map, which is in the office of the Surveyor General—not the map they will show you at the office, but the old parish map of Alexandria.
347. The track you speak of is not shown on this plan? No. No doubt the track was shown on the old map referred to.
348. Could this road, as defined on this map, be used by any person? Yes.
349. Could there be traffic along these lines that are drawn at right angles? There are no impediments in the way, except a hill that is rather steep. That is the reason why the carts used to take the side of the hill, and get up in a zigzag manner the best way they could; but that could be made a thorough good road, at a little cost.
350. Do you think it would be any injury to the Water Reserve to have that road open? Not the slightest—no more than the Randwick Road is. Nothing accumulates upon the road, except the droppings from animals, which is soon absorbed by the sun and air.
351. *Mr. Hill.*] Do you think it would be very injurious if this was taken away from the municipality of Waverley? I think it would be a piece of great injustice; just the same as if the Waverley Council were to take a piece of the city of Sydney and to add it to their municipality.
352. *Chairman.*] Suppose it were necessary for public purposes? If it were necessary, and did not damage their vested rights, there might not be so much objection; but I think it highly wrong for any municipality to damage or invade another borough to aggrandize itself.

353. Supposing this Water Reserve were held in trust, instead of being granted to the city, would you see any objection to that? No, provided they did not stop the roads, nor interfere with the rights of the municipalities in whose localities the land was situated.

S. H. Pearce,  
Esq., J.P.

354. Somebody must have the control over these roads, and the question arises—which can most effectually carry out the object? I think that where a piece of land is within the area already proclaimed for any municipality, the Government and Parliament ought to have sufficient confidence in the Council thus created, that they would be able to manage the piece of land which had been placed under their care by proclamation, just as much as they would have in the Council of Sydney. I should like to know what difference there is between the judgment or practical experience of the aldermen of the city of Sydney and the judgment and competence of the aldermen of Randwick or Waverley.

23 Feb., 1869.

355. It seems to be a question of funds. Is your municipality in a position to take and manage that Water Reserve for the purpose of supplying Sydney with water? That does not come within our province. This piece of land in question is set apart to supply Sydney and the suburbs with water; but now there is not a drop of water on the surface in this part—the Waverley portion. If you examine it for yourself, you will see that, instead of being a feeder of the water supply, as it once was, it is now the main receptacle for all the filth of a large portion of Waverley, and will become the natural and common sewer for a portion of that borough. Anticipating that this land will be given up directly as a water reserve—that the water for the city will be obtained from another source—all this land will then undoubtedly be sold; and that is one of the reasons why the municipalities who have this land, resist any encroachment or confiscation of any of their property.

356. You see it is not proposed to vest the city of Sydney with the fee simple of this land? If it is not intended to do that, what is the reason of their application for it. They desire to enlarge the city of Sydney at the expense of the suburban municipalities.

357. You are aware there must be a controlling power over it? There is a controlling power within every corporate body at the present time. Every piece of land within our boundaries was proclaimed as the municipality of Randwick, in 1859; and those boundaries were confirmed by the Municipalities Act of 1867; and therefore, the Council of the municipality of Randwick have as much control over every portion of the land within their boundaries as the Council of the city of Sydney has within theirs, for everything which is required to be done or performed; so that, I presume, even on that matter, the Council of Waverley or the Council of Randwick have just as much knowledge, judgment, power, and experience, as the members of the City Council.

358. Have they the funds? We can have the funds just in the same way as the City Council—the power of borrowing. And, as far as that goes, we are better off than they are, for they are heavily in debt. We have power under the Act, with the consent of the Government, to borrow what we want for local purposes.

359. To what amount? I believe to six times the amount of our revenue. Our debt now is £700, and that was borrowed for the erection of Council Chambers. The city of Sydney is in debt for at least two or three hundred thousand pounds. We can borrow at the same rate as they can. They are a richer body, it is true; but I do not see that a rich city should be permitted to rob a poorer neighbourhood for the purpose of increasing its funds.

360. Is not the city of Sydney extending in that direction? The city is not, but the population is increasing in these neighbourhoods; and the object of this Bill is, to increase the area and the funds of the city, at the expense of its neighbours.

361. Will there be any distinction between these neighbourhoods and the city proper? There will be this distinction—that the debts of the suburbs will not be in connection with the city of Sydney, nor the debts of the city borne by the suburban municipalities. The City Council is over head and ears in debt, and I should hope that we shall not be joined to them under such circumstances. As far as I am personally and privately concerned, I should be glad to see the city boundary pushed out against my property to-morrow. It would do me an infinite amount of good, by making my property more valuable. But I am here to represent a corporate borough; I am here as one of the representatives of the people of our neighbourhood; and therefore I speak for them, without considering my own interests. If I were to consent to one inch of our municipality being encroached upon, or confiscated in any way, I should be forfeiting the oath I have taken as a representative of the people in the municipality; and therefore I protest against one inch of the land of the Municipality of Randwick being taken by any other municipality, for any purpose whatever.

362. If it were necessary for sanitary purposes, what would be the use of your protest, either as regards Waverley, the city of Sydney, or other corporate body? Possibly my protest may be of no service, because might generally creates right! but I am now speaking of the equity and justice of the case. Whatever is required for sanitary or other purposes could be done without taking their property from any of the municipalities, just the same as all private and public improvements are now made. Moreover, every portion of the land of the municipality of Randwick is mortgaged for the £700 we owe; and therefore it would be unjust and illegal for the Council of our borough to surrender any portion of their vested rights. If the Parliament is prepared to pay off our debt, then the next consideration would be, whether our Council would be willing to give it up; but, until that debt is paid, I presume the mortgagee would be treated improperly if any portion of his security were taken away.

363. Has any portion of the £700 been spent on this small piece of land? No; but when any of the Councils borrow money, they borrow on security of their revenue, and this revenue is raised on the whole area within their boundaries.

- S. H. Pearce, Esq., J.P.  
23 Feb., 1869.
364. Has any revenue been raised on that piece of land affected by this Bill? Not yet. We can assess it at any time we think proper—there is not an inch of it but what is liable to assessment, as it is not Crown lands, nor belonging to any charitable institution; and considering that the City Council derive a large revenue from the sale of the water that runs from this land, they could not complain if we did assess them. But when the water is taken from the Nepean or some other source, all this land, between two and three hundred acres, belonging to our municipality, now called a water reserve, will, in my opinion, ultimately be sold; and if it is unjustly taken away from us now, our municipality will lose, and the city would gain, all the rates which would then be collected from that property. If you go and examine the place, from the Lachlan Swamp right down to the Dam at Botany, you will see there is not a sufficient quantity of water to supply even the present wants of the city of Sydney. On this newly created Water Reserve there is not a drop of water on the surface that I can see, except in the ditches.
365. *Mr. Oatley.*] Are you not aware that Busby's Bore, as it is commonly called, supplies nearly the whole of the lower portions of the city? Yes, but that partly comes from the Lachlan Swamp, and from the Paddington heights, as well as from Waverley.
366. Were you not one of the persons who signed for the municipality of Sydney to have the Randwick Road? I will tell you how that was. The Bill you refer to was drafted by me, in the first place, to hand over the road to the municipality of Randwick; but when the Draft Bill was laid before our Road Trustees, the Mayor of Sydney objected to it, unless the roads were handed over to the city of Sydney instead of to the Randwick Municipality; and, as all I wanted was a good road to our borough, I consented to that alteration, which our Commissioners adopted.
367. There was a resolution passed by the Randwick Council, that they were willing to take this road? Yes, I believe it was carried unanimously by a full Council. That was the reason why I, as Mayor of the borough, drafted the Bill for our Road Trust.
368. *Mr. Forster.*] Do I understand you to object to this alteration of the boundaries of these two municipalities, Waverley and Randwick, irrespective of the question of the Water Reserve—You object on municipal grounds? I do, most decidedly.
369. Do you think either of these municipalities would be injured by being made smaller, in consequence of these areas being transferred? I think they would, as their powers of assessment would be decreased accordingly.
370. Do you think the public objects which are supposed to be included in the dedication of this land as a water reserve or a common, are in any way inconsistent with retaining the areas within your municipalities? I do not. I do not think any municipality should have any control in shutting up roads, or doing anything else antagonistic to the public interests; neither do I think that any municipality having property within the boundaries of any other municipality should be exempt from the same liabilities as private persons are subject to.
371. Do you object to the Sydney Common being taken away from your municipality? I am instructed by our Council to protest against any portion being taken from our boundaries. The City Council are now selling a part of that common, and the revenues of the land so sold within our boundaries will belong to Randwick, and not to Sydney.
372. Have your ratepayers any commonage rights over this common? No, we know quite well we have not. It was set apart for the use of the citizens, for grazing purposes, by Governor Macquarie.
373. May the common not remain a common for the use of the Sydney people, and still the area be within your municipality? Exactly so, without any detriment to the city, except with reference to the taxes which may be raised thereupon. The reason we never taxed the City Council was because the land is set apart for a common, &c., and the people of Randwick will, we presume, have equal rights to walk or drive over it when completed—although we could tax them if we desired so to do.
374. Suppose it should turn out that this piece of land called the Water Reserve is not wanted for that purpose, do you look forward to its being sold to private persons? Yes.
375. In that case, a considerable revenue would be derived from it for municipal purposes? Yes, a large revenue would be derived from that land.
376. And you object to surrender that? Just so. We are confident that the land will be ultimately sold, because we cannot see any use in keeping it. The City Council will have to go somewhere else for water to supply their people. I would recommend them to sell that land, also a portion of the common, and pay for the water being brought from a higher and more permanent source.

FRIDAY, 26 FEBRUARY, 1869.

Present:—

MR. HILL,

MR. NEALE.

JAMES HART, Esq., IN THE CHAIR.

John Shedden Adam, Esq., Chief Draftsman, Surveyor General's Office, called in and examined:—

- J. S. Adam, Esq.  
26 Feb., 1869.
377. *Chairman.*] I believe the maps in the Surveyor General's Office, including those relating to the suburbs of Sydney, are more particularly under your care? Yes.
378. This plan has been handed in to the Committee, by Mr. Dickson, Mayor of Waverley, who states that it is an exact copy of an old original map deposited in the Surveyor



Surveyor General's Office—Will you be good enough to see if that is the case? (*Plan exhibited to witness.*) This map is not an exact copy of any map; it is enlarged from the map of the parish of Alexandria, in use at present in the office. I have looked over this tracing, and, as far as I can see, it shows all that is shown on that map, but on a larger scale. J. S. Adam,  
Esq.  
26 Feb., 1869.

379. Does it show anything more? It shows a part of Market-street more; but that street is shown on a still older map, which has been put away since 1861—a map of the same parish which was in use previous to 1861. So that this, in fact, is apparently taken from both maps of the parish of Alexandria.

380. It is a compilation from the two? It is.

381. Is the portion of Bourke-street from the Pound down to Victoria-street shown in the old maps that you refer to? Yes, it is shown on both. It is so shown on the old map, and in the same way on the map at present in use. (*Witness exhibited the two maps referred to.*)

382. Have you any map in your possession showing the two divisions lately proclaimed as a Sydney common and as a water reserve? The same map shows those divisions. I understand that tracings have already been prepared for the Committee. (*Maps handed in by the Surveyor General exhibited to witness.*) The original Sydney Common has been dedicated partly as a common and partly as a water reserve. 490 acres of it have been dedicated as a common, under the present law; and the green line, shown on plan No. 1, is the dividing boundary. The remainder, and a little more, has been dedicated for a water reserve.

383. Embracing a portion of the municipality of Waverley? Yes. There are plans now in the office of two streets—Victoria-street and Market-street—which are about to be proclaimed. They are before the Executive Council now for proclamation.

384. Have any portions of those streets been enclosed by the Corporation of Sydney, do you know? I am not aware personally.

George Layton, Esq., Accountant, Colonial Treasury, called in and examined:—

385. *Chairman.*] The Committee are desirous of knowing what amount of money is due, by the Corporation of the City of Sydney, to the Government, either in respect of sewerage or otherwise? I have a memorandum here showing the amount—it is similar to an answer given to a question asked, on the 4th February, by Mr. John Stewart, in the Assembly. Geo. Layton,  
Esq.  
26 Feb., 1869.

386. What is the total amount of debt due by the City of Sydney to the Government? £534,547 4s. 8d.

387. Have you only one account with the City Corporation? We have debentures and interest accounts.

The amount of debentures is .....	£417,430	0	0
Interest, &c. ....	117,117	4	8
Total .....	£534,547	4	8

388. Can you state the amount of debentures issued, respectively, for sewerage and water?

Sewerage .....	£209,030
Water .....	208,400
Total .....	£417,430

Edward Lord, Esq., City Treasurer, called in and examined:—

389. *Chairman.*] The Committee are desirous of knowing the liabilities of the City Council, as a total, and also separately, if you will be good enough to afford them the information, showing the different heads of liabilities? This paper which I hand in is an abstract of the accounts as audited in January, 1869. (*The witness handed in the same.*) Edward Lord,  
Esq.  
26 Feb., 1869. (*Vide Appendix A 1.*) I have placed there the Corporation liabilities to the Colonial Government as they appear in our books, and a note at the foot, remarking that there is an additional sum to be charged for interest and commission, which is only ascertainable from the Audit Office.

390. The Committee would wish you to hand in a statement showing the revenue derived by the Corporation from city rates, water rates, street watering rates, sewerage rates, and from any other source? Would it not be better to submit to you statements of the receipts and expenditure for the whole of last year, which will embody everything?—They are just published.

391. Do they shew the revenue derived under each head? Yes.

392. Will you hand in a copy of that? Yes, I will append it to my evidence. (*Vide Appendix A 2.*)

393. In the accounts you have mentioned, do you take into account the £10,000 granted by the endowment? Yes, it has been debited as interest to the sewerage and water funds. We have debited the sewerage fund with £10,000, and the water fund with £10,000, and credited the city with £20,000, as the amount they should have got from the Government as endowment.

394. Have you any means of ascertaining what would be the annual charge to the Government, for water to public buildings, ships of war, and other public purposes? The City Surveyor has already, I think, procured particulars of that, and also particulars with regard to the sewerage that would be claimable from the Government if they were liable for the rate.

TUESDAY, 2 MARCH, 1869.

Present:—

MR. OATLEY,  
MR. HILL,MR. NEALE,  
DR. LANG.

JAMES HART, ESQ., IN THE CHAIR.

Mr. Henry Nicholson called in and examined:—

Mr. H.  
Nicholson.

2 Mar., 1869.

395. *Chairman.*] I believe you are desirous of giving some evidence before this Committee respecting the Bill to extend the city boundaries? Any facts I possess I am willing to communicate.

396. You are an alderman of the borough of Paddington, I believe? I was last year.

397. Did you take any interest in any movement for annexing the borough of Paddington to the city of Sydney? I collected a number of signatures to a petition that was got up for that purpose.

398. Can you state what was the general feeling of the ratepayers and owners of property there upon the subject? Every one that I spoke to and asked to sign the petition did so, at once, willingly, and seemed only too anxious to get the borough annexed to Sydney, for the purpose of getting water, of which we feel the want very much at Paddington.

399. Do you think it would be conferring a benefit on the people of Paddington by incorporating it with Sydney? Most decidedly.

400. I believe it will be necessary, at some time or other, to construct extensive drainage from the watershed about the Gaol, and the north-western side of Paddington? That is the only natural watercourse there is for drainage, and, no doubt, in a very short time that will have to be done. But sewerage will be of no use to Paddington without water.

401. Is the municipality of Paddington in any difficulty with regard to monetary affairs? I think the overdraft at the City Bank is something like £900.

402. Is that found to be sufficient for the purpose of keeping the streets in repair, and providing water and sewerage? No, not at all; the working expenses of the municipality and the gas eat up the whole of the revenue, leaving nothing for improvement.

403. Do you know what amount of rates is now imposed? A shilling in the pound.

404. Is that the only rate? That is the only rate at present.

405. You cannot impose a water-rate, because you have no power of supplying water? No; that is what we are desirous of obtaining.

406. In a sanitary point of view, it would be desirable that this Bill should be passed? Most undoubtedly. We cannot have any but surface drainage unless we have water.

407. *Mr. Hill.*] How are you supplied with water now? There are three public wells sunk at the cost of the municipality—one in each ward; but they are quite inadequate to the demand.

408. *Chairman.*] It is out of the question, I suppose, for the ratepayers to obtain a sufficient supply of water for baths and other household purposes? They can only purchase it from men with water-carts.

409. The cost must be considerable? I have paid as much as six shillings a week for water myself.

410. *Mr. Oatley.*] You spoke about a petition you took round in favour of annexing. Do you know how many signatures there were to that petition? I do not recollect the exact number, but I know that it was signed by more than two-thirds of the ratepayers. The petition was lodged in the Town Hall.

411. In going round with this petition, you had the opportunity of ascertaining the feeling of the ratepayers and owners of property? Yes.

412. And the feeling was very largely in favour of annexing to the city? Every one I spoke to was in favour of it.

413. Can you inform us what were the particular reasons which actuated the parties who signed—were they dissatisfied with the way in which municipal matters were conducted? The way in which the business of the Municipal Council was conducted during the last twelve months had not given satisfaction to the generality of the ratepayers, and that in connection with wishing to get water and sewerage—these were the reasons for endeavouring to get annexation to the city.

414. The Municipal Council took no part in the matter until they were applied to by the ratepayers? A portion of the aldermen were in favour of the petition.

415. *Chairman.*] Was the petition presented to the House of Assembly, do you know? I believe there was a *fac simile* copy.

416. Do you know when that was? I am not aware; I think it was on the night of the first reading of the Bill.

417. *Mr. Oatley.*] How many signatures did you get? Between forty and fifty, I think. That was only in a portion of my ward where I sought for signatures. I was never refused, except by two persons, out of the whole number I applied to—only two had any objection.

418. *Mr. Hill.*] Are you still of opinion that Paddington ought to be annexed to the city? Most decidedly.

419. Have you heard that there is a counter-petition being got up? Yes, I am aware there is.

420. I suppose, so far as your knowledge of the petition goes, all the signatures are *bonâ fide*? What I took were *bonâ fide*, I made a declaration in regard to it, before it went to the City Council.

421. *Chairman.*] To verify the genuineness of the signatures? Yes.

422. *Mr. Oatley.*] That was on account of some reports circulated that they were not genuine? Yes.

423. The whole of the other parties who obtained signatures to the petition did the same? Yes; I think, if you look at the petition in the Town Hall, you will find the signatures are all attested.

424. *Chairman.*] Are you of opinion that the present revenue of the municipality is sufficient to secure every requisite improvement? No, the revenue is too small—the revenue of the whole municipality is not more than about £1,100. The municipality is too small to be ever of any permanent benefit—the rates do not amount to sufficient. The gas consumes something like £400 a year.

Mr. H.  
Nicholson.

2 Mar., 1869.

Mr. Charles Artlett called in and examined:—

425. *Chairman.*] You were lately Mayor of Paddington, I believe? Yes.

426. Have you had an opportunity of ascertaining whether it would be desirable to extend the boundaries of the city of Sydney so as to include Paddington? I have.

427. What is your opinion, and the reasons for that opinion? My opinion is that it would be decidedly advantageous for the borough of Paddington to be joined to the city, for several reasons—amongst others, that, although the township is by nature well formed for sewerage, the funds of the Municipal Council will not admit of sewers being properly formed; and beside that, I believe Paddington never will have a proper supply of water unless it is joined to the city. It is considered desirable by the great bulk of the people of Paddington that both water and sewerage should be obtained, and these can only be obtained by our being joined to the city. I myself have known, during the last long drought, poor people, who could scarcely buy bread, obliged to pay a penny a bucket for water. Mr. Mort has spoken to me about it several times, and even offered to subsidize the funds required by the City, if they would lay the water on. These are amongst the reasons why annexation to the city is considered desirable.

Mr. Charles  
Artlett.

2 Mar., 1869.

428. I believe a large portion of the watershed that drains Paddington extends into the city of Sydney itself? Yes, there is a creek which forms the boundary between the city and Paddington. You may say nature has excavated the sewerage for us. I am firmly convinced the City Council will ultimately make a sewer there, and very shortly too, in which case they will charge the Municipality of Paddington one-half the expense; and if they do so, it will take, at a fair calculation, five years of our rates—that is, what will be available—because nearly one-half of what is collected and the endowment is expended in the working expenses of the Council.

429. The borough of Paddington, I believe, is rather small? It is small. I would, with your permission, remark, that observations have been made by a few parties who have been getting up a petition against joining Paddington with Sydney, at the last Council meeting, to the effect that the Council had previously objected to the City taking Paddington into its boundaries; but I would wish to call attention to the fact that the Council, as a body, has never done so. If the books are produced, it will be seen that when a Bill was introduced into Parliament last year, during the time I was in the chair, I objected to the City taking any portion of Paddington unless they took the whole; and a majority of the Council was at that time in favour of the City taking the whole, but not a portion, to make it less when it is already too small.

430. Do you know whether a petition has been presented to this House, praying that Paddington might be annexed to the city? There was a petition, signed by 554 petitioners, all of which were *bonâ fide* signatures, taken by parties who have or are willing to make affidavit that they saw the parties and took their names. Several of these parties have signed another petition, and they have told me since that they did so on the understanding that it was a petition to strengthen the former one.

431. *Mr. Hill.*] Do you know that of your own knowledge? I know the parties have told me distinctly that it was so. In one case, Mr. Charles Smith, shoemaker, Rusheutter's Bay, said he would not sign until they told him it was to strengthen the other petition. He is exceedingly vexed at it, and is still favourable to the annexation of the borough.

432. As far as you can gather, do you know whether the persons who signed the original petition are of the same opinion now that they were then, as regards the incorporation with the city? Yes, I have heard nothing to the contrary, except in one case; I have heard of one party who said he decidedly thought it would be advantageous then, but since he has been elected an alderman he has altered his views.

433. *Mr. Hill.*] What is his name? Roberts.

434. *Chairman.*] What rate is imposed now by the Borough of Paddington? A shilling in the pound.

435. Is there only a general rate? Only a general rate at present.

436. Does that include lighting? It does at the present time.

437. The Council have not taken advantage of the provisions in the late Municipalities Act to impose rates for other purposes? No.

438. It would be oppressive on the people to do so? Yes. A lighting rate will have to be charged, I have no doubt, and very shortly. The gas is costing now nearly £400 a year.

439. *Mr. Hill.*] What is the amount of taxes collected for Paddington? About £1,100.

440. What is the population? I could not tell, from memory. I should state that the endowment from the Government is half the amount of rates collected, which gives us £550 a year more.

441. *Mr. Oatley.*] Have the Council been working satisfactorily lately—have the people complained at all of the way in which the Council has been worked? Very much indeed.

- Mr. Charles Artlett. 442. Has very much of this money been expended in lawsuits lately? About £300 during the last year, very improperly and quite illegally in many instances.
- 2 Mar., 1869. 443. Have you a solicitor for the Borough, or do you engage one as cases arise? There is a solicitor appointed under the seal of the Council, and paid by fees; he sends in his account, and receives a cheque for it.
444. Who is the solicitor? Mr. Stephen Brown.
445. He is not paid by annual salary? No.
446. Have the Council any by-laws to work by? We have no legal by-laws at the present time, because the by-laws we are working under were made under the Act of 1858, and are not considered by counsel to be legal, although we pretend to work under them in some instances.
447. Mr. Hill.] Are you an alderman still? Yes.
448. Do you know of your own knowledge that the Council is not working satisfactorily? I am sorry to say it is not, and I have no hope that it ever will. There is so much self-interest in the immediate township that it seems to operate against the interest of the public.
449. Mr. Oatley.] Are you of opinion, from what you learned when you went round with the petition to get signatures, and from having conversations with parties interested, that the majority are particularly anxious to be annexed to the city? I feel quite certain they are very anxious. I have heard the present Mayor say, some time ago, before he was elected Mayor, that he would not mind giving a good subscription towards the expenses that might be incurred in getting annexed to the city; but he has altered his mind since. He said that in the presence of myself and some dozen gentlemen.

Mr. William Taylor called in and examined:—

- Mr. William Taylor. 450. Chairman.] You are the present Mayor of Paddington? I am.
- 2 Mar., 1869. 451. And you are desirous of affording this Committee some information about the Sydney Boundaries Bill? Yes.
452. You are aware that a Bill is before the House for the purpose of extending the boundaries of the city of Sydney so as to include Paddington and some other portions of the suburbs. The Committee desire to hear what you have to say upon the subject? I am decidedly against Paddington being annexed to the city, and I think it is the wish of the principal part of the inhabitants not to be. I cannot see any advantage that we would derive from being annexed, on account of the enormous amount that Sydney is indebted to the Government—some £800,000 I have been informed—and we are almost free from debt.
453. Are you not aware that there is a limit to the amount of taxation which can be imposed. The question of the debt cannot affect the ratepayers, because the powers of taxation are limited? Yes, but if we were annexed to the city, we would have to conform with their taxation, and we would lose the Government endowment.
454. Mr. Hill.] Are you aware that petitions have been largely signed by the people of that district, asking to be annexed? Yes, I believe upwards of 500 signed that petition, but I firmly believe that upwards of 300 of them were not ratepayers; and the principal part of those who signed it did so under misrepresentation. Most every individual I have been speaking to on the subject told me that they were labouring under an impression that they were signing a petition to get water.
455. Chairman.] Have you at present any means of supplying Paddington with water? No, except by wells.
456. Would it not be very desirable to remedy that evil? We have tried all we could since 1860 to get the water supplied to us. We have offered the Town Council 10 per cent. upon the outlay if they will lay it on. When the reservoir at Paddington was built, we were under the impression that Paddington would be supplied from it. But the level will not admit, and the engine power is insufficient for a higher level.
457. Were you always of your present opinion as to the advisability of annexing Paddington? I never felt the slightest inclination to be annexed to Sydney. If there was any benefit at all to be derived from it, no man in Paddington would receive greater benefit than I should.
458. Will it not be requisite to construct a very large sewer for the purpose of draining the eastern portion of the city of Sydney and Paddington? That might not be required for years.
459. Will it be ultimately required? It will be; but there are not many houses at present that require a sewer there,—only a few little houses down on Mr. West's ground. I do not see any occasion to have a sewer there.
460. Have you established any special water rate at present? No.
461. Or any special gas rate? No.
462. Merely the general rate of a shilling in the pound? That is all.
463. Do you think the inhabitants of Paddington would be desirous of being further taxed? I do not think they would.
464. You have no sewerage rate either? None.
465. If the Municipality of Sydney undertook to do all these things for you—to complete the sewerage, to light the place, to supply the people with water, and other benefits,—and if the people of Paddington were not to be taxed more than the people of Sydney are,—do you think there would then be any objection to the annexation? Yes, I do. In the first place, we have gas in every principal street; and as for water, I consider we shall get water supplied to us eventually cheaper than we could from the town. As for the

the expenses of keeping the municipality,—the streets between the upper and lower South Head Roads are only about 30 feet wide, and most every street is formed, and kerbed and guttered, and very little expense would keep them continually in good repair. The principal thing is the water, and I have heard no one in Paddington express a wish to be annexed for any other purpose than to get water.

Mr. William  
Taylor.

2 Mar., 1869.

466. A great many are desirous of being annexed for that purpose? Yes; but when we have offered the City Council—times out of number—to pay for the water if they could supply us, why not embrace the opportunity, if they have the means to do it?

467. Have you made any estimate of the cost of laying down the main pipes and branch lines? Not that I am aware of.

468. Do I understand that you did formerly express yourself of opinion that annexation to the city would be desirable, simply for the purpose of getting water? No, I never expressed any such desire; I am not aware that I ever made use of a word favourable to it at all. But those that signed the former petition, signed it because they thought they would get the water and the gas. It was represented that the gas as well as the water was to be laid on free, and several other advantages. I do not know what privilege water would be to Paddington if annexed, any more than when separate, because we should have to pay for it just the same. In fact, there may be advantages in being separated; because, if water is brought in by this company that is to be formed, I do not think we shall be rated so heavily for it as we would be by the city.

469. What company do you refer to? A company which is proposed to be formed to bring water from George's River or Cook's River.\* They have sent us notices about it.

470. *Mr. Hill.*] You say that if any benefit is to be derived from the annexation of the two places, you will benefit as largely as anybody else? Yes, more than anybody there.

471. For what reason? Because I have a larger property.

472. How is the Municipal Council of Paddington working now—harmoniously? It has not worked harmoniously for some time past.

473. What is the reason of that? The principal cause was, that there was an expense incurred for an election in 1867, amounting to £21, and the Act says the Returning Officer or Mayor shall produce vouchers for all the expenses incurred; but, in place of these vouchers being laid upon the table to the satisfaction of the Council, the amount was given *in globo*, as they called it. This did not please the ratepayers, and the auditors wanted the vouchers produced. Ultimately, it led to some action, I think, against the auditors, in the Police Office, and also in the District Court, and the quarrel has gone on from that time to the present continually in agitation.

474. Is that the only bone of contention? From that springs all the rest of the evils.

475. *Chairman.*] The Council may be said to be divided into two parties? Yes; ever since that time one party is almost continually against the other. As to law expenses, I beg leave to inform you that we have not gone to such enormous expense as the public are led to believe. In some remarks of his reported in the paper, Mr. Piddington said that the Paddington Council had been badly worked, for it had been run to a thousand pounds expense in litigation. That is quite a mistake. When I came into office in 1868 there was a lawsuit going on, and the expenses amounted to about £85.† That was incurred through these vouchers not being produced, but we had the amount reduced; we told Mr. Forster that we would give him £45 if he thought proper to give us a clear receipt. He said he would do it on condition that he was allowed to sue the other parties, Mr. Artlett and Mr. Davis. We told him he could sue either of them if he liked; all we wanted was, a clear receipt for £45 in place of £67. This last year we have been defendants in several actions; we have never been plaintiff; and if actions are brought against the Council, the Council must defend them.

476. What were these actions about? Two or three little debts that were sued for. The Council considered that the charges were excessive, and ought not to be paid. They were for electioneering, principally, at the beginning of 1868. The expense of that election mounted up to, I think, £36 17s. 9d. This again irritated the aldermen, because three times I had conducted the election in the same place, and I do not think the expense either time exceeded £18.

477. *Mr. Oatley.*] What was Cunningham's action for? Some little bill, £2, for printing.

478. Did he recover? Yes.

479. What was Booth's action for? That was for decorating the Council Chambers at the time the Prince came.

480. He recovered, did he not? Yes.

481. What was Martin's action for? Martin was employed to sink a well, and the first well was laid out in the wrong place.

482. He recovered? He sued for £28; and in place of getting £28, he got £8.

483. In Booth's and Cunningham's cases, why were they not paid without obliging the men to take proceedings? It was the wish of the Council.

484. There was also a case of Artlett's—what was that for—an action for libel against you, was it not? Not against me individually; it was on account of a report brought up by my instructions as Mayor.

485. Did he recover? He recovered damages to the amount of one shilling, but I got a verdict on the principal count.

486. And that carried costs, I suppose? Yes. I would like to tell you about these cases, if you will allow me.

487. What was Davis' case? All the charges you are speaking about now mounted up to about £70 or £75.

488.

\* *Revised.*—The Government Commission appointed for this purpose.

† *NOTE (on revision).*—There were two bills comprised in this £85:—1st, £68; 2nd, £17. The first was compromised for £45.



- Mr. William Taylor. 488. There was Penfold's case—what was that for—was it not an action against you for refusing to allow him to put a motion to rescind a resolution for the payment of costs in your own case? Yes.
- 2 Mar., 1869. 489. Did you not vote twice in that case? No. Penfold's case was dismissed from the Police Office.
490. Was there not a case, in which Mr. Penfold was plaintiff, against you, for refusing to allow him to put a motion for rescinding a resolution for the payment of costs in your own case? He ceased to reside in the municipality, and ceased to be a property holder there; that was one reason why I refused.
491. Can you state the total amount of costs and damages awarded last year against the Municipality—was it not about £300? Nothing of the sort; that is quite a misstatement. We are not £200 out of pocket for law expenses, the bulk of which was incurred by Artlett in the prosecution against the late auditors.
492. And costs? And costs. As to Artlett's case:—After Martin sued me as Mayor at the District Court, I said to the Council Clerk—"You have heard the evidence of Mr. Artlett and the remarks of the aldermen; now draw up an honest report." He brought me a report, and I said there were two words I did not understand. He said they were harmless words, and I put it on the table, for the aldermen to read. Each of them who were present read it, and I said—"Do you approve of this report?" They did approve of it; and for the words that I considered objectionable, that there seemed to be collusion between Mr. Artlett and the well-sinker Martin to mulct the Council as much as possible, the action was brought. If Mr. Artlett had thought proper at the time, he could have had those words struck out of the report. He never did, but sued me; and the Council brought forward a proposition that they would defend the action, which was carried.
493. The votes were equal, and you voted as alderman and voted again as chairman? I gave my casting vote.\*
494. You voted twice; that is, you voted as councillor once, and then gave your casting vote as chairman? From memory I could not say how I voted; I only exercised my privilege as chairman, whatever it was. If you refer to the things that have taken place—there are the books outside—you will find that Mr. Artlett has done the same thing himself.
495. Have you had any request made, or petition sent to you, for sewerage to be done? No.
496. You never have? I cannot say we never have.
497. The extension of a culvert in Hopewell-street, for instance? There was a petition sent in for that.
498. Did you comply with it? No.
499. Why not—because the funds would not admit of it? I tell you we are not above eight or nine hundred pounds in debt.
500. All that I say is, that you did not comply with the petition, on account of the funds not admitting it? That is not the whole of the grounds. If we had ever so much funds I would not consent to that, because it is through private property.
501. Was not that the reason assigned at the time? I am not aware that it was.
502. Is this the first attempt that has been made to break up the municipality? Until Mr. Artlett was in the minority, and Mr. Davis, the Council Clerk, was dismissed, we never had any attempt.
503. Was not one made by Mr. Humphrey, in 1860? There was an attempt made, I believe, in 1864, to divide.
504. There was afterwards an attempt made to divide the municipality, by cutting off the greater portion of Glenmore Ward? I do not recollect that any attempt was ever made afterwards.
505. Have you ever expressed a desire to Mr. Reddy, Mr. Artlett, or Mr. Nicholson, to have the borough annexed to the city? When?
506. I do not know when? Never. In 1860 I might have expressed my opinion that, rather than continue this way, it was better to be anywhere.
507. During the time you have been Mayor of Paddington, have you ever made application to the City Council to be supplied with water? Not this last time: we did before.
508. Do you not know the Council stated that they would have no objection to supply the water, if you would lay down the pipes; and your answer was, that you had no means to do so—Is not such the fact, that if the City Council were ready to supply the water, you could not raise sufficient means to purchase and lay down the pipes? I do not suppose we could. The Sydney Corporation were never in a position to supply Paddington with water, nor are they at present.
509. Still, although you think the water would be such a great boon to the people of Paddington, you do not think it advisable to annex the borough to the city? By no means. I think our municipality could be worked as easily, as comfortably, and more cheaply, than any municipality within twenty miles of Sydney.
510. You say you are in debt to the extent of £800 or £900. Do you not know that £900 is the extent to which you can borrow by the Act—have you not gone to the extent to which you are allowed to borrow? Yes; the present cash credit is for £900, for which the Governor's permission is granted; but sect. 190 gives us the power to borrow to the amount of five years' revenue, or £5,000, if needful; but every road in the municipality is in good, passable repair, and no expense is urgently required. We have good Council Chambers, free from debt. The roads are only 30 feet wide, so that it does not take so much to keep them in repair as if they were 66 feet wide. 511.

\* NOTE (on revision):—This refers to Penfold's motion for rescinding, and not to the action of Mr. Artlett.

511. Do you believe it would be any advantage to the Municipal Council of Sydney to have you? Yes, I do.
512. In what way—when they would have to expend so much money in laying down water-pipes and making sewers, what advantage would they derive? The City Council would derive the benefit of being paid for the water.
513. You are willing to pay for that now? Certainly we are. Then again, we would be supposed to pay a portion of the debt the City has incurred, that we have had no benefit from. I cannot see why we should be compelled against our wish to do that.
514. *Mr. Hill.*] Did you take any part in getting up the petitions that have been sent in? I took no part in the first one—I never paid any attention to it; but within the last week I did go round to a few, and so did Mr. Stone, who is an alderman, and has been in the Council for three or four years; and, if you will call him, he can give you more information than I can on that subject.
515. How long have you been Mayor? This is my second time as Mayor. I was Chairman once before.
516. Does the Mayor of the municipality receive any salary? No.
517. Then there is no benefit to be derived from the office except the honor? No. I wish I was out of office; I would rather be out of office than in it. I may say that, at the time this petition for joining Paddington to the city was sent in, with 526 names attached to it, the number of individuals entitled to vote, according to Mr. Artlett's Revised Municipal Roll for 1868, was in the Upper Ward 33, Lower Ward 94, and Glenmore Ward 53. This was at the time Mr. Joyner conducted the election in 1868; and Mr. Artlett, Mr. Davis, and those who were with them at the time, would not allow any other person to vote except those that actually paid the rates. That only amounts to 180; consequently, 346 names attached to the petition were not those of ratepayers.
518. *Chairman.*] If they were residents, would they not be equally interested in a matter that would benefit them? We consider that if they pay no rates, they have no right to interfere in municipal matters.
519. Is there anything else you would wish to say? No. I would wish to impress on your minds that Mr. Piddington is most decidedly wrong in what he said about the law expenses. We have not been run to £200 expense. £100 has been lodged in Court, in the case of Davis against the Council, to try a certain point whether Mr. Davis could be legally suspended from office. It was the wish of the Judge that the case should be tried in the Supreme Court, and we were requested to lodge £100 to defray expenses. This £100 might be returned to us again.

Mr. William  
Taylor.

2 Mar., 1869.

Mr. William Stone called in and examined:—

520. *Chairman.*] You are an alderman of the borough of Paddington? I am.
521. And have been for the last three years? Going on three years.
522. You are aware that a Bill is before the House for the purpose of extending the boundaries of the city so as to include Paddington? I am.
523. Do you think it desirable to pass that Bill? I am positive in my own mind that it is not.
524. Will you state your reasons? One reason would be, because the majority of the inhabitants are against it.
525. How do you know that? When the Bill was presented to Parliament, the other day, I went round myself to get signatures to a petition against it; and in the course of three days we got 350 names to it, and could have got a couple of hundred more, if necessary, if we had time.
526. Are you aware that it is not very long since a petition was got up in favour of annexation, and signed by upwards of 500 persons? I am quite aware of it.
527. Were you one of the petitioners at that time? I was not.
528. Do the petitioners against this Bill imagine that, by being annexed to the city, their rates would be increased? No, it is not that particularly. Many who signed the petition in favour of it have since signed the petition against it. Some said they signed the first one through misrepresentation; and others said that, when they came to consider the large city debt, and the freedom of Paddington from debt, and one thing and the other, they thought it far preferable to remain as they were.
529. How can the question of the debt affect the ratepayers in any way? As far as we can see, the City Act provides that they would have to pay a rateable share of the burden. The Paddington Council got the City Act, and of course we endeavoured to explain it to the ratepayers; and as soon as they found that to be the case, and that they were deceived with reference to the water —
530. *Mr. Oatley.*] How were they deceived in reference to the water? Those that got up the former petition said they would get water at a certain rate—in fact, without any extra taxation; that was the inducement with a large number.
531. Do you believe the people really thought they were to get water for nothing? There were printed papers left at the houses, stating the fact that they should get water, and various other things—that working men would get plenty of work; and as there are a large number of working men in Paddington, they all signed, thinking they were going to get all the good things for nothing.
532. *Chairman.*] I suppose when the people were told they would be burdened with a debt of £800,000, they at once changed their minds? They changed their minds so much that some who had actually paid money towards the expenses of getting up the other petition, signed the one against it.

Mr. William  
Stone.

2 Mar., 1869.

- Mr. William Stone.  
 2 Mar., 1869.
533. Do you think, if they had sewerage and plenty of water, without being taxed more than the citizens of Sydney, they would be against this Bill? Yes, they would, inasmuch as, if they were taxed for water, the water-rate might be just with regard to Sydney, but not with regard to Paddington. In Paddington there are a good many out-houses and various things which the city taxes as rooms, while in the city itself there are not so many of these outbuildings, and most places are what may fairly be called rooms. If we get water, we want to get it at a fair price.
534. Are you aware that it has been stated by Mr. Sutherland, who is supposed to possess some knowledge of the matter, that Sydney is supplied with water at a cheaper rate than any other place in the world? I doubt that.
535. Can you mention any instance to the contrary? My native city, Bristol, is supplied at something like eighteen-pence a room.
536. What is the population of Bristol? Something like two hundred thousand.
537. Of course, as population increases, buildings will increase, and water will be supplied at a cheaper rate? I should suppose so.
538. How far does the eastern boundary of Paddington go? It is bounded by Darling Point and the Point Piper Road.
539. What is the municipality beyond that? Woollahra.
540. You are aware, I suppose, that no rate can be charged for water, except where the main lies within a certain distance of the house? I am aware of that.
541. Would it not be desirable to compel persons to lay on water? I think so.
542. How can you reconcile that with the present condition of Paddington—entirely destitute of water? We are not so destitute as we were; but the inhabitants of Paddington wish to be supplied with water at five shillings a room.
543. Is your Municipality capable of supplying the mains and laying them down? We could do the same as Sydney would,—go in debt for the principal, and charge interest upon it.
544. Your powers of borrowing are limited by the Act? Yes, but they could be increased. I think there is sufficient power given to us for every purpose of that description.
545. Have you taken any step towards supplying the ratepayers with water? Yes; we have sunk three public wells and fitted them with pumps,—one in each ward. It is our intention to sink more, if necessary.
546. *Mr. Outley.*] Is any charge made to the inhabitants for taking water from these pumps? No.
547. *Dr. Lang.*] I think you stated an objection to the mode of rating for water supply under the Corporation of Sydney? My objection was, that although the mode of rating might be just for Sydney, it would not be just for Paddington, inasmuch as most people living in the suburban districts have horses and other things for which sheds are erected, and they would have to pay for these as if they were rooms; but these are not so common in Sydney.
548. You object to the mode of rating for rooms? Not for rooms, but for these sheds and outhouses.
549. The question is, what should be called rooms? We call rooms anything under the roof of the dwelling-house. The definition of a room is the same as that in the Municipalities Act of 1867, which defines what is to be considered a room for water-rate.
550. *Mr. Hill.*] Beyond that you object to it? Yes.
551. *Mr. Outley.*] Then if a man had a four-stalled stable, and kept four horses and a carriage, you think he ought to pay nothing for the water used for them? The Municipalities Act provides only for rooms contained in the main building.
552. You would not consider that a man should have four horses and a carriage, and pay nothing for the water drunk by the horses or used for washing the carriage? Certainly not. Neither should I consider it fair to charge, as is now the case in Sydney in a place of business that I am acquainted with, for four workshops where no water is ever used. Where water is consumed, the parties should not object to pay. It is also thought it would be unjust to many of the inhabitants of Paddington who have gone to great expense in sinking wells and getting a thorough supply, to make them pay for water when they did not want it. One of the largest house proprietors at Paddington must have gone to an expense of some hundreds of pounds for water, and has now got an abundant supply.
553. Who is that? Mr. William Taylor, the present Mayor of Paddington.
554. Do you consider that all these places should be exempt? I do not.
555. Do you think they ought to be charged? I think they ought, for the benefit of the whole.
556. Do you recollect that the answer of the City Council to one application from Paddington was, that they would have no objection to supply the water, in the event of the Municipality purchasing the mains and laying them down? I do not recollect that; no account of such an offer is in the Municipal records.
557. Such was the case. If the Council of Sydney would supply the water, do you think the Municipality of Paddington could find the money to lay down the pipes? Yes.
558. *Chairman.*] Have you made any estimate of the cost of laying down the pipes? I have not.
559. Then how can you come to any conclusion? I suppose we should have to raise the money the same as the Sydney Corporation would have to do. I would observe, with reference to the petition sent in in favour of annexation to the city, that out of 520 odd names, only 180 were on the municipal roll.
560. The others were residents? Some of them were not. In looking over the list, I reckoned something like eighty that were not residents.
- 561.



561. Were they not as much entitled to petition as ratepayers? If they lived there; but there were as many as eighty that I knew were not in the municipality; others, again, were minors. Mr. William Stone.

562. *Mr. Oatley.*] Do you think it would be any direct benefit to the Municipal Council of Sydney to have Paddington annexed to it? I cannot see that it would; and I am sure it would be no benefit to Paddington, for Paddington has made most of her permanent improvements,—lit her thoroughfares with gas, and most of the back streets also,—without any extra taxation. 2 Mar., 1869.

Simeon Henry Pearce, Esq., J.P., called in and further examined:—

563. *Chairman.*] I believe, in the year 1849, or thereabouts, you were appointed Bailiff or Ranger of Crown Lands about Sydney? I was first appointed Bailiff, and subsequently Commissioner, of Crown Lands for Cumberland. S. H. Pearce, Esq., J.P.

564. Can you state what lands were placed under your charge then, and how they were described? Under my first appointment, the lands were all described and published in the *Government Gazette*. As far as I remember, they were all the Crown Lands in the parish of Alexandria, all the islands in the harbour, and all Crown Lands in the parish of Botany. 2 Mar., 1869.

565. Was there not one piece of land described as the Sydney Common, containing 1,000 acres or thereabouts? I would not be sure, without reference, that it was then generally called the Sydney Common.

566. The proclamation I allude to is dated 17th August, 1849; and I think you will find, on reference to it, that there were placed under your charge, amongst other lands, 1,300 acres, "known as the Water Reserve or Sydney Common"? Yes, on looking at the *Gazette* I see it is so styled, although it was not generally known to us in those days that it was the Sydney Common.

567. Was it not known to the Government? No, I believe not; because, if it had been, they never would have given me the instructions they did with reference to that portion. I think it was sometimes called, by Mr. George Hill and others, the Sydney Common; but I never saw a document from the Lands Office which referred to it as such, excepting this statement in the *Gazette*, and that had escaped my recollection altogether.

568. These 1,300 acres now form a large portion of the municipalities of Waverley or Randwick, do they not? There are portions of this land in both municipalities.

569. In 1862, I think, you were appointed by the Government as a Commissioner, together with two other gentlemen—Mr. Bell, the City Engineer, and Mr. M'Lean, the Surveyor General—to report upon the alienation of lands in and near the basin of the water supply for the city and suburbs? I was. I will not be sure about the dates, but if you have the documents they must be correct.

570. Will you look upon this plan (*No. 2, handed in by Mr. Adams*), and observe whether what I will now state is correct or not? This is the plan, without doubt, that was adopted by the Commissioners, with reference to the watersheds of the Sydney water supply at the time referred to.

571. The land you reported as being desirable to supply Sydney with water is there tinted green, I think? Yes. I think there were certain portions of land mentioned in our report that were recommended to be sold, and certain portions to be reserved. One portion of the land that was suggested should be sold—on the western side of the Old Botany Road—was found to be part of the Sydney Common; and, to show that the Government knew nothing about it, it was surveyed for sale, and was about being sold, when it was discovered by some person, from some old *Gazette*, that it had been promised to the citizens as a common for pasturage for their cattle.

572. Did you not at that time report that the land you examined, and which is there tinted green, was proper to be reserved for a supply of water for the city of Sydney? I believe we did. I would not be sure about the colours as marked in the map, without reference to our report.

573. That piece which is tinted green runs into the municipality of Waverley? It does.

574. In your evidence before this Committee, the other day, I think you stated that it was absurd to look upon that land as a reserve for water? I did.

575. How do you reconcile that statement with your report in 1862? Because the report you refer to was given with reference only to a temporary supply of water. We knew, when we were examining that locality, that it was only meant for a temporary supply, not for a permanent supply; because we were perfectly well aware that that area would never contain sufficient water to supply the inhabitants of Sydney and the suburbs. I believe that was the object I had in view, and so I believe had the other Commissioners; I know it was Mr. M'Lean's view that this land should be reserved for a temporary supply for the city, until water could be brought from a more permanent source.

576. These are the lands that now supply Sydney with water? They are a part of the lands that now supply Sydney with water.

577. And, to keep the water pure and undefiled, other portions have been reserved? Other portions, south of this, have been reserved. It formed part of our recommendation that all the lands southerly and westerly of this land, as shown in the map annexed to our report, should be reserved. They are not tinted on this map. This map (*No. 2*) does not, I believe, contain all the lands we recommended to be reserved. I think you will find in our report, that all vacant lands along the watershed to the Botany Swamps were recommended to be reserved for the purpose of a temporary supply.

578. This is a copy of your report, is it not? It is. (*Vide Appendix B.*)

579. Does it say anything about a temporary supply? That was our impression at the time;

S. H. Pearce, time; I know it was my impression, and I am satisfied it was Mr. McLean's, and I believe  
Esq., J.P. it was also Mr. Bell's. (*Witness read the report.*) Yes; it shows it was for a temporary  
supply, for the last paragraph but one states that, if these lands and water privileges are  
strictly preserved, they will provide an abundant supply for the next fifty years.

2 Mar., 1869.

580. It is in that light you speak of it as a temporary supply? Yes, the time or period therein stated shows that it was only a temporary measure.

581. Has the supply diminished since that time? Yes, very considerably.

582. Can you say that positively? I can; for the population of Paddington, Waverley, and Randwick has greatly increased, and therefore many more tanks and wells have been made, and the water reserved for their use, instead of running into the Water Reserve as formerly.

583. Is not the water flowing over the weir at Botany in thousands of tons? I am not now speaking of the water at the weir at Botany, but of the decrease in the original supply from Waverley, &c., from the causes above stated.

584. The recent waterworks at Botany are in addition to what you then reported upon? The waterworks at Botany were then or about to be erected, but they were not alluded to as a portion of our report; but, although we did not go beyond the land referred to in our map, as a matter of course, in making our report, we took in the whole Botany watershed, which we knew had been recommended by a former Commission to supply the city. We not only considered the area that had been placed under our cognizance, but the reports of the old Committees on the water question were referred to us also. Looking at the matter as a whole, we thought there was a sufficient area to collect sufficient water to supply the city for the next fifty years.

585. *Mr. Oatley.* Including the whole of the line right down to Botany? Yes, the whole watershed. I have no hesitation in believing and stating that there would be sufficient water stored in that locality, if they could find a retentive bottom so as to make proper dams, to supply the city for the next fifty years; but the great difficulty will be in storing it, by preventing percolation and evaporation.

586. If proper dams were constructed, it could be done? If proper dams were constructed; but I do not believe they can, from the little knowledge I have of engineering. Unless they can find a rock or clay bottom, they will never get the dams to hold water. All the course of that stream, from the Lachlan Swamp to Botany, is, in my opinion, nothing but sand. I believe that the waters of the sea used to run up to the base of the Waverley hills, through that valley—I believe it was originally an arm of Botany Bay; but it has been filled up, and the salt water shut out by the accumulation of sand from the surrounding hills and Botany Bay.

### WEDNESDAY, 3 MARCH, 1869.

Present:—

MR. HILL,

MR. OATLEY.

JAMES HART, Esq., IN THE CHAIR.

Joseph Burdekin Holdsworth, Esq., called in and examined:—

J. B.  
Holdsworth,  
Esq.

3 Mar., 1869.

587. *Chairman.* There is a Bill before the House to amend the boundaries of the city of Sydney, so as to include the lands known as the Sydney Common, the Water Reserve, No Man's Land, and Paddington, and your name has been handed to the Committee as being able to afford information as to some of these portions of land—whether it is desirable or not to annex them to the city; and we wish to know what information you can give upon the subject? The fact of the matter is, that I can give no information, except that I signed a petition for Paddington to be annexed to the city.

588. Did you formerly reside at Paddington? Yes, near the city boundary.

589. And I believe you have property there? I have; I have property in the same neighbourhood in Paddington and in the city; in fact, the city boundary stream passes through it. As it is, we can get nothing done, either one way or the other; the City Council either cannot or will not do anything, and the Paddington Council will do nothing either.

590. *Mr. Oatley.* You mean for sewerage purposes? Yes. That boundary stream, which drains a large district, both in the city and Paddington, wants covering in. The fact is, the drainage and all the filth from the Surry Hills and Paddington come down there now.

591. *Chairman.* The stream divides the city and Paddington? Yes.

592. And you think that, for the purposes of sewerage, it would be desirable to extend the city, so as to enable the sewerage to be carried out? Yes. I think also the water supply will be a great boon.

593. Did you find any inconvenience with regard to water when you resided at Paddington? We had no water laid on from the city then; it is only lately that it has been supplied to a few houses near the boundary. We had a tank on the property.

594. No water was supplied by the Municipality of Paddington? No.

595. At present, I believe, their water supply consists in having three pumps erected in various parts of the borough? Two pumps I think—one at the Barrack wall, and the other at the upper end.

596. For sanitary purposes—preventing the spread of disease, and promoting the public health—

- health—do you think it desirable a greater supply of water should be obtained? I should say it is very desirable.
597. Do you consider that the Municipality of Paddington are able to carry out any extensive waterworks? I should think not.
598. On account of the insufficiency of their revenue? Partly on account of their want of revenue, and partly that I do not see where they could get the water from.
599. They could get no water supply except from the Botany Waterworks? No, not that I can see; except from Busby's Tunnel, by pumping.
600. Have you paid any attention to the working of the Paddington Municipal Council? I have not. I have not been living at Paddington for eight or nine years.
601. Had you any conversation with inhabitants of Paddington, at the time the petition was got up, as to the desirability of annexing the place to Sydney? No.
602. You have no means, then, of forming an opinion as to what the general feeling is upon the subject? No, except that I have heard several of the residents about the lower end of Paddington, where my property is, and the Glenmore Road, speak in favour of annexing to the city. I tell you candidly my sole object in wishing to have it annexed to the city is, to have the boundary stream, which is getting to be a greater nuisance every day, covered over. While it is merely the boundary between the city and Paddington, I do not see any probability of getting it done.
603. *Mr. Oatley.*] Your cottage, the one in which you formerly resided, is supplied from the city at present? Yes; and I have lately got the City Council to extend the water to some other cottages I have there.
604. *Chairman.*] The City Ice Works are within the boundaries of Paddington, are they not? They are on my property, just within the boundary of the city, on the stream. I have ten or twelve acres there, and the stream cuts it in half.
605. Are there any manufactories at Paddington? No, I believe not.
606. Is there not a tannery on the Glenmore Road? Yes, the Old Glenmore Tannery.
607. That is supplied from a dam, is it not? Yes, the water comes down from Woollahra.
608. How are the Military Barracks supplied now? I think from Busby's Tunnel.

J. B.  
Holdsworth,  
Esq.

3 Mar., 1869.

FRIDAY, 12 MARCH, 1869.

Present:—

MR. HILL, | MR. OATLEY,  
DR. LANG.

JAMES HART, Esq., IN THE CHAIR.

Edward Bell, Esq., City Engineer, called in and further examined:—

609. *Chairman.*] Have you read the Draft Report of the Committee, stating the conclusions they have arrived at with reference to this Bill? I have.
610. Have you prepared amended Schedules, in accordance with the recommendations of the Committee? I have.
611. Will you hand them in? I will. (*The witness handed in the same. Vide Appendix, C 1 and C 2.*)
612. Have you also prepared a map, showing the portions of land that are intended to be included within the city boundaries, that is to say, the Sydney Common and the piece known as "No Man's Land"? I have.
613. And you now hand it in? I do. (*Plan handed in, and marked D.*) The entire area within the bounds of the city is tinted pink.
614. What do you consider would be a proper proportion of the tolls now derivable on the Randwick and Coogee Bay Road, to be paid to the City of Sydney, in the event of this Bill passing? I think one-half would be a fair proportion.
615. Is there a larger amount of traffic between the Botany Road and where the toll-bar is about to be erected, than there is between that point and the waters of Coogee Bay? Yes, considerably more, as far as the gate of the Racecourse, and that is where the Randwick Road crosses the boundary of the Water Reserve.
616. It takes far more to keep that portion of the road in repair, than it does the other portion? Much more.
617. *Mr. Oatley.*] From the fact of the traffic? From the fact of the traffic, especially during race time; and also from the fact that, in addition to the Randwick traffic, the Coogee and other roads' traffic passes over this road.
618. Have you included any portion of the municipality of Paddington in this proposed extension? None at all. Where the city comes in contact with the Paddington boundary, we follow the present Paddington boundary exactly.
619. *Dr. Lang.*] In the event of the people of Paddington coming to a better mind in regard to the question of annexation, would there be any difficulty in annexing that municipality to Sydney? None whatever, if a Bill were passed for the purpose.
620. A very short measure would be sufficient? I should think so.

E. Bell, Esq.,  
C.E.

12 Mar., 1869.



# SYDNEY BOUNDARIES AMENDMENT BILL.

## APPENDIX.

(To Evidence given by Edward Lord, Esq., City Treasurer, 26 February, 1869.)

### A 1.

LIABILITIES of the Municipal Council of the City of Sydney, 1 January, 1869.

		£	s.	d.
City Fund .....	Debentures .....	5,800	0	0
	Joint Stock Bank .....	13,306	2	9
		19,106	2	9
Sydney Common .....	Debentures .....	10,000	0	0
	Joint Stock Bank .....	1,092	16	8
		11,092	16	8
Water Fund .....	Debentures .....	88,900	0	0
	* The Colonial Government ...	213,337	19	3
		302,237	19	3
	Less Balance due by Joint Stock Bank .....	6,523	7	10
		296,714	11	5
Sewerage Fund .....	Debentures .....	76,600	0	0
	Joint Stock Bank .....	10,777	11	5
	* The Colonial Government ...	200,000	0	0
		287,377	11	5
Town Hall Fund .....	Balance to credit of, at Joint Stock Bank .....	10,528	10	0
Sinking Fund.....	Balance to credit of, at Joint Stock Bank .....	1,780	5	10

\* Large amount of interest, &c., due on these. Particulars from the Government.

EDW. LORD,  
City Treasurer.

## APPENDIX

Municipal Council Chambers,  
Sydney, 25th January, 1869.

EDW. LORD,  
City Treasurer.

STATEMENT of the Receipts and Expenditure of the Municipal Council of the City of Sydney, on account of the Water Fund, for the year 1868.

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.	£	s. d.	£
From water laid on to houses .....	27,603	2 11			
Rent of fountains.....	212	0 0			
Repayment from City Fund, for water for streets .....	926	0 0			
Premium on debentures and interest .....	699	17 1			
Repayment of works .....	16	4 9			
Impoundings .....	1	17 10			
Rent and agistment.....	45	8 6			
Plumbers' licenses .....	21	10 6			
Proceeds of sale of stores.....	164	8 2			
			29,690	9 9	
Proceeds of sale of debentures .....			26,000	0 0	
			£	55,690	9 9

	£	s. d.	£	s. d.	£
Salaries of officers generally .....	2,621	7 6			
MISCELLANEOUS.					
General works—Wages .....	4,209	12 3			
Pipes.....	8,266	4 6			
Castings .....	595	19 0			
Tools, repairs .....	1,176	19 6			
Botany Works—Wages .....	2,114	13 4			
Construction of dams .....	3,979	1 0			
Coal .....	3,396	13 1			
Machinery, &c.....	1,523	7 11			
Office expenses.....	738	13 8			
Interest expenses.....	15,044	11 10			
Fees to Auditors .....	50	0 0			
Rates, &c., to Paddington Municipality .....	98	10 10			
					43,805 14 5
Debentures retired .....					7,800 0 0
Balance due by Joint Stock Bank, 31st December, 1868....	£6,523	7 10			
Balance due by Joint Stock Bank, 31st December, 1867....	2,438	12 6			
					4,084 15 4
					£ 55,690 9 9

Municipal Council Chambers,  
Sydney, 25th January, 1869.

EDW. LORD,  
City Treasurer.

APPENDIX.

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Sewerage Fund, for the year 1868.

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.	£	s. d.	£
From sewerage rates .....	4,807	11 11			
Sewerage connections .....	36	18 3			
Premium of debentures and interest .....	804	14 11			
			5,649	5 1	
Proceeds of sale of debentures .....			34,000	0 0	
			£	39,649	5 1

	£	s. d.	£	s. d.	£
Salaries of officers generally .....	885	11 0			
MISCELLANEOUS.					
Wages of workmen .....	2,397	11 9			
Pipes.....	5,754	14 11			
Construction, excavating, &c., for sewers .....	5,759	8 3			
Repayment of rate .....	3	8 0			
Compensation for injury by sewers .....	95	0 0			
Interest expenses.....	14,596	15 11			
					29,492 9 10
Debentures retired .....					4,000 0 0
Balance due to Joint Stock Bank, 31st December, 1867.....	16,934	16 8			
Balance due to Joint Stock Bank, 31st December, 1868.....	10,777	11 5			
					6,156 15 3
					£ 39,649 5 1

Municipal Council Chambers,  
Sydney, 25th January, 1869.

EDW. LORD,  
City Treasurer.

31

431

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Sydney Common, for the year 1868.

32

433

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.		£	s. d.
Proceeds of sale of land .....	2,745	13 3	Levelling the Common .....	9,755	5 0
Rent .....	16	15 0	Fencing .....	271	17 2
Premium on debentures and interest .....	199	19 2	Making roads and building .....	614	7 10
Impoundings .....	4	14 5	Street sweepings .....	627	5 6
			Surveying .....	263	15 0
Proceeds of sale of debentures .....			Maps .....	30	12 6
Balance due by Joint Stock Bank, 31st December, 1867 .....	2,980	17 10	Commission .....	41	5 8
Balance due to Joint Stock Bank, 31st December, 1868 .....	1,092	16 8	Interest .....	436	7 8
		2,967 1 10			
		5,000 0 0			
		4,073 14 6			12,040 16 4
		£ 12,040 16 4			£ 12,040 16 4

ABSTRACT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Town Hall Fund, for the year 1868.

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.		£	s. d.
Interest on bank deposit .....	521	12 9	Expenses incurred laying foundation stone .....	186	11 8
Payment for land sold .....	792	4 4	Premiums for designs for Town Hall .....	350	0 0
		1,313 17 1	Balance due by Joint Stock Bank, 31st December, 1868 .....	10,528	10 0
			Balance due by Joint Stock Bank, 31st December, 1867 .....	9,751	4 7
		£ 1,313 17 1			777 5 5
					£ 1,313 17 1

LIABILITIES of the Municipal Council of the City of Sydney, 31st December, 1868.

CITY FUND ACCOUNT.			£	s.	d.	£	s.	d.
Debentures outstanding .....			5,800	0	0			
Amount due to the Joint Stock Bank .....			13,306	2	9			
						19,106	2	9
SEWERAGE FUND ACCOUNT.			£	s.	d.			
Debentures outstanding .....			76,600	0	0			
Amount due to the Colonial Government .....			200,000	0	0			
Amount due to the Joint Stock Bank .....			10,777	11	5			
						287,377	11	5
WATER FUND ACCOUNT.			£	s.	d.			
Debentures outstanding .....			£88,900	0	0			
Amount due to the Colonial Government .....			213,337	19	3			
						302,237	19	3
Less amount due by the Joint Stock Bank .....			6,523	7	10			
						295,714	11	5
SYDNEY COMMON ACCOUNT.			£	s.	d.			
Debentures outstanding .....			10,000	0	0			
Amount due to the Joint Stock Bank .....			1,092	16	8			
						11,092	16	8
						613,291	2	3
						1,780	5	10
SINKING FUND—Amount to the credit of, at Joint Stock Bank .....						10,528	10	0
TOWN HALL FUND—Amount to the credit of, at Joint Stock Bank .....								

Municipal Council Chambers,  
Sydney, 25th January, 1869.

EDW. LORD,  
City Treasurer.

APPENDIX.



## B.

(To Evidence given by S. H. Pearce, Esq., 2 March, 1869.)

## SYDNEY WATER RESERVE.

*REPORT of the Commission appointed to determine what portions of Crown Land, and of the Church and School Estates, lying to the east and south-east of Sydney, may be alienated without liability of injury to the purity of the City Water Supply.*

1. Having carried our examination nearly to completion, previously to the discovery of the promise of a grant of Sydney Common, and having examined the land included in that promise, we consider it desirable to place on record the result of our inquiry, in regard as well to this land as to the Crown and other land beyond it, but of course without any desire to express an opinion that any part of the Common land should be disposed of.

2. We have had prepared, in illustration of our report, a map, on which the land under examination has been tinted in various portions, numbered in the order of examination; and we have the honor to report as follows:—

The portion numbered 1 on the map, and tinted red, contains about 227 acres, and will not, if sold and built upon, affect the purity of the water supply for the city and suburbs.

The portion numbered 2 on the map contains about 31 acres, and now drains into that part tinted purple, and numbered 3 on plan, and forms a portion of the basin whence the Botany Waterworks are supplied. This portion might, however, be drained into Dowling-street, at small expense; in which case, buildings erected on it would not injure the purity of the city water supply.

The portion numbered 3 on the map also forms a portion of the basin which supplies the Botany Waterworks. It receives, together with the portion marked No. 2, the rainfall of about 300 acres, and it would be possible to divert the water by a tunnel to the Waterloo Dam Swamp, south of Baptist's Gardens, or to a small isolated basin on Crown Lands near it. The water at present reaches the Lachlan Swamp by filtration, excepting at storm times, when it runs across the Randwick Road, at the southern boundary of No. 3. Were the tunnel made as proposed, and the Randwick Road raised about four or five feet at that part over which the water now escapes, the alienation of the land would not affect the purity of the city water supply; but the quantity of water which this land catches would be diverted from its natural course, and the loss resulting would, in future years, when the consumption of Sydney and suburbs has greatly increased, be severely felt. If block 3 were to be sown with grass and partly planted with trees, instead of being alienated or used as a receptacle for night-soil, &c., it would form a splendid park and recreation ground for the public, and at the same time act most efficiently as part of the catch-water for the Botany Works. £200 expended in drainage would effectually connect it with the Lachlan Swamps, while the drainage by tunnel and canal, as suggested, would cost some thousands.

The portion numbered 4 on the map, including about 685 acres, contains the main Lachlan Swamp, from which the city was for so many years supplied with water, and should be entirely reserved for water supply. It might be planted around the centre basin as park land; and, if a dam and weir were constructed, at a moderate expense, to retain all the water which falls into this basin excepting at storm time, the city supply through the old tunnel would be greatly augmented, and a sheet of water would be formed which would be exceedingly ornamental to the surrounding country.

The portions numbered 5a, 5b, 5c, 5d, and 5e, containing altogether about 173 acres, lie in a portion of the watershed in which so much land has already been alienated; and their drainage, chiefly through the Racecourse, to the main swamp or stream, is so long that, were it practicable to impose a condition that not more than one house should be built on each acre of the land, they might be alienated without endangering the purity of the water supply.

The portion numbered 6, containing 135 acres, might also be alienated, with the condition of one house only being built on each acre of land.

The portion numbered 7, containing 163 acres, should be retained in connection with the city and suburban water supply, as it is very favourably situated for the formation of filtering beds, both for the waters which in rainy seasons flow through the Racecourse and from the main Lachlan Swamp water, which might at small expense be diverted into it.

The portion No. 7a, containing 15 acres, being on the main swamp or stream, must obviously be so reserved.

The portion No. 8, occupying either side of Bird's Gully—one of the principal feeders of the main stream, could not be alienated without risk to the water supply.

All these lands, swamps, and water channels, are now almost in a state of nature; but the time is not far distant when they must be made available to the fullest extent, for catching, storing, and filtering water, and when artificial works must be constructed throughout the watershed, for husbanding the water which falls in wet seasons, as a provision against droughts. There is no area within the city to construct storing reservoirs upon; and if the lands recommended to be reserved be alienated, there will be no alternative, some few years hence, but to go elsewhere in search of an adequate supply of water for the city and suburbs; while, if these lands and water privileges be strictly preserved and applied to that purpose, they will provide an abundant supply for at least the next fifty years.

We beg, in conclusion, to observe, that it is much to be regretted that the land at Waverley, on which the main feeders of the Lachlan Swamp take their rise, and the main channel of that swamp lying to the west of the Racecourse, were so improvidently alienated by Governments of former days. The former lands are being rapidly built over; and, as buildings increase, the injury to the water supply must be very material. The latter forms part of the Lachlan Mills Estate—Samuel Terry's grant of 500 acres—and is now the property of Sir Daniel Cooper. It has been laid out as the township of Epsom; and if it be sold and built upon, it will seriously affect the purity of the water supply. The portion of this estate within the swamp basin comprises about 180 acres, and has two wool-washing establishments upon it, which have, however, been closed since the provisions of the Water Act of 1853 were enforced.

EDWARD BELL,  
City Engineer.

A. G. McLEAN,  
Surveyor General.

S. H. PEARCE.

(To Evidence given by E. Bell, Esq., City Engineer, 12 March, 1869.)

C 1.

BOUNDARIES OF COOK WARD.

The portion of the City of Sydney bounded by the centre of Liverpool-street from its junction with Elizabeth-street to the South Head Old Road along the centre of that road to the north-west angle of Sydney Common thence along the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment easterly to its intersection with a line laid down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence in a south-westerly direction by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of Sydney Common thence in a northerly direction by the western boundary of that Common to its intersection with the centre of Cleveland-street thence along the centre of that street to the centre of Elizabeth-street thence along the centre of Elizabeth-street to the centre of Liverpool-street.

C 2.

BOUNDARIES OF THE CITY OF SYDNEY.

SCHEDULE A.

Commencing in the centre of Parramatta-street at its junction with Bay-street thence on the west by a straight line along the centre of Bay-street and its prolongation to the eastern shore of Blackwattle Cove thence again on the west and on the north-west north north-east and east by the waters of Port Jackson to the centre of the bridge at the foot of William-street East thence on the east by the stream entering Rushcutters Bay to a culvert on the South Head Old Road at the north-west corner of Sydney Common thence again on the east by the centre of Dowling-street to a point where it intersects the southern boundary of the Borough of Paddington thence on the north by that boundary to its intersection with the southern alignment of the South Head Old Road thence by that alignment to its intersection with a line laid down marked out with stone posts and deemed to be the dividing line between Sydney Common and the Water Reserve thence again on the east by the said dividing line to its intersection with the southern boundary of Sydney Common thence by that boundary to the south-west angle of the said Common thence in a northerly direction by the western boundary of the said Common to its intersection with the centre of Cleveland-street thence by the centre of that street and a prolongation thereof to a landmark on the road to Cook's River thence on the west by the western side of that road to the north-eastern angle of the University Reserve thence by a straight line from that angle to the point of commencement in the centre of Parramatta-street opposite the centre of Bay-street.

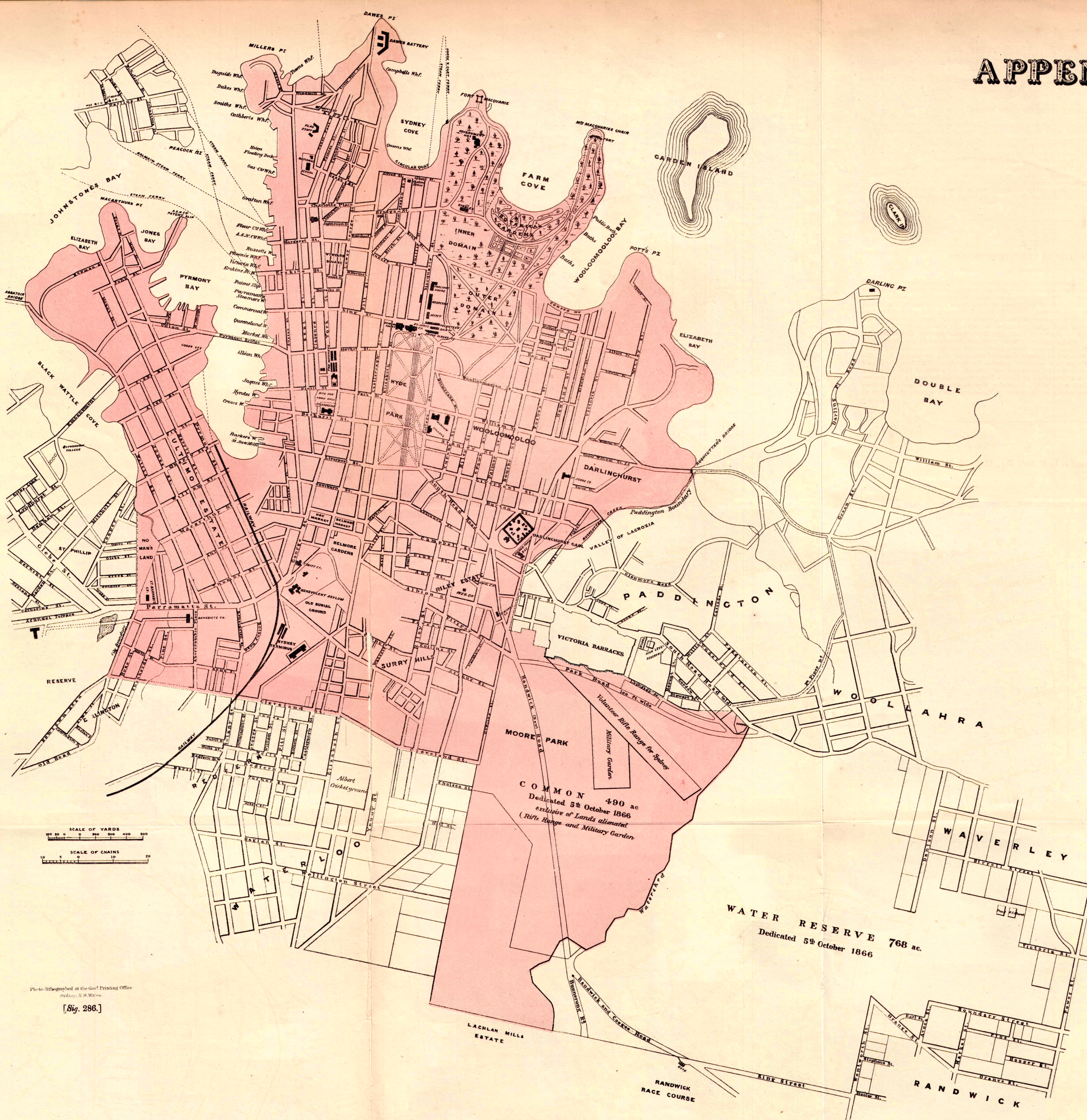
D.

(Plan handed in by E. Bell, Esq., 12 March, 1869.)

[One plan.]



# APPENDIX D.





1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## MUNICIPAL AFFAIRS, NEWCASTLE.

(CORRESPONDENCE, &amp;c., RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 5 February, 1869.*

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 10th December, 1868, That there be laid upon the Table of this House,—

“(1.) Copies of all Correspondence between any Member of the Government and the Mayor or other Officer of the Corporation of Newcastle, relating to Municipal Affairs during the years 1867 and 1868; together with a copy of all Minutes and other Papers and Documents having reference to the same subject.

“(2.) Copies of all Correspondence, Minutes, Documents, and Petitions, &c., referring to the Special Audit of the Newcastle Municipal Accounts conducted by Messrs. Buyers and M’Kenzie.”

*(Mr. Hannell.)*

## SCHEDULE.

NO.		PAGE.
1.	Under Secretary, Colonial Secretary's Office, to Mayor of Newcastle. 9 December, 1867	2
2.	Petition from fifty-seven Electors of the Borough of Newcastle, praying appointment of Special Auditors	2
3.	Under Secretary, Colonial Secretary's Office, to Petitioners. 5 June, 1868	5
4.	Minute of Executive Council, appointing Special Auditors. 11 June, 1868	5
5.	Under Secretary, Colonial Secretary's Office, to Messrs. Buyers and M’Kenzie. 18 June, 1868	5
6.	Under Secretary, Colonial Secretary's Office, to J. B. Winship, Esq. 18 June, 1868	6
7.	Under Secretary, Colonial Secretary's Office, to Mayor of Newcastle. 18 June, 1868	6
8.	Report of Special Auditors. 3 November, 1868	6
9.	Telegram from Mayor of Newcastle to Under Secretary, Colonial Secretary's Office. 10 November, 1868	7
10.	Under Secretary, in reply. 10 November, 1868	7
11.	Under Secretary, Colonial Secretary's Office, to Mayor of Newcastle, enclosing copy of Report. 10 November, 1868	8
12.	Under Secretary, Colonial Secretary's Office, to J. B. Winship. 11 November, 1868	8
13.	Under Secretary, Colonial Secretary's Office, to Mayor of Newcastle. 12 January, 1869	8
14.	Mayor of Newcastle, in reply. 28 January, 1869	8

## MUNICIPAL AFFAIRS, NEWCASTLE.

## No. 1.

THE PRINCIPAL UNDER SECRETARY to THE MAYOR OF NEWCASTLE.

Colonial Secretary's Office,  
Sydney, 9 December, 1867.

SIR,

I am desired by the Colonial Secretary to acknowledge the receipt of your two communications of the 18th ultimo, on the subject of proceedings in the Municipal Council of Newcastle, and to say in reply, that it does not appear that the Government has the power, under the Act, to appoint a person to investigate the affairs of the Council; and that, as to the interpretation of the section alluded to of the Act under which the Corporation exists, it would, it appears to Mr. Parkes, be a fitting course to obtain the further advice of counsel.

I have, &amp;c.,

HENRY HALLORAN.

## No. 2.

## PETITION.

To His Excellency the Governor-in-Chief of New South Wales.

May it please your Excellency:—

We, the undersigned burgesses of the Borough of Newcastle, New South Wales, having good reason to believe that the municipal rate-books, together with the general accounts of the Municipality, have for a series of years been kept in an improper and irregular manner, whereby a considerable amount of inconvenience and annoyance to ratepayers, and of loss to the funds of the Municipality, has been incurred, humbly beseech your Excellency to afford us such measure of relief as may appear to you advisable, under the provisions of the Municipalities Act of 1867.

Your Memorialists beg to submit for the consideration of your Excellency, the following allegations in support of the prayer of their memorial, as the grounds upon which they rely, and as forming fitting subjects of inquiry by competent and impartial persons appointed independent of all party prejudice or of local influence.

That since the year 1863, no arrear of rate-book has been kept properly posted up by the Town Clerk, so as to afford reliable information as to who are defaulters, or of the specific amount of arrears due by each defaulter, many of whom are known to have been so for several years past, to the manifest prejudice of the non-defaulting ratepayers and the general interests of the Municipality.

That the rates for the year 1866 have never been entered in the proper rate-book provided for the purpose; but instead thereof, are merely entered on a number of sheets of paper, in a manner altogether unsuited to the preservation of such important and valuable records.

That in the said sheets of paper, the names of persons originally inserted as ratepayers have been in some instances partially erased, and in others wholly obliterated, and the names of others inserted in their stead; so that, in consequence of this mutilation and disfigurement of these records, any attempt to ascertain with precision who were the *bonâ fide* ratepayers for the time being is rendered almost impossible. These erasures, moreover, scarcely appear to have been casual, but on the contrary, are numerous, as many as from fifteen to twenty of them occurring, in some instances, on a single page.

That in consequence of these irregularities, and the general laxity exhibited in the supervision of the financial affairs of the Municipality, and the fact that for several years there has been no properly constituted "finance committee" as is customary in all well regulated corporate bodies, your Memorialists have just reason to fear that great injustice must necessarily have followed from these and like causes, more especially as the rate-books are the only valid record of the source of income, and their proper keeping the best safeguard against speculation or improper and improvident expenditure.

From a special return made out in compliance with a motion in Council, it appeared that at the commencement of the year 1867 there were arrears of rates due, exclusive of those for the current year, amounting to £4,200, some portion of which had accrued in the first year of incorporation—1859.

On an attempt being made to enforce these arrears under the provisions of the Act of 1858, grave errors were found to have been made by the Town Clerk, in having inserted erroneous amounts in several of the warrants issued; in one of which cases an action was brought against the Corporation and damages recovered, which together with the costs of suit, amounted to a considerable sum of the money contributed by your Memorialists for other and more legitimate purposes.

That

That for these and other irregularities, the then Mayor suspended the said Town Clerk, on the 19th September last, and on the same day the cash-books containing the cash accounts of the Municipality, extending over a considerable period, were abstracted from the Town Clerk's office, and up to the present time have not been recovered; and in consequence of their absence, the last half-yearly returns of income and expenditure made to the Government for the year ending February, 1868, and upon which endowment is claimed, had to be made up in the best way possible under the circumstances, as your Excellency will perceive on reference to the qualified certificates of the Mayor and Auditors appended to those returns as published in the *Government Gazette* of the — February last.

On recourse being had to the rate-books with a view to ascertain the amount of income derived from that source, it appeared that a total sum of from four to five hundred pounds had been received of which there is no record of payment on those books.

Your Memorialists have further reason to believe that the last monthly return of account forwarded to the Government in compliance with the provisions of the Act of 1868, has been made up by the Town Clerk without due regard to the requirements of the case, inasmuch as the temporary cash-book procured to supply the place of those that had been stolen, was not produced to the Auditors when called upon to audit those accounts, although demanded by them, in order that they might assure themselves of the correctness of the data from which the statement of accounts submitted to them by the Town Clerk had been compiled.

For the further information of your Excellency, and in corroboration of the allegations herein contained respecting the deplorable condition into which the municipal records have been brought by a series of delinquencies on the part of the Town Clerk, who has again been reinstated without inquiry having first been made, and in defiance of the protestations of the late Mayor and of a large portion of the most respectable ratepayers, we beg leave to append a report contained in the local papers, of the proceedings which took place at a meeting of the Borough Council, on Monday, 30th ultimo, from which your Excellency will perceive that the books of the Corporation are confessedly in such a state of error and confusion as to defy all legitimate attempts at their rectification.

Extract from  
Newcastle  
Chronicle news-  
paper annexed.

Under all these circumstances, and seeing no probability of obtaining justice from any other source, your Memorialists earnestly but respectfully urge upon your Excellency to exercise the power and authority vested in you by the 184th section of the Act, or to take such other proceedings in the matter as you may be advised; and your Memorialists will, as in duty bound, ever pray.

Thomas Harvey.  
William Hall.  
Patrick Walsh.  
Thomas Grimshaw.  
Henry Lauer.  
George Callott.  
Richard Powell.  
William Miller.  
Emanuel Lyne.  
George Ross.  
James Rodgers.  
John Cresswick.  
William Corner.  
Robt. Favell.  
Thomas Alsop.  
William Johnson.  
Alex. Brown.  
David Ross.  
Wm. Gullers.  
Alexr. Flood.  
Jno. Dixon.  
J. Gibson.  
John Allen.  
Thomas Edwards.  
William Crossley.  
E. Langley.  
Hugh Gilmour.  
H. Banfield.  
Robt. Brackenridge.

James S. Steward.  
A. Nhl. Shiell.  
John Goodchild.  
Thomas Walsh.  
Richd. Harris.  
Edwin Harris.  
Colin Christie (Alderman).  
R. Schachner.  
A. Smithers.  
A. Green.  
C. Plant.  
Matthew Hogbin.  
Robert Allan.  
Wm. Heskett.  
P. Audet.  
Wm. Adams.  
H. W. Hopper.  
John Rhodes.  
Thomas Jones.  
John Halliday.  
James Hutchinson.  
James Gaffiero.  
Thomas Bryant.  
William Gilbert.  
Henry Bryant.  
C. Straitsfield.  
David Puller.  
Jas. B. Winship (Alderman).

[Enclosure.]

EXTRACT from the *Newcastle Chronicle* newspaper of the 1st April, 1868.

NEWCASTLE BOROUGH COUNCIL.

The Committee of the whole Council met, pursuant to notice, in the Court House, on Monday afternoon, at 4 o'clock. Present:—The Mayor, Aldermen Bolton, Chapman, Christie, Rodgers, Sparke, Stokes, and Winship.

*Minutes.*—The minutes of the two previous meetings were read, confirmed, and signed.

*Investigation*

*Investigation into the charges against the Town Clerk.*—The Mayor stated he had sent a letter to Mr. Brookes, on Saturday, informing him that a committee of the whole would sit on Monday, at 4 p.m., to proceed with the investigation of the charges against the Town Clerk. No reply had yet been received.—Ald. Rodgers recommended that some plan be laid out for conducting the investigation.—The Mayor asked how the Council were to proceed, if there was no one present to lay the charges.—Ald. Winship asked if there was any objection to let the matter stand over for a week.—Ald. Chapman thought the committee ought to take some measures for proceeding with the investigation. All the parties who voted at the election for Macquarie Ward, between Mr. Bolton and Mr. Rodgers, had paid their rates, and the committee could take the names of those who had voted, and have them posted in the rate-books, and see if they corresponded with the amount paid in by the Town Clerk.—The Mayor said it would take six months to get all the arrears of rates collected.—Ald. Rodgers asked if there was any intention to take proceedings for the recovery of the missing cash-books.—Ald. Bolton: What proceedings?—The Mayor said they had been advertised for, and a reward offered for any information that would lead to their recovery.—Ald. Winship would like to see the matter stand over for a week, as the late Mayor might not have received the notice. He (Ald. Winship) had not received his notice till 10 o'clock this morning.—Ald. Stokes suggested an adjournment till Tuesday afternoon.—Ald. Bolton thought that it would be safe to take the declarations of those who voted in the late election for Macquarie Ward, and paid their taxes and arrears, together with the weekly account of receipts, and that would come within a few pounds of the money paid in. With respect to the other charges, if Mr. Brookes did not attend, he (Ald. Bolton) did not know how they were to proceed, for those who made the charges ought to be there to prove them.—Ald. Christie was under the impression there was no charge of deficiency of money laid against the Town Clerk.—Ald. Bolton did not say there was a charge of that sort against the Town Clerk, but it was due to the ratepayers to see that the amounts they paid were credited to them.—The Mayor moved,—"That this committee stands adjourned to this day week, and in the meantime the finance committee be requested to post up the books, by means of the declarations made on the late election between Aldermen Bolton and Rodgers, and also, by means of the returns furnished by the Town Clerk, of moneys received during the week and laid before the Council, and that all entries made by the finance committee be made in red ink, to distinguish between the original entries; and further, that the late Mayor be informed of the adjournment of this meeting."—This motion was not seconded.—Ald. Bolton was of opinion the committee could not give the finance committee power to alter the books without the consent of the Council.—The Mayor said he was determined to get in the arrears of rates, but he could not do so without the books.—Ald. Christie thought the investigation should go on before touching the books. If Mr. Brookes would not attend, he was of opinion the committee could make him.—At a quarter to 5 a messenger brought a reply from Mr. Brookes, which the Mayor read to the committee. It was as follows:—

"To Mr. John Burrowes.

"Sir,—In reference to a note put into my hands on Saturday morning last, bearing your signature as Town Clerk, and purporting to have been written by the direction of His Worship the Mayor, signifying that a meeting of a certain committee, designated therein 'A committee of the whole of the Borough Council,' will be held on Monday, 30th March instant, to proceed with the investigation of the charges against the Town Clerk, I have to state in reply, that having no knowledge whatever of the existence of any such committee for the purpose specified other than that conveyed to me in your note, I cannot, under the circumstances, recognize its functions, or the authority of His Worship the Mayor, in so far as I am in my individual capacity concerned. There did exist a committee, appointed for some such purpose, of which I had both a knowledge and an experience in my corporate capacity, but that was not a committee of the whole, because the Mayor for the time-being was considerably excluded from its number. And inasmuch as I am now no longer a member of the Borough Council, I am at a loss to conceive any legitimate motive to which I can ascribe this mark of condescension on the part of His Worship the Mayor, in thus seeking, under such favourable auspices, again to make me a party to such purposes. If I had felt so disposed, it would have been deemed discourteous in me to have treated this intimation as a premeditated insult. I may, however, be allowed to state, that it proceeds on an entirely erroneous presumption, which fails to discriminate between my corporate and my personal position in relation to this matter. Under any circumstances, and after what has already transpired, I can only view the proposition for inquiry as a cruel mockery, or, at best, a work of supererogation, since the offences have been arranged and condoned, and the offender reinstated. Thanking His Worship, however, for the distinguished consideration shewn me in reference to this matter, I must decline to avail myself of the proposed favour, or in any way to become a party-man to any such investigation, otherwise than before an impartial tribunal, differently constituted to the one over which he has the privilege of presiding.

"I remain, your obedient servant,

"W. BROOKES."

"Bank Buildings, 30 March, 1868."

Ald. Christie thought that Mr. Brookes ought to be compelled to attend.—Ald. Chapman asked how they could now go on with the charges.—The Mayor said there was now no charges to go on with. Mr. Brookes had been asked to attend, and had refused to come.—Ald. Stokes proposed that the Town Clerk be instructed to post up the books at once.—Ald. Rodgers agreed with Ald. Stokes.—Ald. Christie said it was wrong of the committee to ignore the charges; it was for mistakes the Town Clerk was suspended, and to condone those offences without investigation, in his opinion, was not right.—Ald. Chapman moved: "That this committee do now proceed to post up the rate-books, from the declarations made at the election on the 12th September, and from the fortnightly returns laid before the Council."—The motion was not seconded.—Ald. Bolton remarked that the committee had no authority from the Council to take such a step.—Ald. Rodgers moved: "That a sub-committee of this committee examine the rate-books, and report to the next meeting of the committee, and a recommendation be made to the Council as to the posting of the books."—The motion was not seconded.—Ald. Chapman and Rodgers suggested that the books be examined at once.—Ald. Christie said there was nothing to criminate Mr. Burrowes, unless it could be proved he stole the cash-books.—Ald. Bolton moved: "That this committee are of opinion that the rate-books should be posted by and under the direction of the finance committee, and such corrections made as they may find necessary, after examining all papers and documents relating to the payment of rates as the receipt of money."—This motion also lapsed for want of a seconder.—The Mayor said there was nothing to prevent them going into the investigation, and taking the books and examining them at once.—Ald. Rodgers was prepared to say "have done with the charges," and let the aldermen do their utmost to rectify the errors, as the person who ought to make the charges would not attend.—Ald. Christie moved: "That the next charge in succession be read over and taken into consideration." He wished to see fair play.—Ald. Winship seconded the motion.—The motion was carried by four to three.—The Mayor stated he had not the papers containing the charges with him.—The committee then adjourned to Friday next, at 4 p.m.—Previous to adjournment, the following notice of motion was handed in by Ald. Bolton:—"That the finance committee be instructed to post up the rate-books, and make such entries and corrections as they may consider necessary, after examining all papers and documents relative to the payment of rates or payment of moneys."

## No. 3.

THE PRINCIPAL UNDER SECRETARY to PETITIONERS.

Colonial Secretary's Office,  
Sydney, 5 June, 1868.

GENTLEMEN,

In acknowledging the receipt of your memorial, without date, respecting the accounts of the Borough of Newcastle, I am directed by the Colonial Secretary to inform you that the necessary steps will be taken for the appointment of Special Auditors, in accordance with the "Municipalities Act of 1867."

I have, &amp;c.,

HENRY HALLORAN.

## No. 4.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 8 June, 1868.

FIFTY-SEVEN electors of the Borough of Newcastle having, in consequence of the improper and irregular manner in which they represent the accounts of the Borough to have been kept, and of the loss arising therefrom, prayed for the appointment of Special Auditors, I recommend that William Buyers and William Henry Mackenzie, senior, Esquires, be appointed such Special Auditors accordingly, under the 184th section of the Municipalities Act of 1867; and further, that the expenses attendant upon such special audit shall be borne by the said Borough of Newcastle, as provided for in the 186th section of the Municipalities Act aforesaid.

HENRY PARKES.

MINUTE OF THE EXECUTIVE COUNCIL.

FOR the reasons set forth in the accompanying Petition, and upon the recommendation of the Honorable the Colonial Secretary, the Council advise that William Buyers and William Henry Mackenzie, senior, Esquires, be appointed, in terms of the 184th clause of the Municipalities Act of 1867, Special Auditors for the Borough of Newcastle; also, that the expense attending such audit be defrayed by the said Borough, as provided by the 186th section of the said Act.

ALEX. C. BUDGE,

Clerk of the Council.

Min. 68/24, 9 June, 1868.

Confirmed, 11 June, 1868.

Approved. B.—15/6/68.

## No. 5.

THE PRINCIPAL UNDER SECRETARY to WILLIAM BUYERS, ESQ.

Colonial Secretary's Office,  
Sydney, 18 June, 1868.

SIR,

A petition having been received from certain electors of the Borough of Newcastle, representing the irregular manner in which the accounts of that Borough have been kept, and praying for the appointment of Special Auditors to investigate the same, I am directed by the Colonial Secretary to inform you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint William Henry Mackenzie, senr., Esq., and yourself, to be such Special Auditors, in the terms of the 184th section of the "Municipalities Act of 1867," and to authorize that the expense attending such audit be defrayed by the same Borough, as provided by section 186 of the Act quoted.

2. I am further desired to invite your attention to the section first above mentioned, and to the two following sections.

I have, &amp;c.,

HENRY HALLORAN.

[A similar letter was, on the same date, addressed to William Henry Mackenzie, senior, Esq., Sydney Exchange.]



## No. 6.

THE PRINCIPAL UNDER SECRETARY to J. B. WINSHIP, Esq.

Colonial Secretary's Office,  
Sydney, 18 June, 1868.

SIR,

With reference to a memorial, signed by fifty-seven electors of the Borough of Newcastle, respecting the irregular manner in which the accounts of that Borough have been kept, and praying for the appointment of Special Auditors to investigate the same, I am directed by the Colonial Secretary to invite you to inform the Petitioners, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint William Buyers and William Henry Mackenzie, senior, Esquires, to be such Special Auditors, in terms of the 184th section of the "Municipalities Act of 1867," and to authorize that the expense attending such audit be defrayed by the same Borough, as provided by section 186 of the Act above mentioned.

I have, &amp;c.,

HENRY HALLORAN.

## No. 7.

THE PRINCIPAL UNDER SECRETARY to THE MAYOR OF NEWCASTLE.

Colonial Secretary's Office,  
Sydney, 18 June, 1868.

SIR,

Referring to a memorial, without date, received from fifty-seven electors of the Borough of Newcastle, representing the irregular manner in which the accounts of that Borough have been kept, and praying for the appointment of Special Auditors to investigate the same, I am directed by the Colonial Secretary to inform you, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint William Buyers and William Henry Mackenzie, senior, Esquires, to be such Special Auditors, in terms of the 184th section of the "Municipalities Act of 1867," and to authorize that the expense attending such audit be defrayed by the same Borough, as provided by section 186 of the Act above mentioned.

2. I am to add, that Mr. J. B. Winship has been invited to apprise the Petitioners of the result of this memorial.

I have, &amp;c.,

HENRY HALLORAN.

## No. 8.

REPORT OF THE SPECIAL AUDITORS.

Sydney, 3 November, 1868.

To the Honorable the Colonial Secretary, New South Wales.

SIR,

Acting upon the appointment conveyed to us in your letter of 18th June, 1868, as Special Auditors, in accordance with 184th clause of the Municipalities Act of 1867, we have the honor to report:—

That we proceeded to the City of Newcastle on 16th July last, and received there every assistance the Worshipful the Mayor could render to us. He likewise instructed the Town Clerk to permit us to have access to all the books and documents belonging to the Corporation, in his charge, and give to us also every information he was able. The Town Clerk complied with these instructions.

We commenced our labours on Friday the 17th July, supposing that our work would have been the auditing of the accounts and books of the Corporation.

We were, however, soon informed that the cash-book was missing, that it had been taken from the Council Office, and although rewards had been offered for it, and every means tried to recover it, it had not been returned.

This cash-book should have contained in it the entries of all moneys received on account of the Corporation from ratepayers, with their names and amount of rate, Government endowment, and all other revenue; likewise, expenditure from the commencement of the Municipality until 20th September, 1867, the apparent time of the discovery of its absence, according to minutes of the Council of 23rd September, 1867.

The absence of the cash-book, and imperfect system of keeping the rate-book, caused great delay to us, in arriving at data on which to commence our audit. This data, prepared by ourselves from the rate-books, bank pass-books, and other documents, commencing from the existence of the Municipality in 1859, enabled us to form a cash-book.

Upon the suspension of the Town Clerk, as per minute book, in September, 1867, the appointed Acting Town Clerk kept a cash-book, from 20th September, 1867, to the

10th February, 1868, but in a very imperfect manner. After that, on the 10th and 11th February, 1868, including amounts entered of £543 13s. 9d., neither names, nor rates, nor numbers, are given.

Having made up the Corporation books, and finished our special audit, we do ourselves the honor to continue our report on the result thereof, as follows:—

That the net value of property, from the 1st July, 1859, to 1868, on which the assessed rate was calculated upon, amounted to ... .. £400,741 8 8

Yielding, at 1/ in the £	...	...	...	£20,037	2	2
Of which we traced the sum paid	...	...	...	16,981	0	0

Leaving unpaid ... .. £3,056 2 2, as per our list of arrears, handed to the Mayor.

That we have examined and searched through all books and documents likely to guide us, to ascertain the amount of rates received as above.

That the amount of rates ascertained by us to have been received agrees with the amounts in the published half-yearly statements, and likewise with the money deposited in the bank, all but the sum of £2 12s. 4d.—£2 10s. of which appears to have been an error during the time Mr. Betts acted as Town Clerk.

That we have examined the vouchers for payments made, and find them to agree with the cheques paid by the bank, as per the bank pass books.

That we have marked the several books belonging to the Municipality, examined by us, according to paper held by us, marked B.

And in concluding our report, we think it desirable to make the following suggestions:—

That the City Treasurer should be a paid officer of the Council, and a separate appointment from the Town Clerk; the growing importance of the City of Newcastle, with the great and rapidly increasing numbers of ratepayers, makes this separate appointment necessary, as very soon the City Treasurer's whole time will be fully occupied in collecting the rates, and avoid arrears.

Should the City Treasurership be continued as at present, by the Manager of the Australian Joint Stock Bank, we consider it prudent that he should keep a duplicate of the cash-book used in the Council Office, to be written up weekly, as a safeguard against a second abstraction, and any future difficulty arising from the absence of so important a book.

That the duties of Town Clerk should be separate and distinct from that of the Treasurer.

That as the 22nd clause of the Municipal By-laws states, "The Town Clerk shall have the custody of, and shall be responsible for the safe keeping of all books, charters, deeds, and municipal documents," we recommend a spacious iron safe should be immediately obtained to keep them in safety; and the contents placed therein should be in the charge of, and upon the responsibility of the officer appointed by the Council to the care of the keys.

That assessment books be always first prepared, and settled and signed by the proper parties, with the Corporation Seal attached thereto, previous to the rate-books being made up, so that no alterations may appear therein; as we consider the present system of keeping the two forms of assessments and rates in one book, subject to alterations, very objectionable.

We have, &c.,

WM. BUYERS.

W. H. MACKENZIE, SENR.

## No. 9.

TELEGRAM from THE MAYOR OF NEWCASTLE to THE PRINCIPAL UNDER SECRETARY.

10 November, 1868.

COUNCIL meets this afternoon. Wish to know result of special audit. Reply by telegraph.

## No. 10.

TELEGRAM from THE PRINCIPAL UNDER SECRETARY to THE MAYOR OF NEWCASTLE.

10 November, 1868.

REPORT furnished, and will be forwarded by to-day's post.

## No. 11.

## No. 11.

THE PRINCIPAL UNDER SECRETARY to THE MAYOR OF NEWCASTLE.

Colonial Secretary's Office,  
Sydney, 10 November, 1868.

SIR,

3 Nov., 1868.

With reference to your telegram of this date, and former correspondence, I am directed by the Colonial Secretary to forward herewith, for the information of the Borough Council of Newcastle, a copy of the report furnished by the Special Auditors who were appointed, in June last, to examine the accounts of the above Borough.

I have, &c.,  
HENRY HALLORAN.

## No. 12.

THE PRINCIPAL UNDER SECRETARY to MR. J. B. WINSHIP.

Colonial Secretary's Office,  
Sydney, 11 November, 1868.

SIR,

3 Nov., 1868.

With reference to my letter of the 18th June last, and the memorial previously received from yourself and other electors of the Borough of Newcastle, I am directed by the Colonial Secretary to forward herewith, for the information of the Petitioners, a copy of the report furnished by the Special Auditors who were appointed, in the above month, to examine the accounts of the Borough.

I have, &c.,  
HENRY HALLORAN.

## No. 13.

THE PRINCIPAL UNDER SECRETARY to THE MAYOR OF NEWCASTLE.

Colonial Secretary's Office,  
Sydney, 12 January, 1869.

SIR,

I am directed by the Colonial Secretary to request that, for the purpose of being laid before the Legislative Assembly, you will have the goodness to furnish to this office, copies of two letters from the Mayor of Newcastle, dated, respectively, the 18th November, 1867, relating, among other things, to the appointment of a person to investigate the affairs of the Council, it being impossible to trace the originals.

I have, &c.,  
HENRY HALLORAN.

## No. 14.

THE MAYOR OF NEWCASTLE to THE PRINCIPAL UNDER SECRETARY.

Town Clerk's Office,  
Newcastle, 28 January, 1869.

SIR,

I have the honor to acknowledge receipt of your letter, No. 5, of 12th instant, requesting copies of two letters from the Mayor of Newcastle, dated the 18th November, 1867; and in reply, I beg to inform you that no record of any such communications has been kept in this office.

I am therefore unable to comply with your request.

I have, &c.,  
JAMES HANNELL,  
Mayor.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## MUNICIPALITIES.

(RETURN RESPECTING.)

---

*Ordered by the Legislative Assembly to be Printed, 9 March, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 22nd November, 1867,—  
That there be laid upon the Table of this House,—

“ A Return of all Municipalities, except the City of Sydney,  
“ constituted, or purporting to have been constituted, under  
“ the Law relating to Municipalities,—showing in each case  
“ the total area in square miles; the area in acres, as nearly  
“ as can be ascertained, of enclosed and cultivated land,  
“ respectively; the population, male and female; and the  
“ number of ratepayers, male and female.”

(*Mr. Forster.*)

---

## MUNICIPALITIES.

RETURN of all Municipalities, except the City of Sydney, constituted, or purporting to have been constituted, under the Law relating to Municipalities,—showing in each case the total area in square miles; the area in acres, as nearly as can be ascertained, of enclosed and cultivated land, respectively; the population, male and female; and the number of ratepayers, male and female.

Municipality.	Area in square miles.	Area, in acres, of enclosed land.	Area, in acres, of cultivated land.	Area, in acres, of enclosed and cultivated land given together.	Population.		Total Population.	Ratepayers.		Total Ratepayers.	Remarks.
					Male.	Female.		Male.	Female.		
Albury .....	27 $\frac{3}{4}$	.....	.....	.....	...	...	.....	...	...	.....	Council state that they cannot furnish information without Government aid.
Armidale .....	39 $\frac{5}{8}$	658	500	.....	542	472	.....	230	16	.....	Council state that the population in 1861 amounted to—Males, 1,609, Females, 1,839; and estimate the probable increase since as 500.
Balmain .....	$\frac{1}{16}$	72	30	.....	...	...	.....	1,100	80	.....	
Bathurst .....	4 $\frac{7}{8}$	575	90	.....	2,330	1,970	.....	1,110	90	.....	
Camperdown .....	$\frac{1}{16}$	29 $\frac{1}{2}$	3 $\frac{1}{2}$	.....	171	169	.....	95	15	.....	Council Clerk states that there is no cultivated land.
Central Illawarra .....	116 $\frac{1}{16}$	.....	.....	.....	.....	.....	.....	367	18	.....	
Cook .....	$\frac{1}{8}$	326	7	.....	667	673	.....	285	37	.....	
Cudgegong .....	191 $\frac{1}{2}$	46,000	12,000	.....	1,650	1,800	.....	302	13	.....	
Darlington .....	$\frac{1}{24}$	15 $\frac{1}{2}$	.....	.....	445	517	.....	216	24	.....	
East Maitland .....	2 $\frac{1}{16}$	.....	.....	600	835	728	.....	454	46	.....	Council allege inability to furnish further information.
East St. Leonards .....	$\frac{1}{16}$	.....	.....	.....	...	...	.....	134	16	.....	
Glebe .....	$\frac{1}{4}$	310	.....	.....	...	...	About 5,000	1,109	66	.....	Council allege inability to supply information.
Goulburn .....	12 $\frac{1}{2}$	.....	.....	.....	...	...	.....	...	...	.....	
Grafton .....	4 $\frac{1}{8}$	1,100 $\frac{1}{2}$	571	.....	846	868	1,714	441	21	.....	Council Clerk states that all the Municipality, excepting water reserves and certain unalienated land, is enclosed and cultivated or built upon.
Hunter's Hill .....	1 $\frac{3}{8}$	446 $\frac{1}{2}$	195 $\frac{1}{2}$	.....	388	426	.....	167	11	.....	
Kiama .....	120 $\frac{1}{16}$	37,867	3,354	.....	.....	.....	5,304	.....	.....	663	
Marrickville .....	2 $\frac{1}{16}$	908	176	.....	684	669	.....	297	11	.....	
Morpeth .....	1 $\frac{1}{2}$	396 $\frac{1}{2}$	33 $\frac{1}{2}$	.....	668	712	.....	279	24	.....	
Mudgee .....	1	170 $\frac{1}{2}$	28 $\frac{1}{2}$	.....	905	864	.....	384	39	.....	
Newcastle .....	1 $\frac{3}{8}$	17	7	.....	2,600	2,400	.....	1,162	59	.....	
Newtown .....	$\frac{1}{8}$	.....	.....	236	2,230	2,340	.....	1,091	113	.....	
North Willoughby .....	16 $\frac{3}{8}$	601 $\frac{1}{2}$	224	.....	267	249	.....	198	11	.....	
Orange .....	1	.....	.....	.....	...	...	1,000 in 1865	...	...	234 in 1865	
Paddington .....	$\frac{1}{2}$	200	27	.....	1,623	1,816	.....	815	61	.....	
Parramatta .....	2 $\frac{1}{16}$	284	153	.....	2,770	2,807	.....	672	77	.....	
Randwick .....	13 $\frac{1}{2}$	1,900	500	.....	820	738	.....	313	14	.....	Council state their present inability to supply information.
Redfern .....	$\frac{3}{8}$	77	43	.....	1,910	2,074	.....	1,045	72	.....	
Shellharbour .....	54	2,800	13,000	.....	842	726	.....	272	3	.....	
St. Leonards .....	5 $\frac{1}{16}$	.....	.....	.....	...	...	.....	...	...	.....	Council have taken no notice of applications for information.
Singleton .....	$\frac{1}{8}$	.....	.....	75	559	751	.....	251	41	.....	
Waterloo .....	2 $\frac{1}{2}$	.....	.....	.....	...	...	.....	...	...	.....	No answer from Council to two applications for information.
Waverley .....	3 $\frac{3}{8}$	257	15	.....	...	...	1,137	...	...	427	
West Maitland .....	2 $\frac{1}{16}$	.....	.....	.....	...	...	.....	...	...	.....	
Wollongong .....	3	1,629	60	.....	806	766	.....	220	27	.....	.....
Woollahra .....	3 $\frac{1}{8}$	.....	.....	2,100	...	...	4,500	...	...	715	

NOTE.—The above Return is incomplete in certain particulars shown by the Schedule. Much of the information given by different Municipal Bodies is informal in its character, owing to the alleged inability of the Mayors and others to furnish the precise particulars required by the Order of the Assembly. In the cases wherein information has not been given, the parties have been applied to without success.

1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## MUNICIPALITIES.

(CORRESPONDENCE, ETC., RESPECTING THE INCORPORATION OF NUMBA AND OF SOUTH SHOALHAVEN.)

*Ordered by the Legislative Assembly to be Printed, 23 February, 1869.*

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 21 January, 1869, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“Copies of all Petitions, Memorials, and other Correspondence, between the Government and other persons, relative to the Petition for the Incorporation of the Municipality of Numba, and for the Incorporation of South Shoalhaven.”

*(Mr. Garrett.)*

## SCHEDULE.

NO.	PAGE.
1. Petition for Incorporation of Numba, received 8th April. 21 April, 1868.....	2
2. Minute Paper for Executive Council. 20 June, 1868 .....	3
3. Minute of Executive Council. 23 June, 1868 .....	3
4. Notice of. 11 July, 1868 .....	4
5. Petition for Incorporation of South Shoalhaven. 5 May, 1868 .....	4
6. Minute Paper for Executive Council. 20 June, 1868 .....	6
7. Minute of Executive Council. 23 June, 1868 .....	6
8. Notice of. 11 July, 1868 .....	6
9. Alexander Berry, Esq., to His Excellency and Executive Council. 20 August, 1868 .....	7
10. Counter-petition, against Incorporation of Numba, received 12th October. No date .....	10
11. Minute Paper for Executive Council, recommending Incorporation of Numba. 16 October, 1868 .....	11
12. Minute of Executive Council, approving of Incorporation of Numba, and disallowing South Shoalhaven Petition. 16 October, 1868 .....	11
13. Under Secretary to Under Secretary for Lands. 20 October, 1868 .....	11
14. Under Secretary for Lands to Under Secretary, forwarding description from Surveyor General. 22 October, 1868 .....	12
15. Proclamation of Numba Municipal District. 24 October, 1868 .....	12
16. Under Secretary to South Shoalhaven Petitioners. 27 October, 1868 .....	13
17. Alexander Berry, Esq., to Under Secretary. 5 November, 1868 .....	13
18. Minute Paper for Executive Council, recommending first Returning Officer for Numba. 10 November, 1868 .....	13
19. Messrs. Elyard and Aldcorn to Colonial Secretary. 17 November, 1868 .....	13
20. Minute of Executive Council. 19 November, 1868 .....	14
21. Proclamation. 7 December, 1868 .....	14
22. Under Secretary to Mr. Potter. 8 December, 1868 .....	15
23. Under Secretary to Messrs. Elyard and Aldcorn. 19 January, 1869 .....	15

## MUNICIPALITIES.

## No. 1.

## PETITION FOR INCORPORATION OF NUMBA.

To His Excellency the Right Honorable Somerset Richard, Earl of Belmore, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor, and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the undersigned, are desirous that Numba, in the district of Shoalhaven, in the county of St. Vincent, may be erected into a municipal district, to be called the Municipal District of Numba.

The boundary of said Numba Municipal District to commence at the Shoalhaven River, at the eastern boundary of Terrara, the property of the DeMestre family; and the western boundary of 2,320 acres, the property of A. Berry, said boundary to extend south to the Crookhaven Creek, and thence by said creek to its junction with the waters of the harbour of Crookhaven, to be bounded by the said waters to the Greenwell Point Wharf; from thence by said waters, until their junction with the Shoalhaven River by an artificial entrance made upwards of forty years ago; and thence by the Shoalhaven River to the point of commencement.

The boundaries suggested are natural boundaries; and the proposed municipal district contains a population of 750 inhabitants.

And your Petitioners will ever pray, &c. :

- |                            |                            |
|----------------------------|----------------------------|
| 1 Henry Gordon Morton      | 30 Michael W. O'Connor     |
| 2 Robt. S. Willis, M.A.    | 31 Joseph Ephraim          |
| 3 J. M'Auliffe, R.C.C.     | 32 James Lang              |
| 4 John G. Sinclair         | 33 Michael Madden          |
| 5 John Apperly             | 34 Andrew Madden           |
| 6 Christopher Murray       | 35 Wm. Belshaw             |
| 7 Thomas Kelly             | 36 Donald Lamond           |
| 8 Isaac Hewitt             | his                        |
| 9 Joseph Williamson        | 37 Andrew Noble, x         |
| 10 John Smith              | mark                       |
| his                        | (Witness, Henry G. Morton) |
| 11 John O'Connor, x        | 38 James MacNeb            |
| mark                       | 39 Patrick Kelly           |
| (Witness, Henry G. Morton) | 40 Joseph Weik             |
| 12 John Houston            | 41 David O'Keeffe          |
| his                        | 42 Michael Murphy          |
| 13 John Caffery, x         | his                        |
| mark                       | 43 John O'Keeffe, x        |
| (Witness, Henry G. Morton) | mark                       |
| 14 Edward Caffery          | (Witness, Henry G. Morton) |
| 15 Robert Armstrong        | 44 Patrick Julian          |
| 16 William Connolly        | 45 James Ryan              |
| 17 Robert Aberdeen         | 46 Peter Sinclair          |
| his                        | 47 John Watts              |
| 18 Samuel Percival, x      | 48 William Miller          |
| mark                       | 49 Martin Smith            |
| (Witness, Henry G. Morton) | 50 Frederick Reutter       |
| 19 David Waddell           | 51 James Shepherd          |
| 20 Robert Leslie           | 52 Angus Noble             |
| 21 John Kennedy            | 53 Robert Bennie           |
| 22 Alex. Campbell          | 54 Henry Wiegerner,        |
| 23 James Walker            | 55 John Campbell           |
| 24 Robert Miller           | his                        |
| 25 Alex. Abedeen           | 56 Daniel Harris, x        |
| 26 Hugh Bates              | mark                       |
| his                        | (Witness, Henry G. Morton) |
| 27 Benjamin Hart, x        | 57 Roland Gollan           |
| mark                       | 58 Duncan Finlayson        |
| (Witness, Henry G. Morton) | 59 Lachlan M'Kinnon        |
| his                        | 60 William Woods           |
| 28 Matthew Hart, x         | 61 Michael Linahen         |
| mark                       | 62 Arthur Smith            |
| (Witness, Henry G. Morton) | 63 William Cummins         |
| 29 Samuel Potter           | 64 John C. Campbell        |

## MUNICIPALITIES.

3

65 John Howard	79 Peter Johnson
66 John O'Connor	80 Wm. Staddon
his	his
67 James Kennedy, x	81 William Baxter, x
mark	mark
(Witness, Henry G. Morton)	(Witness, Henry G. Morton)
68 John Reid	82 G. H. A. McIntyre
69 Mourice Connor	83 James Dixon Caines
his	84 George Davis
70 Martin Manion, x	85 Edward Regan
mark	86 J. ———
(Witness, Henry G. Morton)	87 Duncan McLean
71 Charles Dixon Caines	88 John Lenehan
72 Archibald Maclean	89 John Shannon
his	90 Lachlan McTaggart
73 James McVeters, x	his
mark	91 Bernard Shannon, x
(Witness, Henry G. Morton)	mark
74 Robert Borrowdale	(Witness, Henry G. Morton)
75 Thos. Condon	
76 Thos. Shannon	
77 John Turner	
his	
78 Patrick Kearney, x	
mark	
(Witness, Henry G. Morton)	

I, Henry Gordon Morton, do solemnly declare that all the signatures affixed to the above petition are the genuine signatures they purport to be; and that such persons are persons liable to assessment for municipal taxes, in respect of property or household residence, within the boundaries of the proposed municipal district, as set forth in this petition.

HENRY GORDON MORTON.

Declared before me, at Sydney, this }  
twenty-first day of April, 1868,— }

A. DEMESTRE, J.P.

## No. 2.

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 20 June, 1868.

A PETITION having been received from 91 persons liable to be assessed for municipal taxes, in respect of property or household residence, and whose signatures to the petition are duly verified, praying for incorporation as a municipal district, with certain boundaries therein described, under the name of the Municipal District of Numba, and stating that there are 750 inhabitants living within the area so described: I recommend that the substance of the petition be published in the *Government Gazette*, in accordance with the 10th clause of the Municipalities Act of 1867.

HENRY PARKES.

## No. 3.

## MINUTE OF THE EXECUTIVE COUNCIL.

At Government House,  
Sydney, 23 June, 1868.

## PRESENT:—

His Excellency the Governor,  
The Honorable the Vice-President,  
The Honorable the Colonial Secretary,  
The Honorable the Secretary for Lands,  
The Honorable the Secretary for Works,  
The Honorable the Postmaster General.

[Extract.]

His Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Secretary, submitting a petition from 91 persons liable to be assessed for municipal taxes, in respect of property or household residence, praying to be incorporated as a municipal district, with certain boundaries therein described, under the style and title of the Municipal District of Numba.

2. As the said petition appears to be regular, the Council advise that the substance and prayer thereof be published in the *Gazette* and in some local newspaper, in accordance with the 10th clause of the Municipalities Act of 1867.

ALEX. C. BUDGE,  
Clerk of the Council.  
No. 4.



## No. 4.

## NOTICE OF THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 11 July, 1868.

## Petition for Municipality—Numba.

In pursuance of the Act of the Colonial Parliament 31 Victoria No. 12, His Excellency the Governor, with the advice of the Executive Council, has directed the publication of the substance of a petition addressed to His Excellency, as herein set forth, signed by 91 inhabitants of the district of Numba, and praying for the erection of that place into a municipality, under the name of the Municipal District of Numba.

HENRY PARKES.

The petitioners state that they are desirous that Numba, in the district of Shoalhaven, in the county of St. Vincent, may be erected into a Municipal District, to be called the municipal district of Numba.

That the boundaries of the said proposed municipal district are:—

To commence at the Shoalhaven River, at the eastern boundary of Terrara, the property of the DeMestre family, and the western boundary of 2,320 acres, the property of A. Berry, said boundary to extend south to the Crookhaven Creek; and thence by said creek to its junction with the waters of the harbour of Crookhaven, to be bounded by said waters to the Greenwell Point Wharf; from thence by said waters until their junction with the Shoalhaven River by an artificial entrance made upwards of forty years ago; and thence by the Shoalhaven River, to the point of commencement.

That the boundaries suggested are natural boundaries, and that the proposed municipal district contains a population of 750 inhabitants.

## No. 5.

## PETITION FOR INCORPORATION OF SOUTH SHOALHAVEN MUNICIPAL DISTRICT.

To His Excellency the Right Honorable Somerset Richard, Earl of Belmore, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

The petition of the undersigned humbly sheweth,—

That your petitioners are residents, and otherwise will be rateable, within the boundaries set forth as follows:—

Commencing at the mouth of Nowra Creek, on the Shoalhaven River; and bounded on the west by the creek and a line bearing south along the west boundaries of the Nowra reserves for town extension and for public recreation, to the south-west corner of the last-named reserve; thence on the south by the south boundary of the said reserve, bearing east to its south-east corner; thence by a line, bearing south-easterly, to the south-west corner of James M'Mahon's 37 acres 3 roods, known as Gerald's Yard; thence by the south boundaries of the said lot and three unsold lots of 44 acres 1 rood, 48 acres, and 45 acres 3 roods, bearing east; thence by the east boundaries of the last-mentioned lot, and James M'Mahon's 30 acres, bearing north to the south boundary of M'Kenzie and Wallace's 243 acres; thence by the said southern boundary of the said 243 acres, bearing east to the south arm of the Crookhaven River; thence by that creek and the Crookhaven River, by Greenwell Point, to the Shoalhaven River, by the navigable channel; thence by the south bank of the Shoalhaven River, westerly, to the point of commencement at Nowra Creek.

That such boundaries contain an area of less than 50 square miles, and a population exceeding 1,000 and less than 4,000 souls.

That your petitioners are desirous of having the same incorporated as a municipal district, under the name of the South Shoalhaven Municipal District.

And your Petitioners will ever pray:

John Glanville, J.P.  
Alfred Elyard  
Jas. Aldcorn  
A. K. Mackay  
W. Lovegrove  
Rich. Hy. Kemp  
Michl. Hyam  
J. Morton Richards  
Ken. Mackenzie  
H. Moss  
Charles Moore  
Aizley Hyam  
James Dwyer  
Thomas M. Brien  
Charles Isaac Watson  
P. J. Wallace  
John Lamond  
John Mason  
Henry Cashin  
John Hodgkins  
Jas. Lamond

James Armstrong  
Alexander M'Lean  
Alex. M'Innes  
Thos. Holme  
A. J. Sinclair  
— Sinkenbry  
M. Walker  
H. Oke  
John Kohler  
W. H. Benney  
Geo. Tory  
John Holland  
John M'Arthur  
Walter Dunlop  
Samuel Edward Mayhew  
David Hyam  
George J. Hoddle  
Charles M. Bindon  
John Wheatley, senior  
Thomas Kelly  
Charles Kemp

Peter

Peter Sinclair	Joseph Collins
The mark of Geo. Smith x	William Cosier
(Witness, I. M. Hyam)	Jas. A. Chaseling
Joseph Weik	H. Wheatley
John J. G. M'Cormick	The mark of Josph. Cordwell x
Thomas Duff	(Witness, I. M. Hyam)
James Goulding	George Rolfe
John Forest or Lovett	William Bennett, senior
John Hanigan	John Herne
Robert Williams	William Herne
Edwd. Pooley	Patrick Ryan
Henry C. J. Simonson	Donald M'Lean
John Clark	Samuel Attewell
Joseph Moore	The mark of Jno. Martin x
Frederick Moore	(Witness, I. M. Hyam)
Archibald Smith	The mark of John Entic x
Alexander R. Lang	(Witness, I. M. Hyam)
Thomas Cordwell	James Hanigan
William S. Oke	J. Green
William Doherty	Thomas Greenc
Thomas Jones, junior	John Montgomery
Charles Monk	M. A. Halerow
Joseph Forsyth	The mark of Robt. Gardner x
Patrick M'Mahon	(Witness, I. M. Hyam)
W. C. Morison	Daniel Watts
John Monaghan	W. Hammick
James Monaghan	I. M. Hyam
James M'Guire	F. Thrower
James Fitzgerald	E. M'Pereson
John Schadel	Peter M'Laren
Thos. Connolly	H. Broers
Thos. Dillon	Donald Robertson
Daniel Edwards	The mark of Joshua Bailly x
Alfred Cook	(Witness, I. M. Hyam)
Wm. Griffiths	E. A. Ryan
Owen Hewett	James M'Donald
Robert O'Neill	The mark of Wm. Olley x
Samuel Kemish	(Witness, I. M. Hyam)
N. Cashin	J. W. Justin
The mark of Ong Wang x	Leonard Clark
(Witness, I. M. Hyam)	Robert Savill
John Pepper, farmer	John Shea
Wm. Macdonald	A. Cooke
The mark of Rd. Caddle x	J. Johnson
(Witness, I. M. Hyam)	W. Sayer
John Turner	John Hibbard
John Aldais	The mark of Wm. Gosang x
William Bennett	(Witness, I. M. Hyam)
James Jameson	The mark of Jas. Touchberry x
William Griffin	(Witness, I. M. Hyam)
John Kupleton	James Behan
Charles Bailey	Patrick Casey
Joseph Rolfe	Isaiah Aldons
John J. Emery	The mark of Chas. Bennett x
John Ballantyne	(Witness, I. M. Hyam)
James Gerrett	M. Graham
Willet Burrey	E. Hawker
Charles Peniston	F. Watkins
John Rushton	The mark of Chas. Bishop x
John Wheatley	(Witness, I. M. Hyam)
G. Gambier C. Jeston	Archd. Fletcher
E. Isaacs	John Hickson
William Brown	James Anis
Anton Ettingshausen	Henry Wolfe
Richard Bartlett, senior	Thomas Barker
David Berrie	John Pollock
Bernard Brown	

I, Isaac Mark Hyam, freeholder, of Nowra, do solemnly declare that the 162 signatures affixed to the above petition are the genuine signatures of the persons whose signatures they purport to be; and that such persons are persons liable to assessment for municipal taxes in respect of property or household residence within the boundaries of the proposed municipal district, as set forth in this petition.

Taken before me at Nowra, this }  
5th day of May, 1868,— }

ISAAC MARK HYAM.

W. LOVEGROVE,

A Commissioner for Affidavits.

## No. 6.

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 20 June, 1868.

A PETITION having been received from 162 persons liable to be assessed for municipal taxes in respect of property or household residence, and whose signatures to the petition are duly verified, praying for incorporation as a municipal district, with certain boundaries therein described, under the name of the South Shoalhaven Municipal District; and stating that there are over 1,000 and less than 4,000 inhabitants living within the area so described: I recommend that the substance of the petition be published in the *Government Gazette*, in accordance with the 10th clause of the Municipalities Act of 1867.

HENRY PARKES.

## No. 7.

## MINUTE OF THE EXECUTIVE COUNCIL.

At Government House,  
Sydney, 23 June, 1868.

## PRESENT:—

His Excellency the Governor,  
The Honorable the Vice-President,  
The Honorable the Colonial Secretary,  
The Honorable the Secretary for Lands,  
The Honorable the Secretary for Works,  
The Honorable the Postmaster General.

[*Extract.*]

HIS Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Secretary, submitting a petition from 162 persons liable to be assessed for municipal rates, in respect of property or household residence, praying to be incorporated into a municipal district, with the boundaries therein described, under the name of the South Shoalhaven Municipal District, in terms of the Act 31st Vict. No. 12.

2. As the said petition appears to be regular, the Council advise that the substance and prayer thereof be published in the *Gazette* and in some local newspaper, in terms of the 10th clause of the Act 31st Vic. No. 12.

ALEX. C. BUDGE,  
Clerk of the Council.

## No. 8.

## NOTICE OF THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 11 July, 1868.

## Petition for Municipality—South Shoalhaven.

IN pursuance of the Act of the Colonial Parliament 31 Victoria No. 12, His Excellency the Governor, with the advice of the Executive Council, has directed the publication of the substance and prayer of a petition addressed to His Excellency, as herein set forth, signed by 162 persons who would be liable if incorporated to assessment for municipal taxes in respect of property or household residence, and praying that an area therein described may be erected into a municipality, under the name of the South Shoalhaven Municipal District.

HENRY PARKES.

The petitioners state that they are residents, and otherwise will be rateable, within the boundaries set forth, as follows:—

Commencing at the mouth of Nowra Creek, on the Shoalhaven River; and bounded on the west by the creek and a line bearing south along the west boundaries of the Nowra reserves for town extension and for public recreation, to the south-west corner of the last-named reserve; thence on the south by the south boundary of the said reserve, bearing east to its south-east corner; thence by a line, bearing south easterly, to the south-west corner of James M'Mahon's 37 acres 3 roods, known as Gerald's Yard; thence by the south boundaries of the said lot and three unsold lots of 44 acres 1 rood, 48 acres, and 45 acres 3 roods, bearing east; thence by the east boundaries of the last-mentioned lot, and James M'Mahon's 30 acres, bearing north to the south boundary

boundary of M'Kenzie and Wallace's 243 acres ; thence by the said southern boundary of the said 243 acres, bearing east, to the south arm of the Crookhaven River ; thence by that creek and the Crookhaven River, by Greenwell Point, to the Shoalhaven River, by the navigable channel ; thence by the south bank of the Shoalhaven River, westerly, to the point of commencement at Nowra Creek.

That such boundaries contain an area of less than 50 square miles, and a population exceeding 1,000 and less than 4,000 souls.

And the petitioners pray that the same may be incorporated as a municipal district, under the name of the South Shoalhaven Municipal District.

### No. 9.

ALEXANDER BERRY, Esq., to HIS EXCELLENCY THE GOVERNOR AND THE EXECUTIVE COUNCIL.

To His Excellency the Right Honorable the Earl of Belmore, Governor-in-Chief of the Colony of New South Wales, &c., &c., &c. ; and to the Honorable the Members of the Executive Government of the same :

I hereby do myself the honor respectfully to represent, that I am an old settler in said Colony, and the possessor of a large landed property in the district of Shoalhaven.

And to state that I have been grievously oppressed since the passing of the Municipal Act of 1858 ; and also to state the particulars of such oppression, as another attempt has lately been originated for renewing a similar system of oppression against me by the same parties.

Soon after the passing of the above-mentioned Act, the Rev. Dr. Lang, a political clergyman, who was then and still is a Member of the Legislative Assembly, proceeded to Shoalhaven to preach a crusade against my establishment.

On leaving Shoalhaven, he published three highly libellous letters in the local newspaper, containing a series of the most false and malicious libels against myself, for the avowed purpose of exciting my neighbours against me, and of inducing them to seize upon my property as a municipality ; and to use his own words, " to convert into gold diggings for their benefit, and to crush me like a miserable earth-worm."

I was recommended to prosecute Lang for his libels, and retained the Honorable Mr. Isaacs, the present Solicitor General ; but the Attorney General of the Cowper Government would not allow me to prosecute their adherent, Dr. Lang, and turned the case into a mere mockery of Justice and of personal insult to myself.

Lang found an individual of his own disposition to carry his scheme into effect, to wit, a person who had been convicted of arson and subornation of perjury.

The Cowper Government carried the scheme into effect, notwithstanding all my remonstrances to the contrary. I obtained a Committee of the Legislative Council to investigate the circumstances of the case under which the Municipality was constituted, and whether it was duly constituted according to the Act.

The Honorable Mr. Docker, the present Postmaster General, was Chairman of this Committee, which gave a Report in my favour, which Report was confirmed by a large majority of the Council, notwithstanding the strenuous opposition of Mr. Cowper, then a member of that body.

This Report and proceedings speak for themselves. The then Cowper Government treated this Report with contempt and set it at naught.

I then appealed to the Supreme Court, on which occasion the Honorable Mr. Martin, the present Attorney General, was my leading counsel.

The Supreme Court gave a *verdict* that the said *Municipality was illegally constituted according to the Act*.

In the face of this verdict the Mayor and Aldermen of the so-called Municipality gave me notice that they would again distrain upon me for the rates. I obtained an injunction from the Supreme Court to prevent their doing so.

The Cowper Government long afterwards applied to the Privy Council in England for liberty to appeal against this verdict. This was granted. The case was heard, and the Privy Council decided that the *Municipality was illegally constituted*.

From the interpretation of the Cowper Government of their own Municipal Act, it appears that they considered it was a piece of political machinery whereby they could oppress and punish political opponents.

I was a Member of the Legislative Council at the time when they attempted to swamp the House by the introduction of a large batch of people *picked* up out of the streets of Sydney—on which occasion I resigned my seat, with a large majority of the House including the President.

Most certainly, the Cowper Government recklessly expended thousands of the public money in their attempt to oppress me, and put me to an enormous expense in defending myself.

When the Cowper Government began to oppress me, my solicitor, the late Mr. James Norton, earnestly advised me to sell my property and leave the Colony, but I was then unwilling to be HUNTED OUT OF THE COLONY.

I have often since had reason to regret not having taken his advice, as the Colony was then in a healthy monetary state, and I could readily have disposed of my property. It required a certain time before the evil measures of the Cowper Government could tell upon the Colony. Under that Government the public revenue became dilapidated; and ever since, that party has used every effort to prevent the revenue from being reconstructed by the present Government.

I have hitherto cleared and opened up all the roads, both *public* and *private*, on my estate, at my *sole expense*, without assistance from the *Government*, or *application* for the same. And at this moment, I have men employed on the public roads, particularly the main road from Kiama and Gerringong to the southward, which road was marked out by a Government surveyor.

About twelve months ago my tenantry agreed to form themselves into two municipalities for the purpose of keeping said roads in repair—one on the north side of the Shoalhaven River, to be called the Bomaderry and Broughton Creek Municipality; and the other on the south side of the said river, to be called the Numba Municipality. The usual petitions were presented to the Government, and duly published in the *Government Gazette*; but the municipalities were not proclaimed by the Government!!!

As soon as my neighbours on the south side of the river understood what had been done by my tenantry, they also petitioned to be formed into a municipality, and the people of Nowra did the same.

Both parties, however, restricted themselves to their own boundaries. These two petitions repeatedly appeared in the *Government Gazette*; but neither of the municipalities were proclaimed by the Government.

There were no counter-petitions against any of these municipalities; but a few *outsiders*, residing beyond the boundaries of the Bomaderry and Broughton Creek Municipality, made a remonstrance to the Government against that municipality being granted!!!

I have heard that it is a constant saying amongst the outsiders of my property, that no municipality would be *profitable* to them, unless the municipality included my property.

A new Municipal Bill was passed by the Colonial Parliament, and assented to on the 23rd December, 1867. The inhabitants of Bomaderry and Broughton Creek, and the district of Numba, again presented petitions to the Government under the new Act, and both petitions appeared in the *Government Gazette* of the 11th July ultimo. In the same *Gazette* there is also published another petition for a municipality, to be called the Municipality of South Shoalhaven. In this petition it appears that the people of Nowra and of what they called Central Shoalhaven have coalesced; and they describe their boundaries in such a manner as to *gobble up the whole district of Numba* and its proposed municipality, although *there is not the name of a single inhabitant of Numba in their petition*.

This is a distinct renewal of the former conspiracy against me. The person who *verifies the signatures* is a brother-in-law of the individual who formerly carried Dr. Lang's scheme into effect!!

I submit that, if, by any mistake, the district of Numba was incorporated with these petitioners, that the inhabitants of Numba, upon every principle of equity and common sense, would be entitled to separation.

These petitioners are utterly incompetent to manage such an extensive municipality.

I verily believe that none of them have ever done anything for themselves, except to spend Government money on their roads. If the district of Numba was put under their control, they would soon render a valuable district, which has been improved at an immense expense, entirely useless. They have already done it incalculable mischief.

Numba, and part of the other land to the westward and south of my boundary, is of alluvial formation, and subject to most destructive floods.

The main drain of the district is a natural drain, originally navigable, called Crookhaven Creek, which drain forms the southern boundary of the district of Numba. The residents of the south side of said creek have obstructed it in such a way as to have rendered it nearly useless.

Soon after the last flood, when the water was still covering much of the district, a Mr. Lovegrove, Clerk of Petty Sessions, and one of the petitioners anxious to gulp up Numba, who possesses certain landed property, part of the estate of Terrara, west of my boundary, came to Sydney to complain to the Hon. Mr. Byrnes of the distress of the district, on account of the obstructions of this drain (occasioned by himself and others), and to request that he would give him a sum of money, and that he would employ men to remove the obstructions!! I afterwards saw Mr. Byrnes on the subject. My proposal was, that he should use means to compel the parties who had created the obstructions in the creek to remove the same; and that I would remove every obstruction on the northern half of the creek, no matter who had occasioned them.

I could take no steps myself in the matter, as some of the Magistrates are the principal obstructors. Nothing was done. I afterwards, however, employed a gang of men to remove the obstructions on my side of the creek, in order to allow part of the stagnant water to escape.

Lately, this Mr. Lovegrove advocated a plan in the local newspaper to bring the waters, by a new channel, upon my ground, and through it to what he called Salt-pan Creek, instead of clearing out the natural drain, because it contained reeds; and he had the impudence to propose this plan to my brother.

Such

Such is the rapacity of these petitioners, that they include in their petition the island of Goodnight, in the harbour of Crookhaven, which has no possible interest with their Municipality—which island was purchased by my brother, Mr. David Berry, from the Government, for the sum of £693.

It is due to my making a new entrance to the Shoalhaven River (without any expense to the Government) that these people were enabled to enter into the river. This entrance has been, for many years, the deepest part of the Crookhaven, and has enabled the Government to sell all the public land in that locality to great advantage.

The only reward which I have received for so doing has been *abuse* and *injury*.

I humbly pray that the Government will not incorporate Numba with these outside petitioners. It would occasion me the most ruinous consequences, almost amounting to the confiscation of my property; and would involve me in ruinous and endless litigation, without public benefit or advantage to the Government.

And I humbly pray that Numba may be incorporated by itself.

I have, &c.,

ALEXR. BERRY.

Sydney, 20 August, 1868.

#### Appendix.

DURING the discussions of the Legislative Council respecting the Nowra Municipality, the Honorable Mr. Cowper, a Member of that body, asserted, in order to excite a prejudice against me, that I had obtained my property for nothing or almost nothing; and that the people of whom I complained had paid as much for their small holdings as I had done for my large possessions.

Any other man in *his* position would have consulted the documents in his own office, or the charts of the department of the Surveyor General, before venturing to make such an assertion. I, therefore, feel it necessary to state briefly how I obtained my land.

My late partner Edward Wollstonecraft and myself arrived in this Colony in the year 1819, with a cargo of merchandise, for the purpose of forming a mercantile establishment; and, as was customary in those days, from the circumstances of the Colony, brought letters to the Governor from the Secretary of State.

Governor Macquarie, without solicitation on our part, ordered each of us a grant of 2,000 acres as an inducement to remain in the Colony.

I returned to England in 1820, and again arrived in Sydney in November, 1821, in the ship that brought out Sir Thomas Brisbane, who had been appointed successor to Governor Macquarie.

Sir Thomas Brisbane received instructions to use every effort to reduce the expenditure of the Colony. This expenditure was occasioned chiefly by the maintenance of convicts, each of whom cost the Government £16 annually. This part of the expenditure could be reduced only by giving encouragement to free immigrants possessing capital to settle in the Colony, and employ the convicts.

Sir Thomas Brisbane published an ordinance that he would hereafter grant land upon the condition that the grantee should maintain one convict for ten years for every 100 acres so granted.

My partner and myself were the first to approve of these conditions, and we made an offer or tender to the Government to maintain 100 convicts free of expense to the Government, provided they gave us a grant of 10,000 acres on the Shoalhaven River in our joint names. We selected the Shoalhaven, because it was wholly unoccupied, and because all the other immigrants were flocking to the Hunter River, to Bathurst, and Goulburn.

This offer was promptly responded to. The Shoalhaven had been discovered in 1797, by Mr. Bass, a Surgeon in the Royal Navy, in a whaleboat, during the same trip in which he discovered the strait which separates Australia from Tasmania, and which bears his name. The swampy character of the district, however, and the difficult entrance to the river, caused it to remain neglected.

Our enterprise was derided by every one as ruinous.

In the first instance many settlers obtained land on the same conditions, but found these so onerous that they could not fulfil them; so that Sir Thomas Brisbane found it necessary to change the tenure of the grants.

We were the only parties who fulfilled the original conditions of the grant. We had no police but one constable paid by ourselves, and had to manage our convicts by moral influence.

Having provided a suitable vessel to commence the establishment, I proceeded to the Shoalhaven, in May, 1822. On arriving at the mouth of the river, I found that the entrance was impracticable; and the master of the vessel and his mate lost their lives in the attempt to enter.

I then proceeded to Crookhaven—two or three miles to the southward—and made a new channel of communication between that harbour and the Shoalhaven River, which, to the present day, has been the only practicable entrance to the river.

This grant was conditional, subject to the approval of the Right Honorable the Secretary of State for the Colonies.

On the arrival of Governor Darling, the successor of Sir Thomas Brisbane, the grant was still in abeyance. General Darling referred the case to Earl Bathurst, who instructed him to give us the grant.

Many people obtained larger grants at that time without any similar conditions. Such was the anxiety of the British Government to colonize New South Wales, that they gave a grant of 1,000,000 acres to an English Company, at Port Stephens, some years after we had obtained the above-mentioned land, besides a grant of 2,000 acres of the coal fields of Newcastle, containing all the coal mines opened by the Government, as well as all the "plant," and an exclusive right to work the coal fields of the Colony for many years.

After the above-named grants, all the other land which I possess was obtained by purchase from the Government, or from private individuals.

Originally, the proceeds of the Government land sales were applied to the introduction of free immigrant labourers.

About two years ago, there were 2,178 souls on my estate; and I have no doubt that the money paid by me to the Government for land would have been sufficient to have brought out as many statute immigrants as there are now adults on my estate.

I mention this fact because the Rev. Dr. Lang has asserted that my property is a vast solitude!

ALEXR. BERRY.

## No. 10.

### COUNTER-PETITION AGAINST INCORPORATION OF NUMBA.

To His Excellency the Earl of Belmore, Governor-in-Chief, and the Honorable the Executive Council of New South Wales in Council assembled, &c., &c.

WE, the undersigned landed proprietors and householders, having petitioned that South Shoalhaven be incorporated under the Municipalities Act, most respectfully protest against Numba being erected into a separate municipality; and we protest on the following grounds:—

- 1st. Because Numba is but the private property of one person—a portion of his estate; and its incorporation, as such, would be contrary to the spirit, meaning, and intent of the Act; and, with its very limited boundaries, would not be any *public* benefit.
- 2nd. Because we have been given to understand that very many, if not the majority of those who petitioned for the incorporation of Numba, are neither tenants at will, nor leaseholders, but merely occupy the farms on halves, that is, the proprietor receives one-half of all the farm produce—the whole being shipped in his vessel to his agent, and one-half of the net produce returned to the laborer; and, therefore, such occupiers are not liable to be rated.
- 3rd. Because those who have leases on the Numba Estate are specially exempt from the payment of all rates and taxes; the landlord, as we are informed, taking upon himself, by clause in each lease, the payment thereof.
- 4th. Because the boundaries of South Shoalhaven set forth in the petition for incorporation, include Numba; therefore, to incorporate the smaller portion, a mere private estate, as a separate municipality, would defeat the aim and purpose of the Municipalities Act; and would neutralize, if not wholly nullify, the advantages which the public seek to derive from the incorporation of South Shoalhaven.
- 5th. Because to constitute Numba a separate municipality would centralize the whole corporate power in one person; would establish an untoward and unconstitutional precedent to other large landowners to defeat the wise public purposes of the Municipalities Act; and would, in fact, render the Act a dead letter.

For the foregoing reasons, we very earnestly and respectfully pray that your Excellency and Honorable Council will not proclaim Numba a separate municipality:

Alfred Elyard, J.P.  
 Jas. Aldcorn, J.P.  
 J. Morton Richards, solicitor  
 Hy. Moss, storekeeper, Green Hills  
 John Monaghan, farmer, Mayfield  
 Donald McLean, farmer, Crookhaven  
 J. Green  
 John McArthur, storekeeper  
 Geo. Tory  
 David Hyam, innkeeper  
 John Holland  
 James Monaghan, farmer, Green Hills.

Petition against incorporation of Numba as a municipal district.—To the Colonial Secretary.—B.—12/10/68.



## No. 11.

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,

Sydney, 16 October, 1868.

A PETITION from certain persons liable to be assessed for municipal taxes, and praying for incorporation as a municipal district under the name of the Municipal District of Numba, has been published in the *Government Gazette* for three months, and in a local newspaper, as required by the Municipalities Act of 1867; and a subsequent petition from certain persons eligible under the said Act, praying for incorporation as a Municipal District to be called South Shoalhaven Municipal District, and embracing the area included in the first-mentioned petition, but with extended boundaries, has also been published as required by law. But taking into consideration the fact that the latter petition was not received until five weeks after the first-mentioned had been forwarded to the Government, and that it is signed by two persons only of the number who signed the first petition, and that it cannot, therefore, be considered in the light of a counter-petition, I recommend that authority be granted for the issue of a proclamation, declaring the area described in the first petition to be a municipal district under the name of the Municipal District of Numba.

JOSEPH DOCKER.

## No. 12.

## MINUTE OF THE EXECUTIVE COUNCIL.

At Government House,

Sydney, 16 October, 1868.

PRESENT:—

His Excellency the Governor,  
The Honorable the Vice-President,  
The Honorable the Colonial Secretary,  
The Honorable the Colonial Treasurer,  
The Honorable the Secretary for Lands,  
The Honorable the Secretary for Works,  
The Honorable the Postmaster General.

[Extract.]

REFERRING to the proceedings on the 23rd June last, when the Council advised that the substance of two petitions from persons liable to be assessed for municipal taxes, 'praying to be incorporated under the designations of the Municipal District of Numba and the Municipal District of South Shoalhaven, should be published in the *Gazette*, as required by the Municipalities Act of 1867,—His Excellency the Governor now lays before them, a Minute Paper by the Honorable the Colonial Secretary, recommending that the Municipal District of Numba should be proclaimed a municipal district in terms of the said Act, and that the prayer of the petition for a municipal district to be called South Shoalhaven should be disallowed for the following reasons, viz.:—

- (1.) Because the petition for the municipal district of South Shoalhaven, embraces the area included within the boundaries of the proposed Municipal District of Numba.
- (2.) Because the first-mentioned petition was not received until five weeks after the petition for Numba Municipal District had been forwarded to the Government, and, as it is signed by only two persons who signed the Numba petition, it cannot be looked upon in the light of a counter-petition.

2. The Council, for the reasons herein stated, approve of the course recommended by the Honorable the Colonial Secretary, and accordingly advise that a proclamation be issued in terms of the Act 31st Vict. No. 12, declaring the area described in the petition from the residents at Numba to be a municipal district under the name of the Municipal District of Numba.

The Council also advise, as herein recommended, that the prayer of the petition for the incorporation of a municipal district, to be called the Municipal District of South Shoalhaven, be disallowed.

ALEX. C. BUDGE,

Clerk of the Council.

## No. 13.

## THE PRINCIPAL UNDER SECRETARY to THE UNDER SECRETARY FOR LANDS.

Colonial Secretary's Office,

Sydney, 20 October, 1868.

SIR,

In forwarding to you a petition from certain persons liable to be assessed for municipal taxes, and praying for incorporation as a municipal district under the name of the Municipal District of Numba, I am directed by the Colonial Secretary to request that you will invite the Secretary for Lands to cause an official description of the area set out in the petition in question to be obtained from the Surveyor General, and furnished to this office for the purposes of a proclamation of such incorporation.

I have, &amp;c.,

HENRY HALLORAN.

No. 14.



## No. 14.

THE UNDER SECRETARY FOR LANDS to THE PRINCIPAL UNDER SECRETARY.

Under Colonial Secretary.—B.C., 22nd Oct.—M.F.

THE necessary description defining boundaries proposed in the enclosed petition for Numba, for proclamation under the Municipal Act of 1867, is enclosed. The area defined is included within the limits proposed for South Shoalhaven, the petition for which was published in *Government Gazette* No. 173, 14 July, 1868, fol. 2,074.

P. F. ADAMS,

Under Secretary for Lands.—B.C., 22 October, 1868.

S. G. Office.

*Proposed Municipality of Numba.*

County of St. Vincent, parish of Numba; commencing at the Shoalhaven River, at the eastern boundary of P. DeMestre's 1,300 acres, Terrara, being the western boundary of A. Berry's 2,320; and bounded thence on the west by that boundary, southerly, to the Crookhaven Creek; and thence on the south-west, south-east, and on the east by said creek, to its junction with the waters of the harbour of Crookhaven; thence by the said waters to the Greenwell Point Wharf; and thence by said waters to their junction with the Shoalhaven River, by an artificial entrance made upwards of forty years ago; and thence on the north by the Shoalhaven River, upwards, to the point of commencement.

## No. 15.

## PROCLAMATION OF THE MUNICIPAL DISTRICT OF NUMBA.

By His Excellency the Right Honorable Somerset Richard, Earl of Belmore, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same:

WHEREAS the Municipalities Act of 1867 provides for the constitution of a municipality, on receipt of a petition signed by not fewer than fifty persons, who would, upon incorporation, be liable to be assessed for municipal taxes in respect of property or household residence within the area proposed to be so incorporated: And whereas a petition, signed by 91 persons, liable to be so assessed upon such incorporation, has been received by the Governor, praying for a municipality to be styled the Municipal District of Numba: And whereas the substance and prayer of such petition have been duly published in the *Government Gazette*, and otherwise in accordance with the said Act: Now therefore, I, Somerset Richard, Earl of Belmore, the Governor aforesaid, in pursuance of the provisions of the said Act, and with the advice of the Executive Council, do, by this my proclamation, declare that the area hereinafter described shall be, and the same is hereby constituted a municipality, under the name and style of the Municipal District of Numba, viz.:—

County of St. Vincent, parish of Numba: Commencing at the Shoalhaven River, at the eastern boundary of P. DeMestre's 1,300 acres, Terrara, being the western boundary of A. Berry's 2,320 acres; and bounded thence on the west by that boundary, southerly, to the Crookhaven Creek; and thence on the south-west, south-east, and on the east by said creek, to its junction with the waters of the harbour of Crookhaven; thence by the said waters to the Greenwell Point Wharf; and thence by said waters to their junction with the Shoalhaven River, by an artificial entrance made upwards of forty years ago; and thence on the north by the Shoalhaven River, upwards, to the point of commencement.

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

(L.S.) BELMORE.

By His Excellency's Command,

JOSEPH DOCKER.

GOD SAVE THE QUEEN!

## No. 16.

THE PRINCIPAL UNDER SECRETARY to JOHN GLANVILLE, Esq., J.P., AND OTHERS,  
IN ENPLY TO No. 5.

Colonial Secretary's Office,  
Sydney, 27 October, 1868.

GENTLEMEN,

I am directed by the Colonial Secretary to inform you that—a petition having been received from certain residents of Numba, for a Municipality—His Excellency the Governor, with the advice of the Executive Council, has been pleased, by a proclamation published in a supplementary *Government Gazette* of the 26th instant, of which a copy is transmitted herewith, to constitute and declare the district of Numba, as therein described, to be a municipal district.

2. I am desired at the same time to state, that your petition for a municipality, to be styled the South Shoalhaven Municipal District, to embrace the above, with increased boundaries, having been duly considered, His Excellency, with the advice aforesaid, and in accordance with the Municipalities Act of 1867, has disallowed the same.

I have, &c.,  
HENRY HALLORAN.

## No. 17.

ALEXR. BERRY, Esq., to THE PRINCIPAL UNDER SECRETARY.

Sydney, 5 November, 1868.

MY DEAR SIR,

In reference to your letter of the 26th ultimo,\* requesting me to give you the name of some person willing to act as the first Returning Officer for the first election of aldermen, for the Municipality of Numba, I now beg to give the name of Mr. Samuel Potter, storekeeper of Numba; and enclose a letter I have received from Mr. Henry G. Morton giving further particulars.

I have, &c.,  
ALEXR. BERRY.

Henry G. Morton, Esq., to Alexr. Berry, Esq.

Shoalhaven, 3 November, 1868.

Dear Sir,

Mr. Potter has, after consideration, consented to act as first Returning Officer, for the election of aldermen for the Municipality of Numba. If you approve of the following, will you be pleased to inform the Colonial Secretary of the same.

Returning Officer—Samuel Potter, Numba;

Date of Nomination—8th December, 1868;

Place of Nomination—Assembly Room, Numba.

Yours, &c.,  
HENRY G. MORTON.

P.S.—The yearly returns next week.—H.G.M.

## No. 18.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,  
Sydney, 10 November, 1868.

Municipal District of Numba.

I RECOMMEND the nomination of Mr. Samuel Potter, of Numba, as Returning Officer at the first election of aldermen for the above municipal district; and that such election shall take place on Monday, the 28th proximo, at noon, at the Assembly Room, Numba, in accordance with the Municipalities Act of 1867.

JOHN ROBERTSON.

Minute of the Executive Council.

## No. 19.

MESSRS. ELYARD AND ALDCORN to THE COLONIAL SECRETARY.

Shoalhaven, 17 November, 1868.

SIR,

We have the honor to acknowledge Mr. Halloran's letter of the 27th October (68-1847), in which, without assigning any reason, the Municipality of South Shoalhaven is stated to be disallowed. We have been appointed by a public meeting to remonstrate on the procedure in this case; and to request that we may be informed of the reasons why a petition signed by 162 householders should be disallowed, and a petition

petition signed by (91?), for a part of the same, should be allowed. Our petition, presented through Messrs. Roxburgh, Slade, and Spain, was declared by your office to be quite in form, with one exception, which was corrected, and the document re-sent.

No hint was given us as to a probability of refusal, nor any necessity hinted for a counter-petition to Mr. Berry's.

It seemed probable to us that our petition would be allowed, and Mr. Berry's disallowed, under the powers conferred on the Governor by the 21st clause, on the very sufficient ground of inexpediency; for it seems to us in the highest degree inexpedient to put our roads at the mercy of Mr. Berry's mayor, Mr. Berry's aldermen, Mr. Berry's rates, and, in fact, of Mr. Berry, as autocrat. We do not suppose a rate will ever be levied in his domains; and though we certainly cannot blame Mr. Berry for taking his own view of his interests, we feel that public policy was against granting his petition to the exclusion of ours.

It seems to us that there is no remedy, unless we venture to suggest that it was unconstitutional for a Ministry who had resigned four days previously, and whose hold of office, as far as new action, was therefore extinct, to proclaim a municipality at all.

But, in any case, we shall be glad to know the reasons which influence the granting the one petition, and the discourteous disallowance of the other, as a guide to our future proceedings.

Our meeting was adjourned for three months, to enable us to receive your reply, and communicate it with due publicity.

We have, &c.,

ALFRED ELYARD.  
JAS. ALDCORN.

## No. 20.

### MINUTE OF THE EXECUTIVE COUNCIL.

At Government House,  
Sydney, 19 November, 1868.

#### PRESENT:

His Excellency the Governor,  
The Honorable the Colonial Treasurer,  
The Honorable the Secretary for Works,  
The Honorable the Solicitor General.

HIS Excellency the Governor lays before the Council two Minute Papers by the Honorable the Colonial Secretary, recommending that Charles Throsby Smith, Esq., J.P., the present Mayor of Wollongong, and Mr. Samuel Potter, of Numba, be appointed Returning Officers at the first election of aldermen for the Municipal Districts of North Illawarra and Numba, respectively, to be holden in the said districts, on Monday, the 28th proximo, at noon.

2. The Council advise that the said gentlemen be appointed Returning Officers at the election of aldermen for the said municipal districts respectively, in terms of the Municipalities Act of 1867.

ALEX. C. BUDGE,  
Clerk of the Council.

## No. 21.

### PROCLAMATION OF FIRST ELECTION OF MUNICIPAL DISTRICT OF NUMBA.

By His Excellency the Right Honorable Somerset Richard, Earl of Belmore, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same:

WHEREAS, by a certain proclamation dated the twenty-fourth day of October, one thousand eight hundred and sixty-eight, and duly published under the provisions contained in the Municipalities Act of 1867, in a Supplement to the *Government Gazette* of the twenty-sixth October, one thousand eight hundred and sixty-eight, a certain district in the said proclamation described and named, and the limits and boundaries whereof were thereby defined, was, by the said proclamation, declared to be a municipality within the meaning and for all the purposes of the said Act, by the name and style of the Municipal District of Numba, and the electors for the time being of the said municipal district, immediately upon such publication as aforesaid, became and were a body corporate under such name and style: And whereas it is by the said Act provided and declared, that the first election of aldermen and auditors for any such newly proclaimed municipality shall take place on a day, at noon, and at a place, to be notified by the Governor, within three months after the incorporation of such municipality; and that the Returning Officer shall, at such first election, be nominated by the Governor, and shall exercise certain powers and perform certain duties in reference to such first elections as in the said Act are prescribed and defined: Now therefore, I, Somerset Richard, Earl of Belmore, as such Governor aforesaid, in pursuance of the provisions

provisions of the said Act, and with the advice of the Executive Council, do, by this my Proclamation, nominate Samuel Potter, of Numba, Esquire, to be the first Returning Officer of the said Municipal District: And I do hereby notify that the said first election shall take place at noon, on Monday, the twenty-eighth day of December instant, in the building known as the Assembly Room, situated in the said Municipal District.

Given under my Hand and Seal, at Throsby Park, this seventh day of December, in the year of our Lord one thousand eight hundred and sixty-eight, and in the thirty-second year of Her Majesty's Reign.

BELMORE, (L.S.)

By His Excellency's Command,

JOHN ROBERTSON.

GOD SAVE THE QUEEN!

## No. 22.

THE PRINCIPAL UNDER SECRETARY to S. POTTER, Esq.

Colonial Secretary's Office,  
Sydney, 8 December, 1868.

SIR,

Referring to the proclamation contained in the supplementary *Government Gazette* of the 26th October last, constituting the Municipal District of Numba, a copy of which is transmitted herewith for your information—I am directed by the Colonial Secretary to inform you, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint you to be Returning Officer for the said Municipal District, for the first election of aldermen and auditors.

2. You will perceive by the enclosed copy of a proclamation to be published in a supplementary *Government Gazette* of to-morrow, that the election is fixed to take place on the 28th instant, in the Assembly Rooms, Numba.

I have, &c.,

HENRY HALLORAN.

## No. 23.

THE PRINCIPAL UNDER SECRETARY to MESSRS. ELYARD AND ALDCORN, J.P's.

Colonial Secretary's Office,  
Sydney, 19 January, 1869.

GENTLEMEN,

With reference to your letter of the 17th November last, remonstrating against the rejection by the late Government of a petition for a municipality intended to be styled the South Shoalhaven Municipal District, whilst an application for a municipality at Numba was acceded to—I am directed by the Colonial Secretary to state, that, even if there were any force in the objection raised by you as to the legal power of a Ministry to act in matters like this, after having tendered their resignation of office, and before the date of the Governor's acceptance thereof, it would not apply to the present case, as the Numba petition was recommended and submitted to the Executive Council on the 16th October last, and confirmed by His Excellency and the Council on the 19th of the same month, while the late Government's submission of resignation took place on or about the 20th or 21st. However, even if it were not so, their legal power to act was, Mr. Robertson thinks, unquestionable.

2. I am further instructed to transmit herewith, for the information of yourselves and of others concerned, a copy of the Minute Paper for, and the Minute of, the Executive Council relative to the creation of the Numba Municipal District, and the disallowance of the South Shoalhaven petition.

I have, &c.,

HENRY HALLORAN.



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## SEWERAGE AND WATER SUPPLY.

(TWELFTH ANNUAL REPORT OF MUNICIPAL COUNCIL—1868.)

Presented to Parliament, pursuant to Act 20 Vic., No. 36, sec. 75.

*TWELFTH ANNUAL 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 January to the 31st December, 1868, together with Statements of the Receipts and Expenditure for the same period.

## WATER.

Two of the engines at Botany have continued to work day and night throughout the year, excepting Sundays, and when signals have been made that the high and low service reservoirs were full. The stoppages on this account, for ten months, occurred on four or five days in every week, varying from two to eleven hours each stoppage, and amounting altogether to fifty-two days, exclusive of Sundays. In the months of November and December, the engines were stopped once or twice only in each week; and in December, one or two of the engines had to work on Sundays. Throughout the year, no more than two engines were employed in pumping at the same time; and it is supposed, from the sudden large increase in the quantity of water registered by the counters as having been pumped in between the 28th November and the 5th December, that one of the pumps was not doing its proper work during that time.

The quantity of water pumped into Sydney and its suburbs, from Botany, during the year, was (according to the register kept at the engine-house) twelve hundred and twenty-two millions, five hundred and forty thousand, two hundred and seventy-two (1,222,540,272) gallons, being about 267 millions more than was recorded for the year 1867.

It may be advisable to state that the quantity of rain which fell in the neighbourhood of Sydney, during the year (as registered at the Sydney Observatory), was 43.64 inches, of which quantity 19.82 inches fell in the months of January and February. The average of the rainfall of the previous ten years was 49.97 inches.

The arrangement of shutting off the supply from the reservoirs during the night-time was not resorted to during the year. The operation of dams Nos. 4, 5, and 6, and the upper mill-pond, which was deepened and completed this year, has, by retaining on the swamp the water which would otherwise have run into the sea, so supplemented the Lachlan stream as to render it unnecessary to limit the supply to the day-time. These dams have done good service during the year, and are in excellent order; and preparations are now being made for the construction of additional dams at the upper part of the stream.

During the heavy rains in the month of February, serious damage was done to the unfinished dams Nos. 1, 2 and 3, in consequence, as it was afterwards discovered, of the sluices having been kept closed instead of open. Preparations are now being made for their repair.

Contracts for the supply of 3, 4, 6, 9 and 12-inch pipes from England,—for the repair of boilers Nos. 4 and 5,—and for the supply of coals, castings, stores, &c.,—have been satisfactorily carried out.

The quantities of new mains laid during the year are detailed in Appendix A. It will be seen that the aggregate length is seven and three-quarter miles, about two and three-quarter miles of which have been laid in the suburbs.

The total length of mains laid down since the year 1858 amounts to upwards of seventy-two miles—forty-nine and a half miles in the city, and twelve and a half miles in the suburbs.

#### SEWERAGE.

The main sewers in the city, constructed under the Sewerage Act, have been in excellent condition throughout the year.

New sewers have been constructed in the undermentioned localities, viz. :—

*Woolloomooloo*.—About 1,540 feet lineal of 6-feet oviform, from William-street, along Sir John Young Road, to Palmer-street.

*New Market-lane*.—A 6-feet oviform from Elizabeth-street to Goulburn-street, a distance of 450 feet lineal.

*Buckingham-street*.—A 3-feet oviform to Little Buckingham-street, about 115 feet lineal.

*Prince Alfred Park*.—About 110 feet lineal of 3-feet oviform.

In the *Valley* from *Brisbane-street* to *Riley-street*.—About 670 feet of 4-feet 6-inch oviform, and 353 feet of 3-feet oviform.

Stoneware pipe drains, of the sizes and lengths described, have been laid in the localities enumerated in Schedule B.

House connections have been made during the year to the number of 625; the total number of branch drains to the main sewers at the end of 1868 being 2,737.

#### FINANCIAL.

Abstracts of the Receipts and Expenditure, in connection with the Water and Sewerage Works for the year, duly certified by the City Auditors, is appended hereto.

CHAS. MOORE,  
Mayor.

Adopted by the Municipal Council of Sydney, this ninth day of March, A.D. 1869.

CHAS. H. WOOLCOTT,  
Town Clerk.

## SEWERAGE AND WATER SUPPLY.

3

## APPENDIX A.

RETURN of the Water Mains laid in 1868.

	PIPES.	YARDS.
<b>3-INCH PIPES.</b>		
Turner-street .....	57	176
Napoleon-street .....	3	9
Bland-street .....	69	212
Downshire-street .....	40	123
Leichhardt-street .....	162	492
Baptist-street .....	70	213
Castlereagh-lane .....	23	80
Hay-street .....	38	116
Moore's Road .....	110	330
Essex-street .....	49	150
Berwick-lane .....	30	91
Crescent-street .....	20	61
Queen-street .....	69	209
Tighe's-lane .....	40	123
Owen-street .....	69	210
Albion-street .....	34	105
Randle-street .....	40	122
Wilson-street .....	40	122
Crown-lane .....	56	172
Mary-street .....	45	138
		3,254
<b>4-INCH PIPES.</b>		
South Head Road to Prince-street .....	8	26
Dowling-street .....	12	36
Domain-terrace .....	56	171
Foster-street .....	54	162
Ross-street .....	96	293
Lodge-street .....	71	215
Hereford-street .....	257	782
Argyle-place and Lower Fort-street .....	200	610
Catharine-street .....	94	286
Forest-street .....	50	153
O'Connell-street .....	74	226
Forbes-street .....	80	245
Bourke-street North .....	95	290
Derwent-street .....	70	214
Botany Road .....	50	152
Gordon-street .....	31	96
Barcom Road .....	169	514
Burnell-lane .....	49	152
Ann-street .....	25	81
Argyle-street .....	50	155
Maze-street .....	40	124
Thomas-street .....	35	109
Mews-street .....	47	143
Newtown Road .....	150	457
Belvoir and Pembroke Streets .....	30	94
Arthur-street .....	17	53
Green's-lane .....	32	99
Wells-street .....	53	162
Woodburn-street .....	32	98
Yarnold-street .....	32	98
		6,736
<b>6-INCH PIPES.</b>		
St. John's Road .....	235	716
Hunter-street .....	35	105
Sussex-street .....	100	308
Botany Road .....	71	217
Macquarie-place .....	95	290
		1,636
<b>9-INCH PIPES.</b>		
South Head Road .....	670	2,013
Pitt-street .....	2	6
		2,019
<b>20-INCH PIPES.</b>		
Hyde Park .....	23	60



## APPENDIX B.

LENGTH of Stoneware Pipes laid throughout the City, during the Year 1868.

	YARDS.
<b>18-INCH.</b>	
Pitt-street .....	428
Dowling-street .....	71
Kent-street .....	12
Buckingham-street .....	11
Druitt-street .....	189
<b>16-INCH.</b>	
Pitt-street .....	229
Liverpool-street .....	23
Taylor-street .....	162
Botany-street .....	11
George-street .....	99
Macleay-street .....	136
Rushcutt's Bay Road .....	281
South Head Road .....	125
Crown-street .....	148
Short and Botany Streets .....	128
Elizabeth-street .....	218
Roslyn Road .....	95
Boucher's and Slater's Lanes .....	45
Wynyard and George Streets .....	55
Kent-street .....	229
Riley-street .....	75
Sussex-street .....	285
Palmer and Stanley Streets .....	25
Liverpool-street .....	20
Dixon-street .....	78
Barnett's-lane .....	247
Margaret-place .....	137
Elizabeth Bay Road .....	62
Wallis-lane .....	93
Druitt-street .....	133
<b>12-INCH.</b>	
John-street .....	68
Arbitration-street .....	68
Castlereagh-street .....	130
Market-street .....	9
Crown-lane .....	107
Darlinghurst Road .....	37
Taylor-street and Maiden-lane .....	151
Botany-street .....	10
Tait's-lane .....	101
Upper William-street .....	66
Macquarie-street .....	16
Brougham-street and Darlinghurst Road .....	365
Haigh and Mary Ann Lanes .....	282
King-street .....	59
Brisbane and Crown Streets .....	150
Boucher's and Slater's Lanes .....	103
Wynyard and George Streets .....	90
Elizabeth and Goulburn Streets .....	73
Castlereagh-lane .....	49
Wemyss-street .....	3
Liverpool-street .....	59
Alfred-street .....	114
Windmill-street .....	62
Fort-street .....	129
Bourke-street .....	9
Forbes-street, Lane off .....	22
Kent-street .....	83
Sussex-street .....	390
Sussex-lane .....	39
James and Sussex Streets .....	37
Palmer and Stanley Streets .....	8
Valentine's-lane .....	57
John-street .....	38
Clarence-street .....	154
Thomson's-lane .....	9
Bourke-lane .....	35
Abercrombie-lane .....	4
Foxlow-street .....	67
Barnett's-lane .....	93
York-street .....	62
Margaret-place .....	186
Elizabeth Bay Road .....	69

## SEWERAGE AND WATER SUPPLY.

5

## APPENDIX B—continued.

	YARDS.
12-INCH—continued.	
Buckingham-street .....	13
Liverpool-street and Thomson's-lane .....	33
Clarence-lane .....	110
Foxlow-place .....	55
Bourke-lane .....	67
Thomson's-lane .....	143
Athlone-place.....	254
9-INCH.	
Wattle-street .....	4
Market-row .....	10
Barnett's-lane .....	5
St. Barnabas-lane .....	51

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Water Fund, for the Half-year ending 30 June, 1868.

RECEIPTS.				DISBURSEMENTS.						
	£	s.	d.	£	s.	d.		£	s.	d.
From—							For—			
Water laid on to houses in the city, &c. ....	12,131	1	6				Laying pipes, and general city works .....	10,464	6	10
Interest and premium .....	623	11	10				Fuel, machinery, &c., Botany Works .....	7,555	3	2
Miscellaneous receipts.....	118	2	4				Salaries of officers .....	1,309	5	10
				12,872	15	8	Office expenses .....	425	9	11
Balances due 30 June, 1868—							Interest expenses .....	12,194	11	10
To							Incidental expenses .....	98	10	10
The Colonial Government	213,337	19	3				Fees to Auditors .....	25	0	0
Debentures .....	95,000	0	0	308,337	19	3				32,072 8 5
							Balances due 1 Jan., 1868—			
By							To			
The Joint Stock Bank, 1 January, 1868 .....				2,438	12	6	The Colonial Government	213,337	19	3
							Debentures .....	70,700	0	0
										284,037 19 3
							By			
							The Joint Stock Bank, 30 June, 1868.....			7,538 19 9
				£ 323,649	7	5				£ 323,649 7 5

The above is a correct copy of the Water Fund Account, as shown in the Books of the Municipal Council, audited by us.

JOSEPH CARROLL, }  
CHAS. M. DEANE. } City Auditors.

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Sewerage Fund, for the Half-year ending 30 June, 1868.

RECEIPTS.				DISBURSEMENTS.									
From—	£	s.	d.	£	s.	d.	For—	£	s.	d.	£	s.	d.
Sewerage rate .....	1,228	6	7				Wages, pipes, and exca- vating .....	6,379	18	7			
Sewerage connections .....	14	3	6				Interest expenses .....	11,911	17	11			
Interest and premium.....	804	14	11				Salaries of officers.....	442	4	4			
				2,047	5	0					18,734	0	10
Balances due 30 June, 1868—							Balances due 1 Jan., 1868—						
The Colonial Government	200,000	0	0				The Colonial Government..	200,000	0	0			
Debentures outstanding ...	78,600	0	0				Debentures .....	46,600	0	0			
Joint Stock Bank.....	1,621	2	6				Joint Stock Bank.....	16,934	6	8			
				280,221	2	6					263,534	6	8
				£ 282,268	7	6					£ 282,268	7	6

The above is a correct copy of the Sewerage Fund Account, as shewn in the books of the Municipal Council, audited by us.

JOSEPH CARROLL, }  
CHAS. M. DEANE, } City Auditors.

## SEWERAGE AND WATER SUPPLY.

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Water Fund, for the Half-year ending the 31st December, 1868.

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.		£	s. d.
From—			For—		
Water laid on to houses in the city, &c. ....	16,610	1 5	Laying pipes, and general city works .....	3,774	8 5
Interest .....	76	5 3	Fuel, machinery, &c., Botany Works .....	3,458	12 2
Miscellaneous receipts ...	131	7 5	Salaries of officers .....	1,312	1 8
			Office expenses .....	313	3 9
			Interest expenses .....	2,850	0 0
			Fees to Auditors .....	25	0 0
Balances due 31 Dec., 1868.					
To the Colonial Government .....	213,337	19 3	Balances due 1 July, 1868—		
Debentures .....	88,900	0 0	To the Colonial Government .....	213,337	19 3
			Debentures .....	95,000	0 0
By Joint Stock Bank, 1 July, 1868 .....		7,538 19 9	By the Joint Stock Bank, 31 Dec., 1868 ...		6,523 7 10
	£	326,594 13 1		£	326,594 13 1

The above is a correct copy of the Water Fund Account, as shown in the Corporation Books audited by us.

ALEXANDER SIM, }  
JNO. B. MAGNEY, } City Auditors.

STATEMENT of the Receipts and Disbursements of the Municipal Council of the City of Sydney, on account of the Sewerage Fund, for the Half-year ending 31 December, 1868.

RECEIPTS.			DISBURSEMENTS.		
	£	s. d.		£	s. d.
From—			For—		
Sewerage rate .....	3,579	5 4	Wages, pipes, & excavating .....	7,535	4 4
Sewerage connections .....	22	14 9	Salaries of officers .....	443	6 8
			Interest expenses .....	2,684	18 0
			Compensation for land for sewerage .....	95	0 0
Balances due 31 Dec., 1868—					
The Colonial Government .....	200,000	0 0	Balance due 1st July, 1868—		
Debentures .....	76,600	0 0	The Colonial Government .....	200,000	0 0
Joint Stock Bank .....	10,777	11 5	Debentures .....	76,600	0 0
			Joint Stock Bank .....	1,621	2 6
	£	290,979 11 6		£	290,979 11 6

The above is a correct copy of the Sewerage Fund Account, as shown in the Corporation Books audited by us.

ALEXANDER SIM, }  
JNO. B. MAGNEY, } City Auditors.

1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## SYDNEY INFIRMARY BUILDINGS.

(CORRESPONDENCE RESPECTING APPLICATION FOR GRANT OF SITE OF.)

*Ordered by the Legislative Assembly to be Printed, 13 October, 1868.*

THE UNDER SECRETARY TO THE DEPUTATION FROM THE SYDNEY INFIRMARY.

Colonial Secretary's Office,  
Sydney, 22 September, 1868.

GENTLEMEN,

With reference to the interview which you recently had with the Colonial Secretary, in regard to the Infirmary buildings, I am directed by the Attorney General to inform you that the Government have had under their consideration the application made on behalf of the Committee of the Sydney Infirmary for a grant of the land in Macquarie-street on which the Infirmary buildings stand. Previously to 1848 the Committee of the Infirmary occupied, with the permission of the Government, the building now used as a Branch of the Royal Mint. In September in that year, that building being required for Military purposes, the Committee gave it up to the Government, and were then let into possession of the adjacent building, which down to that time had been used as a Convict Hospital. The Committee have continued to occupy that Hospital as an Infirmary to the present time.

2. The Government, in 1847, intimated to the Committee their willingness (if the Home Government approved) to grant to them the buildings then used as an Infirmary, with half the ground between those buildings and the Domain; and on the Committee taking possession of the present buildings, the Government in like manner expressed their willingness to grant to them the land on which these last-mentioned buildings are erected. Since that time, no further correspondence has taken place between the Committee and the Government in reference to this matter.

3. From 1848 to the present time the Infirmary has been supported chiefly by funds voted by the Legislature; the amount of such votes in the twenty years, independently of many thousands of pounds voted for building purposes, being £66,832—the private voluntary contributions not exceeding, it is believed, £24,000.

4. Under these circumstances, I am instructed to state that the Government cannot regard the Infirmary otherwise than as a public institution, partially aided by private contributions, and they therefore do not think that they would be justified in complying with the request which has been made. They are of opinion that the Committee have no just claim upon the Government for the grant which they ask for, and further, that the public interests will be best promoted by retaining the land in question in the hands and under the control of the Government as public property.

5. In making this communication, I am desired to add that the Government have no intention to propose any change in the management of the institution, which, so far as they are concerned, will be carried on as heretofore.

I have, &amp;c.,

W. GOODMAN.  
(For the Under Secretary.)

THE PRESIDENT OF THE SYDNEY INFIRMARY to THE HONORABLE THE ATTORNEY GENERAL.

Sydney Infirmary and Dispensary,  
1 October, 1868.

SIR,

I have the honor to acknowledge the receipt of Mr. Goodman's letter of 22nd ult., written by your direction, on the subject of the grant claimed by the Board of the Sydney Infirmary of the land and premises in its present occupation, informing them "that they have no just claims upon the Government for the grant which they ask for, and that the Infirmary cannot be regarded by it otherwise than as a public institution."

On receipt of this letter, I lost no time in summoning a special meeting of the Board of Directors of the Infirmary, to consider the very important questions which it has raised on the points referred to; and I am requested by them to bring under your notice a succinct narrative of the circumstances under which the buildings and land now occupied by the Sydney Infirmary, and of which *undisputed and undisturbed possession* has been held during the last twenty years, were delivered over to their predecessors—the Board feeling assured, from the terms of the letter under reply, that many of the particulars connected therewith must have escaped the notice of the Government when they arrived at the conclusions above referred to.

As early as the year 1839, application was made by the Committee of the Sydney Dispensary for a grant of the South Wing of the General Hospital, for the purposes of the Dispensary; and on the 23rd April, 1843, formal delivery of the building was given to the Committee, who, in their Report for 1845, observe—"A long correspondence for a suitable site has terminated, through the kind support of His Excellency, in the grant, by the Home Government, of the South Wing of the Hospital."

On the 2nd February, 1847, on application being made to the Government for funds for effecting some necessary repairs to these premises, the Colonial Secretary wrote to the Rev. J. M'Garvie, the Secretary of the Sydney Infirmary and Dispensary, refusing such application, but adding—

"The Governor has, however, been pleased to sanction the issue of an absolute grant for the extent of land proposed by Sir George Gipps, namely, the boundary line being drawn midway between the rear of the building and the wall of the Domain; subject, however, to a question which has arisen as to the propriety of reserving a portion of the ground around the Infirmary, for the purpose of securing free admission to the buildings of Hyde Park.

"After this preliminary has been arranged, and the land measured, the deeds of grant will issue, under the Act of Council 7 Victoria, No. 23."

On the same day (2nd February, 1847), a Board Meeting was held for consideration of this letter, and a Sub-committee was appointed "to prepare a Memorial to His Excellency Sir Charles A. Fitz Roy, regarding the ground at the back of the Infirmary."

In that Memorial (a copy whereof is annexed), the Board aver that they understood, from the correspondence with the Home and Colonial Governments on this subject, that the grant solicited by them included the whole of the premises and grounds attached to the South Wing of the General Hospital; and that the usefulness, as well as the healthfulness, of the place, would be greatly impaired by the suggested curtailment, &c., &c.

To this Memorial an answer was received from the Colonial Secretary, on the 30th July, 1847, couched in the following language:—

"Having submitted this Memorial for the consideration of the Governor, I am directed to inform you that His Excellency thinks that sufficient reasons have been given by the Directors for the extension of the grant to the boundary of the Domain; the deeds will therefore be prepared, to include the whole of the ground attached to the buildings of the Infirmary, with the exception of a small space of 26 feet 7 inches in a line with the north wall of Hyde Park Barracks, to be reserved for the purpose of ensuring the free circulation of air, and access to the latter establishment."

It will be seen, from this correspondence, that a distinct promise (without reservation of any kind) was made by the Government, of an absolute grant of the South Wing of the General Hospital, being the premises now occupied by the Mint.

On the 3rd August, 1847, the Board of Directors passed the following Minute on the subject, viz.:—

"That the thanks of the Directors be tendered to His Excellency Sir Charles A. Fitz Roy, Patron of the Infirmary, for his kind and liberal compliance with the request of the Directors, by granting the land applied for in the Memorial, and for his humane consideration for the best interests of diseased destitute poor persons in Sydney and neighbourhood, for whose benefit this grant is made; and that the Secretary be requested to communicate the same to His Excellency, through the Honorable the Colonial Secretary."

Early in the year 1848, the Government became desirous of breaking up the Convict Hospital in Sydney, established in the buildings *at present* in the occupation of the *Sydney Infirmary*; and a letter was accordingly written by the Colonial Secretary, under date 17th February, 1848, to the Board of the Sydney Infirmary, requesting to be informed whether that institution could accommodate twenty-five patients of the class of free paupers then under treatment in the Convict Hospital, at the expense of the Colonial Government; and further, whether the Board would be prepared to make some permanent arrangement for the future treatment of patients of the above class, and upon what terms.

To

To this letter a reply was sent by the Secretary of the Sydney Infirmary, on the 24th February, 1848, stating that the Board regretted that, solely from want of room in the house, it was not in their power to receive twenty-five additional patients; and he enclosed resolutions upon the subject, the 3rd of which set forth—

"That in the event of the Convict Hospital being made over to the Sydney Infirmary and Dispensary, the Directors were prepared to receive free paupers, upon certain conditions; these being that the rate should vary from time to time, but should not exceed the actual expense incurred by the patient while in the house."

To this letter the Colonial Secretary replied, on the 13th March, 1848, approving of the terms upon which pauper patients were to be received, and stating "that His Excellency approves of the Convict Hospital being, subject to the approval of the Secretary of State, placed at your disposal as a Dispensary and Infirmary, on the wing of the Hospital buildings at present in your possession being given up."

On the 1st July, 1848, the Secretary of the Sydney Infirmary wrote to the Colonial Secretary, asking him when possession of the whole or any portion of the Convict Hospital could be obtained for the use of the Infirmary and Dispensary, and under what conditions His Excellency would be enabled to make a permanent grant of the same.

To this letter the Colonial Secretary replied, on the 19th July, 1848, that possession of the Convict Hospital could be given when it should be no longer required by the Medical Department; but that, as the arrangement must be subject to the approval of the Home Government, a permanent grant could not at present be promised by His Excellency, and that it must be understood that pauper patients and convicts were, as previously stipulated, to be treated in the Infirmary.

On the 18th August, 1848, the Board of Directors of the Sydney Infirmary accepted the conditional surrender of the Hospital, upon the understanding that "in the event of the grant of the Hospital and premises not being confirmed by Her Majesty's Home Government, the Directors will be at liberty to re-enter into possession of the premises they now occupy"; and on the 6th September, 1848, the Colonial Secretary, *repeating the above words*, writes—"and in reply, I am directed to inform you that His Excellency has approved of the transfer being made, on the understanding mentioned."

Accordingly, on the 13th September, 1848, the Infirmary entered into possession of the premises it now occupies, for the twofold consideration of giving up the premises, of which it had the promise of an absolute grant, and of undertaking to maintain pauper patients upon certain conditions, and *upon the distinct understanding* that, in the event of the grant of the Hospital and premises not being confirmed by the Home Government, the Directors had a right of re-entry into the South Wing of the Hospital, being the premises now occupied by the Mint.

No notice has ever been received by the Directors of the non-confirmation by the Home Government of this grant, while, by the Constitution Act, and by the Act of the Imperial Parliament 18 & 19 Vict., cap. 55, the power to fulfil the promises made by the Government of 1848 became vested, in 1855, in the Colonial Government.

Since 1848, the right of the Infirmary to the land and premises it now occupies has never been called in question; on the contrary, it has been admitted in correspondence with the Government, who being desirous, in March, 1855, of removing a boundary wall between the Mint and the Infirmary, and of giving some small portion of land to the Mint, wrote as follows:—"You will have the goodness to inform me whether the Trustees of the Infirmary are willing to appropriate the ground which is necessary for this arrangement, and have any objection to the removal of the wall, and the erection of another as proposed"; and, if any link were wanting to show the absolute right of the Infirmary to a grant of the land which it now occupies, it will be found in the fact that the local Government, in 1855, made over to the Sydney Branch of the Royal Mint the land which it now occupies, and to which, if the present decision of the Government be tenable, the Board of the Infirmary have an undoubted right, under the absolute promise made to them by order of Sir Charles Fitz Roy, as communicated in the letters of the Colonial Secretary of 2nd February and 30th July, 1847, such right having been preserved to them by the letter of the Colonial Secretary, dated 6th September, 1848, previously quoted.

In support of the decision of the Government, you further state that, from 1848 to the present time, the Infirmary has been supported *chiefly* by funds voted by the Legislature—the amounts of such votes in twenty years being £66,832, the private voluntary contributions not exceeding, it is believed, £24,000.

A careful examination of the accounts for that period shows that the Government have left entirely out of sight the arrangement entered into, and stipulated for, in the correspondence of March and September, 1848, previously alluded to, and which made it incumbent upon the Infirmary Authorities to receive pauper patients, upon condition of being reimbursed by the Government the actual cost of the maintenance of such patients.

It can be shown, indisputably, that for the twenty years I have alluded to, the Government have sent to the Infirmary, pauper patients, the cost of whose maintenance has amounted to £47,885 17s. 10d., and that, while the receipts from private sources have amounted to £45,167 10s. 7d., the total annual grants voted by Parliament in augmentation of private contributions, and in actual support of the Infirmary, do not exceed the sum of £21,950 9s. 8d., for the twenty years referred to. The latter amount is exclusive of grants for building purposes *availed of*, during the same period, to the extent of £8,432.

The

The additional accommodation which was then provided, was chiefly rendered necessary by the increased number of pauper patients admitted by order of the Government (under the stipulations made with the Authorities of the Infirmary when the present premises were handed over to them), and which freed the Government of the day from the cost of maintaining a separate hospital for their treatment. In other words, the subscriptions of private individuals and other receipts have amounted to £45,167 10s. 7d., instead of £24,000, and the votes of the Legislature in aid of such contributions to £21,950 9s. 8d., instead of £66,832, as alleged.

These votes had their origin in 1837, when it was thought desirable to supplement the subscription of private individuals to this and kindred institutions, by voting from the public purse a sum equal to such subscriptions. This rule, however, was frequently departed from, as will be evident from the Government aid to this institution having, during the twenty years referred to, not quite amounted to one-half of the contributions from private sources. I desire, however, not to be misunderstood on this point. The Directors of the Institution have been ever ready to acknowledge the munificence of the Government and the Legislature in appropriating these sums in aid of the private subscriptions at the disposal of the Board, and have regarded with the greatest satisfaction and thankfulness this wise liberality of the Parliament, as offering at once an acknowledgment of and a stimulant to the more liberal support of the general subscribers, who have devoted such large sums to the relief of the sick and needy.

I have been induced to quote the above figures, to show that the Government have fallen into an error which completely alters the complexion and the nature of the aid afforded by the Legislature, and which has doubtless influenced them in arriving at the conclusion set out in the fourth paragraph of your letter, viz.—“that the Government cannot regard the Infirmary otherwise than as a public institution partially aided by private contributions.”

In reference to this subject, I desire to state that the Sydney Dispensary was established in 1826 entirely by private charity; that it received no aid whatever from the public funds up to the year 1837; that in the year 1839 it was considered by the late Sir George Gipps in the light of a private charity, as appears from the annexed extract of his letter, written on his acceptance of the office of Patron; that in the year 1843, the Legislature of the Colony, in passing the Act 7 Vict., No. 23, “to enable the Members of a certain Institution in the Colony of New South Wales denominated the Sydney Dispensary to sue and be sued &c.” confirmed this character; that the annual election of the office-bearers by the subscribers, and the undisputed control of the management by such office-bearers, retains to it a character which the Directors would be neither willing nor justified in ceding. They consider that, whatever fault there may have been in their management of the institution, it nevertheless has been such as to have proved eminently useful to thousands of their poor and needy fellow-colonists; and they feel that, in justice to those who originated this charity, and to those who have for years contributed so largely and so liberally to its support, they are bound to uphold the character of the institution as one entirely founded and mainly supported by private charity.

Entertaining these views, it appears unnecessary for me to make any reference to the concluding paragraph of your letter, in which you intimate that the Government have no intention to propose any change in the management of the institution, which, so far as they are concerned, will be carried on as heretofore.

Under the circumstances detailed in this letter, the Board venture to hope that, on reconsideration of the subject, the Government will see no objection to an immediate issue of the grant of the land and buildings now in the occupation of the Sydney Infirmary.

I have, &c.,

E. DEAS THOMSON,

President of the Sydney Infirmary and Dispensary.

P.S.—It seems scarcely necessary to add, that the large amount voted and expended for the treatment of pauper patients admitted into the Infirmary by order of the Government, cannot be regarded in the light of a subsidy or endowment chargeable against the institution. On the contrary, it is in reimbursement of a service rendered by it to the Government and the public, and it is believed, quite as efficiently as it could be provided for in any public establishment, and at a much cheaper rate.

The patients treated in the Infirmary, moreover, enjoy the benefit, *free of any charge*, of the highest medical and surgical skill afforded by its honorary staff of physicians and surgeons.—E.D.T.

[Enclosure No. 1.]

To His Excellency Sir Charles A. Fitz Roy, Knight, Governor, &c., &c., &c.

The Memorial of the Board of Directors of the Sydney Infirmary and Dispensary,—

Showeth :—

That Memorialists beg to address your Excellency in reference to the issue of an absolute grant for the extent of land between Macquarie-street and the wall of the Domain, which they consider indispensable for the benefit of that institution.

That Memorialists, in their correspondence with the Home and Colonial Governments on this subject, understood that the grant solicited by them included the whole of the premises and grounds attached to the south wing of the General Hospital; nor do they observe that any reservation of any portion of the back premises is made by the Right Honorable the Secretary of State or the Lords of the Treasury.

That



That Memorialists would observe that if such reservation is made, and a line of building towards the Domain erected, whose back premises may abut on the Infirmary grounds, the usefulness, as well as the healthfulness, of the place will be greatly impaired, as the remaining space would not leave room for exercise to the convalescent patients, or for airing or drying clothing and bedding.

That Memorialists are apprehensive that the establishment would fail of success by a diminution of that public support which has attended the united institutions of the Sydney Infirmary and Dispensary; and that, probably, the maintenance of the afflicted poor would again fall upon the Government.

Memorialists would further observe that their wards are generally full, 63 patients being now in the house; that they intend to build an operating room, with an apartment for a surgical and medical museum; and also to extend the infirmary to meet the wants of the town population, to classify the inmates, particularly syphilitic, deranged, and female patients.

That Memorialists have always had it in view to make these united institutions the nucleus of a Medical School for educating young persons in the Colony to the Medical Profession, but should this reservation be made, they fear this purpose must be abandoned.

Your Memorialists would therefore pray, that your Excellency would include in the contemplated grant, the whole of the ground at present attached to the building occupied by the Sydney Infirmary.

[Enclosure No. 2.]

EXTRACT of a letter from His Excellency Sir George Gipps to the Board of Directors of the Sydney Dispensary.

Few things are of more importance to a young community than an early attention to institutions of benevolence, and to the principles on which they ought to be conducted. As a general rule, nothing can, I believe, be laid down more safely, than that they are best managed by Committees elected by the subscribers out of their own body; a rule which I am happy to find you have adopted, and which certainly is well justified by the rapid progress which your successive Annual Reports prove your institution to be making.

Expensive endowments, whether given by the State, or derived from the munificence of individuals, are rarely managed with economy; and an indifference to waste is but too prevalent, even where the entire funds, for any purpose whatsoever, are annually supplied from the public purse. In an economical point of view even, it is therefore desirable that the support and management of such institutions should principally devolve on the inhabitants of the districts for whose benefit they are intended; but how much more so is it, when we regard them in a higher point of view, or in relation to their influence on the hearts and affections of men; for all, I think, will allow, that charity, when dispensed by the officers of Government, can never be of that doubly blessed nature, which, like mercy, blesteth him who gives no less than him who takes.

THE ATTORNEY GENERAL to THE PRESIDENT OF THE SYDNEY INFIRMARY.

Attorney General's Office,  
3 October, 1868.

SIR,

I have the honor to acknowledge the receipt of your letter of the 1st instant, and to state in reply, that I am unable to see any reason to justify the Government in arriving at a different conclusion from that which has been already communicated to the Committee of the Infirmary, in reference to the application for a grant of the Infirmary buildings in Macquarie-street.

The Government were aware, when they sent that communication, of the promise which a former Government had made to the Committee of such a grant as that now asked for; but notwithstanding such promise, they could not then, and they do not now, recognize the propriety of issuing it. They regard the promise, not only of the grant now claimed, but also the previous promise of the grant of the building used as a Branch of the Royal Mint, as having been made improvidently and without any consideration. The subscribers to the "Sydney Dispensary" never, so far as the Government are aware, either raised, or bound themselves to raise, any fund which could be made available for the purpose of enforcing the performance of the condition in reference to free paupers, on which the second grant was promised; nor had the Government any tangible guarantee, when the first grant was promised, that the Infirmary would continue to be kept up. From the commencement of the institution its members have been merely voluntary subscribers, who might at any moment withdraw their support.

A "Society" such as this, without permanent funds, without fixed members, without any provision for compulsory contributions, dependent altogether, except as to a few legacies and donations, upon casual subscriptions, and such aid as Parliament might from time to time grant,—liable at any moment to be extinguished for want of funds,—is not, in the opinion of the present Government, a Society of such a character as to make it right or expedient that a valuable public building should be granted to it in the manner contemplated. Neither can the Government see that a promise to a Society, which itself is either under no obligation, or not in a position to guarantee the performance of any obligation, is in any way binding, or can be regarded as anything but *nudum pactum*. The power conceded to the Society to use the buildings in question for the purposes for which they were handed over, so long as they have funds at their disposal, is one thing—the grant in fee of these buildings to the Society is another. With the use of the buildings for the purposes of an Infirmary the Government have no desire or intention to interfere, but they do object to granting them in perpetuity to a body which may at any time cease to be able, from want of means, to afford the "medical and surgical relief to poor and destitute persons" for which they were organized, and for which the buildings were entrusted to them. It is the interest of the public that the Infirmary should be kept up, but it is also the interest of the public that the land on which the buildings stand should remain public property.



It seems to the Government, that you are altogether in error in your estimate of the amount of aid afforded by Parliament to the Infirmary. The sum stated in the communication to which your letter is a reply was taken from the Appropriation Acts for the years referred to. There is no reason for drawing any distinction between the sums voted as contributions and those voted for the maintenance of pauper patients. In either case, the money was contributed for the maintenance and treatment of the persons for whom the Infirmary was kept up. In the preamble of the Act to which you have referred, the object of the Society is stated to be "to afford medical and surgical relief to poor and destitute persons," and there can be no doubt that pauper patients are included under these designations. Moreover, it was stipulated, when the buildings were handed over, that pauper patients should be received in it. Such being the uses to which, in the contemplation of the Society, the Government, and the Legislature, these buildings were to be and have been all along applied, it cannot be contended that the funds granted in aid of pauper patients are not granted in aid of the institution. The institution affords relief to a variety of patients, some of whom are paupers, some of whom are not, but all whom are regularly there; and the cost of their maintenance and treatment amounts to a total sum, the greater part of which has, in each year for the last twenty years, been provided by the Legislature. Without this aid, the Infirmary would not be able to provide for more than a third of the patients now under its care, and the buildings would be too large for its requirements.

The Government are still of opinion that the Infirmary, although in its inception and its management a private, is in substance a public institution; but not a public institution such as that they can interfere with it in the same manner as with a public department. The medical treatment of "poor and destitute persons" was originally undertaken by those who thought fit to subscribe to the Infirmary; but in order that a greater number of persons might be relieved than private subscriptions would allow, the Government were asked to give the use of a costly building, and the Legislature to afford a large annual vote. The Government and the Legislature, by complying with these requests, have become, and for twenty years have been, the chief maintainers of the institution; and consequently, the Infirmary, whatever its origin and management, cannot be regarded otherwise than as a public institution, and one in the maintenance of which the Government and Parliament are at all times likely to take the deepest interest.

The gentlemen who founded this excellent institution, those who manage it, and those who have for so many years given to it their time, thought, money, and professional skill, are well entitled to the gratitude of the public. The assistance which has heretofore been given, the Government are willing, so far as they are concerned, to continue. The buildings which the Committee occupy they have no intention of withdrawing from them, but the grant of the land on which those buildings are erected they feel themselves compelled to refuse.

I have, &c.,  
JAMES MARTIN.

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

SYDNEY INFIRMARY BUILDINGS.

(FURTHER CORRESPONDENCE RESPECTING APPLICATION FOR GRANT OF SITE OF.)

*Ordered by the Legislative Assembly to be Printed, 19 January, 1869.*

THE PRESIDENT OF THE SYDNEY INFIRMARY to THE HON. THE ATTORNEY GENERAL.

Sydney Infirmary,  
19 October, 1868.

SIR,

I have the honor to acknowledge the receipt of your letter of the 3rd instant, stating that you are "unable to see any reason to justify the Government in arriving at any other conclusion from that which has already been communicated to the Committee in reference to the application for a grant of the Infirmary Buildings in Macquarie Street."

Having submitted your letter to the Board of Directors of the Infirmary, I have the honor to transmit to you a copy of the Minutes of proceedings, unanimously adopted this day by the Board, protesting against the decision of the Government in refusing to issue a Deed of Grant for the land now occupied by the Sydney Infirmary, and stating the reasons which have induced the Board to make this protest.

I have, &c.,  
E. DEAS THOMSON,  
President of the Sydney Infirmary.

THE President laid before the Board a letter from the Honorable the Attorney General, bearing date the 3rd October, 1868, and stating that he "is unable to see any reason to justify the Government in arriving at any other conclusion from that which has already been communicated to the Committee in reference to the application for a grant of the Infirmary Buildings in Macquarie-street."

The Board having maturely considered this decision and the grounds upon which it is based, deem it their duty, in the interests of the important and valuable institution which they represent, to make the following observations.

The Attorney General states that "the Government were aware, when they sent that communication, of a promise which a former Government had made to the Committee of such a grant as that now asked for; but, notwithstanding such promise, they could not then, and they do not now recognize the propriety of issuing it. They regard not only the promise of the grant now claimed, but also of the previous promise of the building used as a Branch of the Royal Mint, as having been made improvidently and without any consideration."

The Board feel constrained to observe that they have received this intimation of the decision of the Government with the utmost surprise. They conscientiously believe that no precedent can be found of any Government under the British Crown having refused to fulfil a solemn promise made for a lawful purpose under lawful authority, nor can they admit that the grounds of the refusal can be sustained by the plain facts of the case.

It cannot be said with truth that the promise was made improvidently and without consideration, when it can be shown that several thousand pauper patients, admitted by order of the Government, have been annually treated in the Infirmary, in conformity with the stipulation made with the Directors, when the grant was promised to them; and that upwards of £45,000 has, during the last twenty years, been raised by voluntary donations and subscriptions for the support of patients admitted by order of

the subscribers. The Attorney General proceeds to observe "that the subscribers to the Sydney Dispensary never, so far as Government are aware, either raised, or bound themselves to raise, any fund which could be made available for the purpose of enforcing performance of the conditions in reference to free paupers on which the second grant was promised; nor had the Government any tangible guarantee, when the first grant was promised, that the Infirmary would continue to be kept up. From the commencement of the Institution, its members have been merely voluntary subscribers, who might, at any moment withdraw their support."

In answer to these objections, the Board deem it sufficient to observe that, during the twenty years which have elapsed since the promise was made, no less a sum than £45,167 10s. 7d. has been raised by voluntary donations and contributions, and that there can be no reason to doubt that an Institution which has thus been nobly supported during so long a period will continue to receive, as heretofore, the like pecuniary aid from the public.

To urge such a reason as that advanced by the Government in refusing the grant, appears to the Board to be calculated to affect the interests, not only of this Institution, but of every other charity in the Colony, not one of which, it is believed, is supported otherwise than by voluntary donations and subscriptions, supplemented, in certain cases, it is admitted, by Parliamentary grants. It further appears to the Board that the very best guarantee which it could give to the Government for the performance of the condition in reference to free paupers has been its punctual and honorable fulfilment of it for a period of upwards of twenty years; and they are at a loss to conceive why the Government should raise a doubt as to their ability to continue to discharge the obligations under which they were promised the grant.

The Attorney General further states that "a Society such as this, without permanent funds, without fixed members, without any provision for compulsory contribution, dependent altogether (except as to a few legacies and donations) upon casual subscriptions, and such as Parliament might from time to time grant, liable at any moment to be extinguished for want of funds, is not, in the opinion of the present Government, a society of such a character as to make it right or expedient that a valuable public building should be granted to it in the manner contemplated."

It appears to the Board that, in making these observations, the Government have entirely overlooked the fact that the Sydney Dispensary obtained a Legislative recognition and status under the provisions of the Act of the Government and Council 7th Victoria, No. 23—that by clauses of that statute the same were extended to the Society, at all times during its continuance, whether composed of the same or any other members—and that by clause 5 the provisions of the Act were made applicable to the Institution if it should establish a General Hospital for the reception and relief of sick patients. The Board assert, without fear of contradiction, that no such plea for refusing to issue a Deed of Grant to a charitable institution has ever before been urged in this or any other British Possession. On the contrary, it will be found, as far as this Colony is concerned, that the Benevolent Society and Society for the Relief of Destitute Children, which are supported by such subscriptions and Parliamentary grants, precisely in the same manner as the Sydney Infirmary, have each received valuable grants of land from the Crown, as well as large sums from the public funds, for the erection of buildings. The Board consider it peculiarly hard that the Institution which they represent, and which, perhaps more than any other, has for many long years rendered such valuable services to the Government, in the medical and surgical care and treatment of their pauper patients, should be singled out for the establishment of so objectionable and impolitic a precedent.

The Attorney General goes on to say—"Neither can the Government see that a promise to a Society which itself is either under no obligation or not in a position to guarantee the performance of any obligation, is in any way binding, or anything but a *nudum factum*."

The Board must be allowed respectfully to state that they cannot for a moment admit the justice or propriety of refusing to fulfil an engagement solemnly entered into upon such grounds as are here urged. On the contrary, as the Institution has faithfully performed the condition upon which the promise was made, it is no more than justice to require that the Government on their part, should at once recognize their claim.

The Attorney General further observes that "It seems to the Government that the President was in error in his estimate of the amount of aid afforded by Parliament to the Infirmary." The sum stated in the communication to which his letter is a reply was taken from the Appropriation Acts for the years referred to. "There is no reason," the Attorney General further observes, "for drawing any distinction between the sums voted as contributions and those voted for pauper patients. In either case the money was contributed for the maintenance and treatment of the persons for whom the Infirmary was kept up."

The Board do not admit that there was any error in the President's statement. The figures quoted by him were carefully abstracted from the accounts kept by the Infirmary. They shew the following result, namely, that while the private contributions towards the support of the Infirmary amounted in the last twenty years to £45,167 10s. 7d., the votes of the Legislature in aid of such contributions amounted only to £21,950 9s. 8d. It is not denied that the further sum of £47,885 17s. 10d. was voted by Parliament for the maintenance and treatment of pauper patients admitted into the Infirmary by order of the Government; but, as already stated in the President's letter of the 1st instant, this amount cannot with any show of justice be made chargeable against the Institution, but is simply as reimbursement of a service rendered in conformity with the stipulation made with the Board when the Deed of Grant was promised

promised. This service the Board confidently asserts has been performed quite as efficiently as it could have been provided for in any public establishment, and at a very much cheaper rate.

The Board consider that they are fully justified in asserting that the valuable services thus rendered to the Government and the public give a strength to their claim which cannot in justice be ignored.

The Board do not consider it necessary to make any reply to the other portions of the Attorney General's letter. They are in fact substantially answered in the foregoing observations.

The Board cannot conclude this Minute without most respectfully, but firmly, protesting against the refusal of the Government to fulfil the promise made to their predecessors in 1848, and upon the faith of which they have held undisputed and undisturbed possession for the last twenty years of the land on which the present Infirmary buildings stand.

---

THE ATTORNEY GENERAL to THE PRESIDENT OF THE SYDNEY INFIRMARY.

Attorney General's Office,  
20th October, 1868.

SIR,

I do myself the honor to acknowledge the receipt of your letter of yesterday's date. I have nothing to add to the reasons already given for the decision arrived at in reference to the grant asked for by the Committee of the Sydney Infirmary.

I have, &c.,

JAMES MARTIN.

---

Sydney: Thomas Richards, Government Printer.—1869.

[Price, 3d.]



1868.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

GOVERNMENT ASYLUMS.  
(RETURNS RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 13 October, 1868.*

RETURN of the Expenditure of the Government Asylums for the Infirm and Destitute, for the Year 1867.

Asylum.	Daily Average of Inmates.	Salaries.		Rations.		Clothing.		Contingencies.		Total.	
		Total.	Per head.	Total.	Per head.	Total.	Per head.	Total.	Per head.	Total.	Per head.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Sydney ... ..	152	587 2 8	3 17 3	985 10 9	6 9 8	315 12 9	2 1 6½	277 4 7	1 16 5½	2,165 10 9	14 4 11
Parramatta ... ..	210	641 15 1	8 1 1½	1,321 15 5	6 5 10½	670 7 1	3 3 10	371 3 1	1 15 4	3,005 0 8	14 6 1
Liverpool ... ..	427	837 9 9	1 19 2½	2,640 3 8	6 3 7½	1,140 6 6	2 13 4½	907 13 6	2 2 6	5,525 13 5	12 18 9½
Port Macquarie ... ..	142	531 18 4	3 14 11	1,014 9 10	7 2 10½	341 2 3	2 8 0½	542 9 6	3 16 4½	2,429 19 11	17 2 3
Total ... ..	931	2,598 5 10	2 15 9¼	5,961 19 8	6 8 0¼	2,467 8 7	2 13 0	2,098 10 8	2 5 1	13,126 4 9	14 1 11¼

Hyde Park Asylum,  
Sydney, 13 April, 1868.

FREDERIC KING,  
Secretary.

## DETAILED STATEMENT, 1867.

## GOVERNMENT ASYLUMS.

	Sydney.		Parramatta.		Liverpool.		Port Macquarie.		Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Salaries ... ..		587 2 8		641 15 1		837 9 9		531 18 4	2,598 5 10
Rations ... ..	707 9 4		1,051 19 2		2,211 5 1		868 10 0		
Medical comforts ... ..	97 2 6		83 8 2		166 19 0		23 5 9		
Vegetables ... ..	108 16 6		88 19 6		105 3 10		59 11 1		
Gratuities ... ..	34 15 5		53 0 3		102 7 0		42 13 6		
Milk ... ..	37 7 0	985 10 9	44 8 4	1,321 15 5	54 8 9	2,640 3 8	20 9 6	1,014 9 10	5,961 19 8
Clothing ... ..		315 12 9		670 7 1		1,140 6 6		341 2 3	2,467 8 7
Contingencies—									
Travelling expenses ... ..			14 10 8		155 1 3		231 10 9		
Advertisements ... ..	5 14 0								
Fuel ... ..	37 11 6		77 11 9		64 19 1		71 8 0		
Medicines ... ..	26 3 7		70 8 11		65 15 9		48 15 7		
Water ... ..			12 6 0		94 14 10				
Burial expenses ... ..	43 3 4		39 0 0		129 7 0		25 0 0		
Medical certificates ... ..			2 2 0						
Lights ... ..	31 18 0		22 7 0		20 3 4		15 5 7		
Soap ... ..	24 6 1		23 6 0		35 5 0		16 13 7		
Straw ... ..	7 10 0		12 0 0		16 16 4		7 8 9		
Rent ... ..	21 2 1		21 2 1		121 2 2		23 7 2		
Postage ... ..					1 3 2		0 0 8		
Ironmongery ... ..	47 17 4		46 11 0		179 7 1		61 4 8		
Sundries ... ..	31 18 8	277 4 7	29 17 8	371 3 1	23 18 6	907 13 6	41 14 9	542 9 6	2,098 10 8
		£2,165 10 9		£3,005 0 8		£5,525 13 5		£2,429 19 11	£13,126 4 9

Hyde Park Asylum,  
Sydney, 13 April, 1868.

FREDERIC KING,  
Secretary.

[Price, 3d.]

Sydney: Thomas Richards, Government Printer.—1868.

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

GOVERNMENT ASYLUMS.  
(RETURNS RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 11 March, 1869.*

RETURN of the Expenditure of the Government Asylums for the Infirm and Destitute, for the Year 1868.

Asylum.	Daily Average of Inmates.	Salaries.		Rations.		Clothing.		Contingencies.		Total.	
		Total.	Per head.	Total.	Per head.	Total.	Per head.	Total.	Per head.	Total.	Per head.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Hyde Park ... ..	160	584 7 10	3 13 0½	1,091 2 0	6 16 4½	278 15 4	1 14 10	329 0 10	2 1 1½	2,283 6 0	14 5 4½
Parramatta ... ..	214	639 16 11	2 19 9½	1,416 14 7	6 12 4½	507 6 3	2 7 4½	300 5 10	1 8 0½	2,864 3 7	13 7 8
Liverpool ... ..	451	891 0 8	1 19 6	3,048 13 9	6 15 2½	992 4 9	2 4 0	802 17 4	1 15 7	5,734 16 6	12 14 3½
Port Macquarie ... ..	144	553 10 7	3 16 10½	1,082 8 0	7 10 4	136 5 3	0 18 11	295 15 3	2 1 0½	2,067 19 1	14 7 2½
Totals ... ..	969	2,668 16 0	2 15 1	6,638 18 4	6 17 0½	1,914 11 7	1 19 6	1,727 19 3	1 15 7½	12,950 5 2	13 7 3½

Hyde Park Asylum,  
Sydney, 9 March, 1869.

FREDERIC KING,  
Secretary.





1868.

---

NEW SOUTH WALES.

---

**PUBLIC CHARITABLE INSTITUTIONS.**

(PROGRESS REPORT OF INSPECTOR OF CHARITIES, RESPECTING CERTAIN.)

---

Presented to Parliament, pursuant to Act 30 Vict., No. 19.

---

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY, *forwarding*  
 PROGRESS REPORT on various Charitable Institutions aided or supported by the Govern-  
 ment of New South Wales.

Sydney, 12 October, 1868.

SIR,

I have the honor to forward, for the information of the Honorable the Colonial Secretary, a Progress Report in detail, on some of the Charitable Institutions which I have inspected since my appointment in April last.

In the Appendix marked A, I have shewn the total cost for maintenance of each institution, with the yearly and daily rate for the support of the inmates during the year 1867; and I have given such information respecting these establishments as I consider may, at any future time, be useful as a record, and made such suggestions as I think may be beneficial; but owing to the different manner in which the receipts and expenditures are conducted in the several institutions, and the expenditure being defrayed partly from the votes of the establishment, and partly from general votes, or votes of other departments, I find it is impracticable to prepare statistics in any more detailed form than I have shewn in my return.

On some institutions I have already furnished reports; it will, therefore, be hardly necessary for me again to include such in a general report; but I will at an early date furnish a further report on those establishments I have inspected, and others not yet visited by me.

I have, &c.,

R. C. WALKER,

Inspector of Public Charities.

---

## THE SYDNEY INFIRMARY.

This institution originated in the formation of a Dispensary, as early as 1826, which was carried on at a building in Pitt-street, until June, 1845; and, from the time of opening, up to 1836; it was supported entirely by private contributions; but in that year the sum of £155 10s. 10d. was granted in aid of the institution by the Government, and an amount equal to the annual subscriptions raised has been allowed each successive year.

In July, 1845, the Infirmary was established in Macquarie-street, in the building now occupied as a Branch of the Royal Mint; where it was continued until the 13th September, 1848; and then removed to the present institution, which was erected in 1814, under Governor Macquarie, and used for a Convict Hospital.

On the removal of the establishment to the present building, an agreement was entered into by the then committee to receive from the Government all pauper patients, who were to be paid for at such rate only as would cover the expense incurred on their account. The amount paid to the Convict Hospital was 1s. per head per diem, but the Infirmary was allowed, for part of 1848, and for 1849, 1s. 6d. per head, and for 1850, 1s. 3d.; in 1851, 1s.; 1852, 1s. 3d.; 1853 to 1855, 1s. 6d.; and 1856 to 1857, 1s. 10d. during the time the patients remained in the Infirmary.

I find the following sums have been paid over by the Government to the Infirmary, from 1848 to 1867 inclusive, as under:—

	£	s.	d.
In aid of the institution...	23,677	9	8
For the support of paupers...	48,211	13	2
Medical treatment to immigrants...	1,518	11	8
Patients from the Benevolent Asylum...	305	13	1
Buildings, alterations, and repairs, &c...	14,244	5	9
Total	£87,957	13	4

The amount granted on the Estimates for this year is, £2,000 in aid of the institution, £4,000 for pauper patients, and £5,000 for extensions, &c., to buildings.

By the rules of the Sydney Infirmary, it combines in its plan and objects the three-fold purposes of—

- “1st. An asylum for in-patients afflicted with acute diseases, whereby medical and surgical advice and medicines are gratuitously administered to such persons as are unable to procure the same at their own expense, and are recommended by the governors of the institution.
- “2nd. A dispensary for providing advice and medicines for the less urgent cases as out-patients.
- “3rd. Providing, at their own habitations, advice and medicines for patients within a limited distance of the hospital who may be too ill to attend as out-patients.”

There are now two paid medical officers of the institution, who are always in attendance; five hon. physicians, and five hon. surgeons, who give their services for the in-door patients; and six paid district surgeons, who receive from £60 to £70 per annum for attending to the out-door patients.

Accident cases are received at all times without question, but in ordinary cases it is necessary that the patient be either recommended by a qualified member of the society, or that an order for admission be obtained from the Honorable Colonial Secretary. Occasionally, sailors and other patients who may be in a position to contribute towards their support while they are inmates, are admitted by the committee, when they can be received without excluding more needy patients; but it appears to me that there are patients admitted free who could well afford to contribute to the institution, and yet do not do so; and some of those who go in as paupers really are not in destitute circumstances. Those persons who recommend patients to the Government for orders of admission should, therefore, in justice to the institution, make every inquiry before giving the recommendation. An instance occurred, not long since, of a man who was sent as a pauper, having in his possession £300, when his property and clothes came to be taken from him before entering the Infirmary.

It is a rule that all property belonging to those who enter the establishment be handed over to the superintendent, who makes an entry in a book kept for the purpose, and receipts are taken from the patients when delivered up to them on leaving. Any small sum that may remain from patients who die, is paid into a separate fund called the “Samaritan Fund,” from which destitute patients are assisted when leaving the institution.

The plan adopted for admitting patients is, all applications or orders are presented to the superintendent, and he issues an order for one of the medical officers to examine the patient, who admits, or rejects, on the merits of the case *only*, without knowing by whom they may be recommended. This plan has been lately adopted in order to prevent preference being shewn to any particular subscriber.

In 1858, a new wing was added to the south-east end of the old hospital, which affords accommodation for about seventy beds; and the establishment, as now arranged, is capable, when crowded, of holding 200 beds. There are six wards in the old, and six in

in the new building. A great oversight appears, however, to have been made when erecting this new wing, in not providing suitable closets, bath-rooms, and lavatories; and alterations have been made this year, at considerable expense, to provide every suitable convenience in this respect. Some of the internal walls, forming small, close wards, have also been removed, and a new staircase built outside the wing, by which a large space previously occupied by the stairs will now be made available, the wards will obtain better ventilation, and be freed from any unpleasant consequences arising from the previous bad arrangement of the closets.

In the old building there is great need of similar alterations, additions, and repairs being carried out, in order to meet the requirements and daily increasing demands upon this important institution.

Considerable benefit has been conferred upon the institution, through the assistance afforded by the Government in providing the services of a Lady Superintendent and five trained nurses, who were selected in England by Miss Florence Nightingale. The advantages and economy in having a staff of this kind are not perceptible so much to casual visitors as felt in the institution itself, both by the manner in which they can administer to the comforts of the patients, and the saving that is effected, by having experienced persons who understand how to apply the various articles and comforts ordered for the use of the patients.

A new, handsome brick building is now nearly completed, which has been erected at the north end of the grounds, and is styled the Nightingale Wing. It is to be appropriated entirely for the use of the Lady Superintendent, the Sisters, and all the attendants of the institution. The cost of this structure will be about £7,000, and is provided for by votes of Parliament. The accommodation is very superior, and the building is arranged with all the latest modern improvements for similar establishments. When the officers and attendants are removed to this new wing, it will give room for thirty more beds in the old building, as the space now occupied as their quarters will be appropriated for the use of patients.

There are two dispensers kept at the dispensary of the institution, who make up all the medicine ordered by the medical officers, and the drugs are now imported from England, by which a considerable saving will be effected this year.

All the provisions supplied are of the best kind, and a check is established with the storekeeper, upon the issue of articles from the store, on the diet orders of the medical officers. Every care and attention appears to be bestowed in the cooking and supplying the food to the patients, and great attention has been paid to the dietary department since the arrival of the Lady Superintendent; but the kitchen and out-houses are in a wretched condition, and, as well as the store-room, are not at all adapted for such an institution. It is proposed to pull these down, and, pending some new arrangement, to appropriate a portion of the basement floor of the Nightingale Wing for the purpose.

The number of patients received in the Infirmary during the year 1867 was 1,708. Of these, 294 were accident and urgent cases; 177 remained in hospital from the previous year, and the deaths numbered 202, or at the rate of 10·716 per cent. on the total admissions. The number in the building on the last day of the year was 187.

Under the district surgeons in connection with the Dispensary, the total attendances on 3,926 out-door patients—supplied with medicine and medical advice—numbered 4,896, and of that number, 1,095 were visits made at their own homes.

The admissions are not confined to the inhabitants of the city and suburbs only, as patients are received from all parts of the country.

The daily average number of patients in the Infirmary, during the year 1867, appears from the returns to be 185½, and the net expenditure, £8,842 14s. 10d., which makes the average yearly cost for each in-patient at £47 13s. 4·750d., or about 2s. 7·344d. a day per head. The cost for out-door patients is shewn as £1,127 15s. 9d., or 4s. 7·284d. for each attendance, which includes the cost of medicine.

#### THE PROTESTANT ORPHAN SCHOOL AT PARRAMATTA.

An orphan institution, it appears, was established in the early days of the Colony—when a penal settlement—by some of the charitably disposed persons, in consequence of many children being left without relations or friends able to maintain and educate them, and the aid of the Government was solicited. The first support given by the Government towards this object was on the 15th August, 1803, when a grant of 12,300 acres of land in the District of Cabramatta was made to Mrs. A. J. King (wife of Governor King) Mrs. E. Paterson, the Rev. Samuel Marsden, Thomas Jamieson, John Harris, and John Palmer, Esquires, the then Committee for conducting a Female Orphan Institution of the settlements of New South Wales.

Another grant was made on the 1st May, 1804, of 2 acres 17 rods, in the city of Sydney, at the corner of Hunter and George Streets. On the 10th August, 1806, a further grant was given of 280 acres at Grose Farm, in the District of Petersham Hill. Buildings were erected first at Grose Farm, and afterwards on the city allotment, and at each of these places the institution was at different times carried on by the Committee of Management. Some doubts appear to have been raised as to whether these grants were so technically worded as to convey legal estates for the benefit of the institution; and

and an agreement was therefore entered into, on the 27th day of May, 1823, by the Committee of Management, to reconvey to His Majesty the grants before mentioned; and on the 2nd August, 1826, an Act was passed into law, 7 Geo. IV, No. 4, under Governor Sir Thos. Brisbane, for vesting the Orphan School Estates in the Trustees of the Clergy and School Lands of New South Wales, and for duly governing the children at school and in apprenticeship. All committees or persons were also relieved from further responsibility, upon the passing of their accounts up to the 31st December, 1823.

When the above-mentioned Act came into force, the 280 acres at Grose Farm were given up by the committee, in consideration of another grant being allowed to them, in the county of Roxburgh; and fresh conveyances were made out in the names of the trustees, the Rev. Saml. Marsden, John Palmer, and John Harris, Esquires, giving, for the benefit of the Orphan Schools, the following grants of land:—

12,300 acres in the district of Cabramatta,  
 2 acres 17 rods in town of Sydney,  
 1,000 acres in the county of Roxburgh,  
 600 acres at Cabramatta,  
 60 acres at Arthur's Hill, on the Parramatta River.

Total ..... 13,962 acres 17 rods, for which a yearly quit rent had to be paid of £14 1s.

The management and control of the Orphan Schools, from 2nd August, 1826, was placed under the Trustees of the Clergy and School Lands; but previous to this, the institution appears to have been maintained by private contributions, and any benefits arising from the grants of land given by the Government. On the 4th July, 1834, an Act was passed, 5 Wm. IV, No. 3, proclaiming the Male and Female Orphan Schools as being maintained and supported by His Majesty's Government; power being also given to appoint trustees to apprentice the children under this Act. At the time the Orphan School was first established, it appears the intention was to provide for female children only, but male children seem also to have been admitted. The orphans of soldiers, free people, children of immigrants or convicts, and children from the female factory, were taken in; all denominations being educated in the one institution.

No separate provision appears on the general Estimates of the Colony for these establishments until the year 1832, when £1,700 was voted for the Female, and £1,300 for the Male Orphan School. The latter institution was established on the grant of land near Liverpool, and was carried on first under the direction of the Rev. Dr. Cartwright, and afterwards under Lieut. Richd. Sadler, R.N., until the 17th April, 1850, when the Governor General, Sir Charles Fitz Roy, caused the boys all to be removed to Parramatta, and closed the school. From that time both males and females have been brought up in separate departments in the same institution.

Children are admitted to the Orphan School on the order of the Honorable Colonial Secretary, and all applications for admission have to be made through a clergyman or some person well known to the proper authorities. About a fourth of the children now in the establishment have no parents; the others have either father or mother living. A register is kept for entering the names of all the children who enter the institution; and each child receives a number on admission, the clothes being marked with this number. The age, and all particulars about the child that can be obtained, are also recorded, and an entry is made against the name of any child when they are apprenticed or otherwise disposed of.

A portion of the present building was erected in 1814, under Governor Macquarie, on the sixty-acre grant at Arthur's Hill, which adjoins what was known as the Old Vineyard Farm, but now called Subiaco. Additional grants have, however, since been allotted, and there are at the present time 110 acres belonging to the institution; about three acres are under cultivation as a garden, and a portion is planted with fruit trees. This land is worked by a gardener appointed for the purpose, who is assisted by the boys; and, with the exception of potatoes, sufficient vegetables are grown to provide for the wants of the school, unless the seasons are very bad. There are about a dozen milch cows kept on the grounds, which supply the children with milk. This makes a considerable saving in the expenditure.

The establishment will hold, when crowded, about 250 children. Both boys and girls at suitable ages are apprenticed out, and the applications for them are very numerous; but very few trades-people apply; this may be from the fact that none of the children are instructed in any trade. The girls are taught needlework and household duties, but the boys have no duties to perform other than assisting to keep their rooms neat and clean, cutting wood, and those who are strong enough to work are occasionally employed in the garden. I think that an arrangement might easily be made for instructing the boys in some of the ordinary trades, similar to what is done on board the Nautical School-ship "Vernon." The Trustees who are appointed for apprenticing the children are, the Honorable James Byrnes, C. W. Finch, Esq., and Mrs. Betts, the present Matron. When the children leave as apprentices, they are well provided with clothing. Those children who have parents are allowed to see them on Tuesdays and Thursdays, between 11 and 1 o'clock, in each week, but no child can be removed from the institution without a special order from the Honorable Colonial Secretary. Visitors are allowed in every day, and a book is kept, in which they are requested to enter their names.

The

The building is all constructed of brick, and faces the Parramatta River, running nearly east and west. The centre or main portion of the structure is three stories high, with wings right and left of only two stories. The west side is appropriated for boys, and the south side, including part of the main building, is used for the female department; but the accommodation is not sufficient for the increasing applications. The whole of the establishment I found very much in need of repair; the ceilings in many of the rooms were tumbling down, and the floors in places have given way, especially in the girls' schoolroom; the skirtings were in most parts in a very dilapidated state, and the whole place had a shabby and dirty appearance, for want of paint, colouring, whitewash, and plaster. There is also a great want of ventilation all throughout the building. At the time of my first visit, no repairs except the stopping of a few leaks had been done for a considerable time.

The quarters of the matron, Mrs. Betts, are in the centre of the building, from which she has access to both boys' and girls' departments; she occupies, on the ground floor, a dining-room and two bed-rooms; on the first floor, a large sitting-room with a small room adjoining, and a large bed-room. The master being a son of the matron, occupies only one bed-room, and shares the sitting-rooms with her, so that the quarters of both are included under those of the matron, which may account for the unusually large accommodation appropriated as the matron's quarters. The whole management of the institution devolves upon the matron, who is assisted by the master. A detail of the separate duties have been submitted, in the proposed rules, for all the officers and attendants of the establishment.

Neither the schoolmaster nor the first female teacher reside on the premises; the other teachers are allowed quarters in the building, but the accommodation afforded them is very poor and uncomfortable, and might, at a small cost, be easily altered. There is a separate room allotted for the house servants.

The girls' school-room is on the ground floor in the main building, but it is neither a good nor a suitable room for the purpose; it is badly lighted, and is in shape like the letter L reversed, giving about 30 x 13 in one part, and 15 x 15 in the other. The walls, skirtings, &c., were very dirty and dilapidated, and the floor in such a bad state the desks would not stand firm; and there is a general passage through the room, which is a great objection, as the children are continually interrupted and their attention taken off by people passing through. This might be avoided by a wooden partition being put up with some frosted glass windows, so as not to exclude the light. It was badly furnished, and no clock allowed for the room, which is an article much needed, both for teaching the children how to tell the time of day, and to enable the teacher to regulate her school. The time for school instruction is 9 to 12 a.m., and 2 to 4 p.m.

There are five rooms appropriated for the girls' dormitories—two on the first, and three on the upper floor, in the main building—which are all of a good size, containing from twelve to twenty beds. Some of the bedding was in a ragged state; this was stated to be on account of the delay in furnishing the stores to the institution. It would be an improvement if all the dormitories were numbered, and the number of each room painted on the door, so that they may be more easily referred to. The name and register number of each child sleeping in the room should also be entered on a list, which could be hung up in the room, so that any one visiting the establishment could see at once how many occupied the room, and their names. Some of the beds of the elder children are made of hair and flax, but those used for the younger ones are made of straw. All the rooms are thoroughly cleansed and washed out twice a week, and every care taken to keep them cleanly.

In the east wing of the establishment a nursery is set apart for infant girls and boys, and there are two dormitories above it, one 30 x 18 for girls from fourteen months to three years, the other 30 x 32 for boys of same age—all dining in the nursery, which is on the ground floor, and about 27 x 30, but it is very badly lighted and ventilated, having only one window. In the summer-time it is so hot and close that, unless it is rough or wet weather, their meals have to be served to them under a verandah at the end of the east wing in the playground.

Adjoining this room is the girls' dining-hall, about 32 x 30, which has a stone floor; it contains four tables; about 66 girls dine there daily, and everything is kept very clean. At the back of this is a hall for the servants to dine in, which is also used for weighing and issuing the stores. The store-room adjoins the servants' hall, but has no proper convenience for keeping the various articles of consumption. There is a large bakehouse outside the dining-hall; and a baker of the establishment makes all the bread used, baking five days in each week. The washhouse and laundry is near the bakehouse, and is deficient of proper convenience for doing the work of so large an establishment.

Only one kitchen is used for both the boys and girls' departments; this is a new building detached from the south wing, and communicates with the servants' hall by a covered way; it is within a convenient distance from the girls', but a long way from the boys' dining-room. Everything appears to have been supplied in the way of cooking apparatus, and the food is well cooked and prepared. There is only one female cook, but she is assisted by some of the girls who are appointed for daily household duties.

The provisions supplied for the children are good and wholesome; three times in the week the meat is baked in the bakehouse, and they have a good supply of vegetables; on other days they have soup, which is well made, in a copper kept for this purpose; the soup is made with meat, vegetables, rice, and any bread left from the previous day. For breakfast and supper they have bread, tea, and milk, with which they have an occasional allowance

allowance of treacle, honey, or butter, in accordance with the authorized scale, as under:—

## ALLOWANCES.

No. 1.—The daily ration of provisions authorized to be issued to the Master, Schoolmaster, Drill-master, and Men employed as Servants and Labourers, is composed of the following articles, viz.:—

- 19 ounces flour, 1st quality.
- 16 " meat.
- $\frac{1}{2}$  ounce salt.
- 1 " tea.
- 3 ounces sugar.
- $\frac{1}{2}$  ounce soap.

No. 2.—That authorized to be issued to the Matron, Teachers, and Female Servants, is composed of the following articles, viz.:—

- 16 ounces flour, 1st quality.
- 16 " meat.
- $\frac{1}{2}$  ounce salt.
- 1 " tea.
- 3 ounces sugar.
- $\frac{1}{2}$  ounce soap.

No. 3.—That authorized to be issued to the Children is composed of the following articles, viz.:—

- 13 ounces flour, 1st quality.
- 10 " meat.
- $\frac{1}{2}$  ounce salt.
- $\frac{1}{4}$  " tea.
- 1 " sugar.
- $\frac{1}{2}$  " soap.

$\frac{1}{2}$  ounce of any one of the articles—treacle, honey, cheese, or butter.

On Thursdays and Holidays, raisins or currants and suet are to be supplied and charged for as extras, limiting the quantity to about 35 lbs. raisins or currants and 35 lbs. suet a month, exclusive of holidays. On holidays more will be required.

The holidays are New Year's Day, Easter Day, Queen's Birthday, and Christmas Day.

No. 4.—The daily ration of forage is composed of the following articles, viz.:—

- 8 lbs. of maize or barley, or 10 lbs. oats.
- 4 " of bran.
- 12 " of oat or cultivated grass hay.
- 4 " of wheat straw.
- 1 $\frac{1}{2}$  pint of vinegar are allowed daily for the use of the institution.

The following are the authorized allowances of fuel and light:—

	Summer.	Winter.
Firewood, pounds daily .....	2,000	2,300
Charcoal, bushels " .....	3	3
Candles, pounds " .....	3	3 $\frac{1}{2}$
Oil, gills " .....	8	8

The winter months are June, July, August, and September.

A building has been erected as an hospital near the east wing, just outside the girls' play-ground; it contains three rooms upstairs for females, and two on the ground floor for males. One of the nurses sleep in each department. The rooms do not appear to me well adapted for hospital purposes, being very damp at the south-east end, and badly ventilated. In the boys' room down-stairs the fire-place smokes, and in consequence of a fire having nearly always to be kept there to supply light comforts to the patients, as well as to purify the air, the room is seldom free from smoke, which must be very bad for the children. A dispensary is provided in this building, but the medicines are not made up in it, as drugs will not keep well in so small a quantity as they require for the use of the institution, and the surgeon is supplied with all the medicine he requires from the Government Asylum for the Infirm and Destitute. The bath-room which has been erected for the hospital is unsuitable and inconvenient, being outside the building, at one end of the verandah; it has no bath in it, but a copper has been placed in one corner, which occupies nearly a fourth of the room, and there is no communication with it and the sick wards, unless by going out on to the verandah. At the Roman Catholic Orphan School there is a bath-room with superior plunge and shower baths, and patent closets to each ward, fitted with pipes to convey water to the rooms, and waste pipes to carry away the dirty water, all supplied with proper taps, plugs, and lavatory basins. I see no reason why institutions similar in character and purport should be so differently arranged, and I think it desirable they should be conducted, in every way, on the same footing and principle.

No proper provision appears to have been made for a lavatory. In all the other large public institutions I have visited, a provision has been made for lavatories and bath-rooms, and it appears to me very necessary in an establishment of this kind, as it is hardly possible, without this convenience, to bring the inmates up to proper habits of neatness, cleanliness, and order.

A stone wall has been erected between the play-grounds of the males and females, which effectually divides them; the remaining portion is fenced in with a high paling fence; it is nicely situated, and the children are very healthy. A large shed has been constructed in the middle of the ground, to protect the children in the hot or rainy weather. In this enclosure there is a large tank of 6,000 gallons, raised several feet, to give a fall of water so as to convey it through the pipes which have been laid on to the various parts of the building; this is filled from a creek some 300 yards off, by a force pump worked by a horse mill, but the water in the hot weather becomes unfit for drinking purposes, owing to there being no kind of covering to protect it from the heat of the sun. There are also other tanks under ground, which are filled from the roof of the building.

The children are usually well provided with clothing, but the delay that took place before the supply of material for the year 1868 was issued from the Colonial Store caused them to be very badly off for clothes when I first visited the establishment. All the clothing is made on the premises—except the boots and caps—by the girls and work-women. One person is appointed for the care and mending of the clothes, who has also to superintend the washing of the children.

*Boys' Department.*

The boys' department is all on the west side, or what may be termed the west wing of the institution; the elder boys are instructed by the schoolmaster, and the younger ones by a female teacher; monitors are also selected from the elder or best informed boys to assist the teachers, who receive extra instruction each day for one hour between



between 12 and 1 o'clock p.m. The schoolmaster's duties now are simply to instruct the boys; formerly the teachers had all kinds of menial duties to perform in addition to the daily instruction of their pupils. After school hours the boys are handed over to the special charge of a person appointed under the title of drill-master, whose duties are to look after, and keep them in order at all times when out of school; he drills them three or four times a week—presides over them at meals, at rising, and at bed-time. The boys are consequently very well behaved and proficient in their drill. This appears to me a very necessary appointment for the boys' branch, as it enables them to be kept well under control, making them orderly, and preventing their destroying the clothes. It is quite impossible for boys to have the same attention paid to them by a teacher who has been fatigued with instruction for five or six hours during the day, as they can receive from one whose sole business it is to look after and watch them. A change has lately taken place in the appointment of the male teacher, as complaints were made by the matron of his not working in an harmonious manner while conducting the work of the institution, and the progress of the boys was anything but satisfactory. The alteration appears to be a beneficial one, and an improvement has been effected in the course of instruction.

It may be said the apartments of the boys consist of three distinct buildings:—

- 1st. The west wing, which contains the boys' nursery, two dormitories for some of the elder boys; servants' accommodation, and quarters for the drillmaster, who has charge of that portion of the building at night.
- 2nd. The school building, which is detached, and about thirty yards from the main structure. This was intended, when constructed, for the residence of the male teacher, but owing to the increased number it was found necessary to appropriate it for the boys' dormitories and schoolroom; the latter is on the ground floor, and considering it was not built for this purpose, answers very well. The room was badly provided with books, maps, &c., and those in use were in very bad condition; the desks are also cut and ink-stained, shewing that the conduct of the boys while in school had not been regarded. On the first floor of the building there are three dormitories, which at night are placed under the charge of a blind lad, who has been in the institution a long time; and though somewhat beyond the usual age that boys are kept in the school, he is retained there on account of his affliction, and makes himself useful in various capacities.
- 3rd. A general dining-room for the boys, also detached, and only 25 x 18 feet, having no covered way to it from the main building, and is a long distance from the kitchen; it is not sufficiently large for about 100 boys who have to dine there daily, and they have in consequence to stand at their meals, as there is no room for forms. This, in addition to being uncomfortable, gives the boys a hasty and slovenly way of taking their food. At all other institutions I have visited, the inmates are allowed to sit at their meals. This room is also used for an infant school, and it is unsuitable for that purpose, as there is no gallery, nor any convenience for teaching. All the tables have to be removed on this account, after breakfast and dinner each day, and owing to the short period between the meal and school hours, there is no time for properly cleaning the room, except on Saturdays; consequently, the dining hall, instead of presenting a neat appearance, is necessarily always untidy, and not so clean as it ought to be. Some arrangement might, I think, be made for providing a suitable building to alter this. Every attention is paid to the other portions of the establishment, to keep them clean and in proper order.

The drillmaster is allowed two small rooms, and over his quarters is a large dormitory for boys 11 to 13 years; adjoining that are two dormitories for boys 9 to 11 years; the young children sleep on the lower floor, in charge of the nurses, who have a small room of about 9 x 12 feet boarded off in each dormitory.

In addition to the general garden, a piece of ground is allotted to the boys at the end of their play-ground, which they are allowed to cultivate and make into small gardens for themselves; suitable amusements are also provided, such as swings, see-saws, foot-ball, &c., but their chief game is cricket.

No proper lavatory or bath-room has ever been provided, which is much wanted; the boys wash in basins or buckets under an open shed, away from the dormitories. This place is exposed to the wet and cold weather, and must be very bad for them. A good lavatory and bath-room would greatly assist in training the children to proper habits of cleanliness, order, and regularity.

The daily average number of children maintained in the institution for the year 1867 was 250, and the total expenditure, including all stores, £4,236 6s. 6d., which gives the average yearly cost for each child at £16 18s. 10s. 7d., or about 11s. 14d. a day per head; and for the management and working of the establishment, there are seven officers and fifteen attendants.

A proposition has been submitted to do away with the appointment of a second female teacher, and have instead a house matron, whose principal duty would be to look after and attend to the girls when out of school, in the same manner as the drillmaster does with the boys, which would materially assist the working of the establishment.

On the Estimates for 1868, the sum of £3,572 has been voted for the maintenance of the institution, but this is exclusive of the cost for clothing and general stores, supplied from the Colonial Store Department.



## THE ROMAN CATHOLIC ORPHAN SCHOOL, PARRAMATTA.

In 1837, a School for Roman Catholic Destitute Children was established, under Archbishop Polding, and several members of the Romish Church; it was partially supported by private contributions, and aided by an annual grant from the public revenue. The first aid given by the Government was £600, which was passed in the Appropriation Act for 1837; and a similar grant was allowed each successive year until 1839, when it was raised to £1,000, and in 1840 to £1,500. The school was opened at Waverley House, Waverley, with only twelve or thirteen children, by a Miss Burke, who was appointed as matron of the establishment; but she resigned the charge after a short time to a Miss Smith, who also gave up the management in February 1838, when the appointment was conferred upon a Mrs. Martin, and she retained that position until 1844.

This institution does not appear to have been styled as an Orphan School until that year, but orphan children of immigrants, or passengers who died on the voyage to the Colony, and the orphans of free people, were received and maintained there.

Representations having been made to Sir George Gipps, the Governor of the Colony, by the heads of the Romish Church, he caused what is now a portion of the present institution to be erected for a Roman Catholic Orphan School, and it was completed in the latter part of 1843; but some objections appear to have been raised to the building being handed over to the charge of the then Committee, who could only be appointed for apprenticing children from the Orphan School under the Act 5 Wm. 4, No. 3; but upon the order of Sir George Gipps, the key of the building was handed to Mrs. Martin, who took possession as matron of the establishment, and 113 children were removed from Waverley on the 8th March, 1844. From this time it appears to have been entirely supported by the Government, in the same manner as the Protestant Orphan School; and the orphans of convicts, and children from the Female Factory, were then sent there. Mrs. Martin resigned her appointment in April, 1844, and from that time her successor appears to have been assisted by some of the Sisters of Charity, and in 1859 a number of the Sisters took up their abode in the institution. There does not, however, appear to be any official record to shew on what authority this was done, but on the 1st April, 1859, one of the Sisters was officially appointed as matron of the establishment; and the office of sub-matron and the two teachers are also filled by nuns.

Although the institution was from 1844 entirely supported by the public funds, the management was assumed and carried on by a committee constituted for the time being, for that purpose; but these proceedings appear to have been altogether illegal, as by the Act 5 Wm. 4, No. 3, their powers could only extend to the apprenticing of the children; consequently, on the 24th June, 1867, by a Cabinet Minute of that date, the mode of management was altered, and the full control taken up by the Government.

Children are admitted in the same manner as at the Protestant Orphan School, on the order of the Honorable the Colonial Secretary, and recommendations for admissions are made through the Roman Catholic Clergy. The names of the present trustees for putting the children out as apprentices under the Act are, the Rev. S. J. A. Sheehy, Francis McNab, Esq., James Hart, Esq., Richard O'Connor, Esq., and James Mullens, Esq.

A register is kept for recording the name of each child as it enters the institution, and a statement of any particulars connected with it; an entry is also made when children are apprenticed, or if they are taken out of the establishment, but no child is allowed to leave without a special order of the Honorable the Colonial Secretary. A Visitors' Book is kept for all people to enter their names who go to look at the institution, and parents are allowed to see their children in the same manner as at the Protestant School. There is, however, no room or accommodation set apart for this, and when a number of the parents happen to come at once, the hall is crowded up with women and children.

The building is large and well constructed, partly of stone, and partly of brick; it is situated at the north-west end of the township, and adjoins the Lunatic Asylum; but the site is not so well adapted as that of the Protestant Orphan School. A new wing of four stories high, which was completed in 1867, has, with other additions, been added since the opening of the institution. This wing is built of brick, with stone corners, the main portion of the building being all stone-work; and it provides a fine school-room for the girls on the first floor, with two dormitories above, all about 50 x 18. Under the school-room is the infants' nursery, and girls' bath and dressing rooms. All the new portions of the establishment are well ventilated, and suitably built for the purpose for which they are used.

The institution is divided into two departments; the main portion is used for the girls', and a separate building has been erected at the back for the boys' quarters, which communicates with the main building by a covered way, of about 50 yards long, that divides the playgrounds, and affords a shelter for the children from the sun and wet during play hours; but it would be an improvement if a high fence was erected to separate the yards more effectually.

The dormitories for the girls are arranged in the front building and in the new wing adjoining it, a communication having been made by doorways cut through the main wall, giving four rooms, all about 50 x 18 feet; but the rooms are crowded, and many of the beds are occupied by two children. All the bedding and the rooms are kept in very good order.

Under

Under the school-room is a large bath-room, used for both the elder girls and the infants; there is a large dressing-room adjoining, but no permanent baths are fixed, nor is there any arrangement for washing-basins—at present they have only large tubs.

On the ground floor, at the entrance, are the matron's quarters. Formerly this portion of the building was occupied as a school-room; it has now been divided into a dining-room for the teachers and a small bed-room for the matron, and she has one sitting-room, which is used for the reception of visitors. The kitchen apartments for the matron are on the cellar floor.

All the cleaning of the dormitories, making of beds, &c., is performed, with the assistance of the girls, under the special supervision of the matron, who also has charge of all the stores supplied for the use of the institution. With the exception of boots and caps, all the clothing required for the establishment is made on the premises, by the needlewomen and the girls.

The infant school and dining-room for both boys and girls is, in the boys' department, on the ground floor adjoining the school-room; they have a sloping gallery running the length of the room, and all the necessary arrangements have been made for properly training the children.

Dining-halls are formed for both males and females, by a sloping roof from the north side of the boys' school-house, which is boarded up to a certain distance, and then enclosed with Venetian lights—this affords a comfortable and airy place for the meals. The girls' hall is divided from the boys' by a wooden partition, and they communicate with the kitchen by a verandah running to the end of the building.

The boys' school-room is a long room 60 x 20 feet, not so good or so well ventilated as the school-room in the new wing. It is well furnished with books and maps, but some of the desks are bad and shaky; it would be an improvement if a door was opened into the small garden at the back of the school for ventilation, and a gallery erected at one end for teaching the younger children.

A chapel has been erected on the premises, at the end of the boys' school, which is attended twice a day by the children, for morning and evening prayers, the prayers being usually read by one of the Sisters.

Outside the chapel is a bath-room and lavatory for the boys; there is no covered way to it for protecting the children in wet weather, but the distance is not far from the verandah leading to the school-room. The room is well provided with plunge baths fitted with water pipes from the tanks, and drain pipes to carry off the dirty water, which saves a great deal of labour. The lavatory is fitted with plug basins set over a drain pipe, and taps are provided for filling them with fresh water; roller towels are fixed in the centre of the room, for the general use of the boys; and all is kept in good order.

The boys' dormitories are over the school-room and the infant school apartments, forming two long rooms at right angles with each other; and the second teacher, who resides in the establishment, has charge of the boys at night. The first teacher does not reside on the premises. The bed-rooms, although low, are airy, arrangements having been made to give them proper ventilation, by an opening made in the lining of the roof. There are about 100 beds in the two rooms, and nearly all the boys have single beds. Between the infants' dining-room and the kitchen there is a room used for keeping and mending the clothes for all the boys.

The kitchen adjoins the needle-room, but it is badly situated in one respect, as there is nothing to prevent the children from going into it during play hours, which causes annoyance to the servants and is productive of irregularities; this might be obviated by the place being properly divided off with a fence across the yard, which would also hide it from the roadway. All the necessary arrangements for the use of the kitchen are provided. Adjoining this is a laundry and bakehouse, but the laundry is not in the same order as the other portions of the establishment. All the bread is baked on the premises, by the baker who is appointed for the purpose.

A large tank has been made outside the kitchen apartments in the yard, which is covered over and receives all the water from the roof; at the bottom of the tank a well has been sunk to a depth of 70 feet, which gives an ample supply of water in all seasons. A tank has also been fixed above the roof of the verandah, to give a fall of water; this is filled with a force-pump worked by the boys every morning, and service pipes are laid on to convey the water to the various parts of the building.

An infirmary has been erected about 50 yards from the boys' department, and nearly in line with the school-room; this has been completed about five years, and makes an excellent hospital. There are four wards, holding eight beds in each. It is provided with a dispensary, dining-room, and excellent plunge and shower baths, and a lavatory, to each ward; the water is laid on from the main tank, and supplied to all the rooms, separate taps and plugs being fixed to all the baths and lavatories, provision also being made for carrying away the dirty water through drain pipes; there is a closet to each ward,—making it as complete a building as there is in the Colony.

The arrangement for the yard closets is not good; they are placed in the most conspicuous part of the grounds, near the roadway, with no screen round them.

A farm of 59 acres has been granted to the institution, but very little has been done to it, and it does not supply the vegetables as at the Protestant School; though when under proper cultivation, it will no doubt yield enough for the wants of the establishment. Milk is at present supplied partly by the contractor, and some is procured from a few cows belonging to the institution, which have been purchased by the matron, from the proceeds of pigs reared on the premises and sold—a course which is irregular, as all sums received in public institutions should be paid into the Colonial Treasury, and authorized by Parliament before being expended.

Ample provision is made for both food and clothing of the children, and the provisions are good and wholesome, which are supplied in accordance with the authorized scale, as under:—

A Table shewing the quantity of each article comprising the daily ration authorized to be issued to each person on the establishment, according to the respective scales; the extra rations, the medical comforts, and the articles for the use of the establishment.

General Daily Rations.								
Articles.	No. 1 Ration.	No. 2 Ration.	No. 3 Ration.	No. 4 Ration.	No. 5 Ration.	Total quantity of each article authorized this month.	Total quantity of each article drawn this month.	Quantity over or under drawn this month.
*Meat .....	16 ozs.	12 ozs.	12 ozs.	4 ozs.	8 ozs.			
†Bread (seconds) .....	27½ "	20 "	20 "	15 "	15 "			
Salt .....	½ "	½ "	½ "	½ "	½ "			
Tea .....	½ "	½ "	½ "	½ "	½ "			
Sugar .....	2 "	2½ "	1 "	1 "	1 "			
Soap .....	½ "	½ "	½ "	½ "	½ "			
‡Vegetables .....	16 "	16 "	4 "	4 "	4 "			
‡Milk .....	1 gill.	1 gill.	1 gill.	1 gill.	1 gill.			

EXTRA RATION ON FRIDAYS.

For all on the establishment for whom meat is not drawn.

Butter or cheese and treacle, not exceeding 100 lbs. each per month.

Rice .....

Or fish, in quantities not exceeding the value of the meat authorized.

EXTRA RATIONS ON FRIDAYS AND HOLIDAYS. §

On Fridays, for the children for whom meat is not drawn; and on Holidays, in addition to meat for each child in the establishment.

Bread 5 ozs. or flour 4 ozs., sugar ½ oz., raisins or currants 1 oz., suet 1 oz.

MEDICAL COMFORTS FOR SICK CHILDREN.

In quantities certified to be necessary by the Visiting Surgeon.

Flour, oatmeal, arrowroot, sago, barley, eggs, wine, ale, porter, and lime-juice.

ARTICLES FOR THE ESTABLISHMENT.

In quantities as required, under the certificate of the Chairman.

Common oil, not to exceed 6½ gallons per month.

Vinegar .....

Firewood, charcoal, straw, starch, soda, blue, yeast, blacking, and roach lime.

N.B.—It is to be distinctly understood that the full rations are not to be drawn unless actually required, and when other articles, not included in this table are drawn, they can only be so in substitution for others authorized, medical comforts excepted.

This scale is different from the one in use at the Protestant School, and I see no reason why there should be any difference in the allowance of the two institutions; and I have already recommended, in a report on the subject, that a uniform scale should be adopted.

The daily average number of children maintained in the institution, for the year 1867, was 280; and the total expenditure, including all stores, £4,386 12s. 3d.; which gives the average yearly cost for each child at £15 13s. 3-953d., or about 10-300 pence a day per head; and for the management and working of the establishment there were eight officers and thirteen attendants.

In this institution there are two male teachers, and the duties allotted to a drill-master in the other Orphan School fall upon the second teacher. I believe that the school would be as well conducted, and the boys better managed and trained, by having only one teacher, with monitors selected from the boys, and a person appointed to act in the capacity of drillmaster, whose duty would be to take the care and management of the boys when out of school, and drill them to proper order.

On the Estimates for 1868 the sum of £3,951 has been voted for the maintenance of the institution, but this is exclusive of the cost for clothing and general stores supplied from the Colonial Store Department.

LUNATIC

\* It is optional with the authorities to draw meat or not on Fridays; but, if it be drawn, the "extra rations" must not be drawn also.

† In the ration to children under seven years of age, the best wheat bread may be substituted, in the proportion of 8 ozs. of that for the 15 ozs. of seconds.

‡ When vegetables or milk are produced on the grounds of the establishment, these articles are not to be drawn from the contractor.

§ The holidays are—New Year's Day, Anniversary Day, Easter Day, Queen's Birthday, and Christmas Day.

## LUNATIC ASYLUM, PARRAMATTA.

The Lunatic Asylum at Parramatta is at the north-west end of the township, and adjoins the Roman Catholic Orphan School. It was constructed for a female factory, and used as such for many years during the time the Colony was a penal settlement, and was opened for a lunatic asylum on the 31st December, 1849. All the principal buildings are constructed of stone, and the grounds of the institution are enclosed by a high stone wall.

The entrance is on the north-east side. On the left hand, as you go in, are the superintendent's quarters and offices, the matron's quarters, and the dispensary; but complaints are made that they do not afford sufficient accommodation. On the opposite side are the master's quarters, the store-room for soft goods, and general stores. There is an avenue between these apartments leading to the main building for the inmates. The right-hand portion of the institution is appropriated for the males, and the left-hand for the females. All the patients are allowed out into large airing-yards every day, with keepers to each yard to watch them. The yards are all separated by high division walls, and there are about 6 acres within the walls. The buildings and sleeping apartments are not all connected, as at Tarban Creek, where you can go from one ward into another; some have no covered way or connection with each other. The main building contains six sleeping rooms, one of which is divided off into the female ward; the remainder are appropriated for the males. Each of these rooms will hold from twenty-five to thirty beds, and inmates of a quieter nature than those who occupy the single rooms are placed here. On each landing, between the dormitories, there is a sleeping-place for the attendant; and a lamp is kept burning all night in the wards. The whole place is well washed out daily, and everything kept very clean.

There are four yards appropriated for the males—those who are criminal lunatics being confined to a separate yard in the north-east corner. In this yard there is a long range of cells, all 8 x 6 feet, built of stone, floored, and well ventilated. The structure is two stories high, and contains twenty cells on each floor; but arrangements have been made for building another story on to it, so as to afford an additional twenty cells. A wide passage runs through the building, with an open window at each end, so as to give a thorough ventilation. Only one man is put into each of these cells, and they are not allowed bedsteads, in consequence of the patients all being of a violent character. On each floor one of the cells is occupied by one of the attendants, and a watchman is kept on duty all night. The cells are commodious and comfortable, they have bar windows sufficient to admit plenty of light and air, but out of reach of the patient, and they can be opened or closed as necessary. All the cells are washed out on alternate days, the bedding well aired, and everything is kept very cleanly. The patients are never left in any of the yards without a sufficient number of keepers, and closets are provided to every yard.

At the back of the criminal yard is the main airing-yard of the institution, where the majority of the male inmates take their meals, in a large open shed which has no shelter from the wind or rain. In this, tables and forms are placed; and in dry or hot weather it is very pleasant for them, but in the cold and wet it is very uncomfortable. A doorway is opened from the yard to the kitchen department, which makes it convenient to the dining shed; but as there is no covered way, the meals cannot be served in a comfortable manner in wet weather.

Adjoining this airing-yard is one kept for imbeciles; the hospital is also there, and a large two-story building used for dormitories for ordinary patients. Those inmates who are of uncleanly habits all sleep in a long detached building, on the ground floor, which is flagged. The room is scrubbed out every morning, the beds changed, and the floor whitened over with lime, to keep the place cleanly. There are no sashes or glass fitted in the window openings of these or any portion of the buildings, except the criminal cells; some of the dormitories have simply large round holes, but all are protected with iron bars. In cold or windy weather a piece of bagging is put up to break the draught, and it is considered more healthy than having the rooms closed up, but has not a civilized appearance.

The hospital at the south-west side of the imbecile yard is on an upper story, and will hold about twenty-five patients; it is not, however, a suitable building, having windows only on one side, and is badly situated. There are, however, very seldom many patients confined to the room; but the beds are occupied by sickly inmates; an attendant is always on duty, and a light kept burning through the night.

All epileptic patients are kept in a ward under the hospital, and for security their beds are made on the floor; but in the Establishments for the Infirm and Destitute, and at the Tarban Asylum, they provide low bedsteads with sides to keep them from falling on the ground, and some have padded bedsteads with high sides.

In the imbecile yard a room is appropriated for a general bath-house. It is not fitted up with regular baths, but large tubs are used for the purpose; these have no taps or plugs to let off the dirty water, and they have to be emptied by hand, which entails great labour. All the patients have to take the bath, unless otherwise ordered by the medical superintendent. There is only one small room for the patients to sit in, which is close to the bath-house, and in cold weather a fire is kept there, protected by a strong iron guard.

A plentiful supply of water is procured from the Parramatta River, which runs at the back of the institution, and only about 70 yards from the outer wall. The water is pumped up into a large tank by a horse-mill, which is constructed in the pump-house built in the west corner of the imbecile yard. There is also a hand pump worked by the inmates, to force the water from the main tank to the various parts of the building, through service pipes laid on for the purpose; an oversight has, however, been made in not raising the tank sufficiently high for the water to run to all parts without a second pumping.

On the east side of the institution, between the outer wall and the female cells, is a garden, which is named "the men's green yard." A shed has been constructed there, and several men are placed in this yard every day, and take their meals there in the same manner as they do in the main airing-yard, but, as previously pointed out, there is no shelter against the severe weather.

There is a small library allowed for the inmates, which contains about 200 volumes of interesting tales, journals, magazines, histories, and novels; but there is no place to keep the books except some damp shelves in the waiting-room at the entrance, and many of the books were spoiled with the damp from the walls.

All the stores are issued by the clerk, on requisitions which are made once a week by the master attendant and the matron. It appears to me there should be one person appointed to act specially as storekeeper, who should issue daily all articles required, and assist in the clerical duties; the clerk should check the storekeeper's requisitions and issues, taking stock periodically; a book should also be kept to shew the detail issue of all medical comforts in proper form, which should be signed daily by the superintendent. At present there are two store-rooms—one used for general stores, the other for tea, sugar, flour, tobacco, medical comforts, &c. The store for the latter articles is situated at a very inconvenient distance from the clerk's office, next to the dead-house, outside the entrance to the green yard, which is objectionable. The other store-room is also unsuitable, damp, and much in need of repair. It would be a great improvement if the present offices and store-rooms were pulled down, and a new store-room for all stores and offices built under the north-east wall—shifting the stables, which are now just inside the entrance, to the building next the dead-house; this would, in addition to giving suitable accommodation, afford a good opening to the front of the institution.

The women have two large yards on the south-east side of the institution, with a small portion railed off in one corner for very refractory patients. There is one large dormitory in the main building that holds about thirty quiet patients. Outside this is a range of buildings, running south-west, only one story high, containing a room for silly and idiotic children; the kitchen for females, and the female hospital, capable of holding fifteen patients, besides two nurses who always sleep in the apartment. Adjoining is the wash-house, which appears to me too close to the hospital. The women have to take their meals under an open shed in the same manner as the men. The floor of the shed is cemented over, and tables and forms are placed for them to sit on; but there is no protection whatever against the cold or wet. In the wall on the south-west side there is a large door which opens on to the back grounds of the institution near the river. This land is not fenced in, and thus affords an opportunity for people to look through the gate, causing annoyance to the attendants and the inmates; a fence might be put up at the back to prevent this, and a portion of the land could then be used for a drying ground. At present there is only a small yard at the end of the cells adjoining the airing yard, which is not sufficiently large for the purpose, and very little sun or air can get to it, owing to the high walls of the building.

Four or five attendants are always on duty in charge of the females when they are in the airing yard, and all the patients are well looked after, and the whole of the apartments kept very clean and in good order. The cells used for the majority of the females are those built for the factory, and not so good as the new cells built for the criminal ward on the men's side. The building is three stories high; the ground floor is flagged, and affords thirty-six cells 8 x 5 ft. which will only hold one inmate in each; but on the two floors above there are only eighteen rooms on each floor of 12 x 8 ft., and three patients occupy one room, having more space than on the ground range. All the cells are calculated to afford 576 cubic feet to each person. The attendants sleep at the end of the cells, in separate apartments, and one attendant is always on watch during the night.

A bath-room is provided at the entrance to the cells on the ground floor, and the laundry adjoins it. As on the male side, there are no fixed baths, but large wooden tubs answer for the purpose. The want of some convenience is much felt to convey the water to the upper stories, as all the apartments have to be scrubbed out daily, and the labour of carrying the water to such a height falls heavily on the attendants; an arrangement could easily be made by having a small iron tank and a force-pump from the present tank placed on the top story.

The

## PUBLIC CHARITABLE INSTITUTIONS.

13

The food supplied is plain and wholesome, and is allowed in accordance with an authorized scale, as follows :—

## ALLOWANCES.

The ration of provisions authorized to be issued to the attendants in the Lunatic Asylum, Parramatta, is composed of the following articles, viz. :—

No. 1.		
1	pound bread	} daily.
1	" meat	
$\frac{1}{4}$	" tea	} weekly.
2	" sugar	
1	" vegetables	} daily.
1	ounce rice	
$\frac{1}{2}$	" salt	
1	gill milk	

The following is the scale of diet daily issued to patients in the Lunatic Asylum, Parramatta :—

FULL DIET.		LUNATICS.	
No. 2.		No. 3.	
1	pound bread	1½	pound bread
1	" beef or mutton	1	" beef or mutton
$\frac{1}{4}$	ounce tea	$\frac{1}{4}$	ounce tea
1½	" sugar	1½	" sugar
1	pound vegetables	1	pound vegetables
1	ounce rice	1	ounce rice
$\frac{1}{2}$	" salt	$\frac{1}{2}$	" salt
1	gill milk	1	gill milk
HALF DIET.		No. 5.	
No. 4.		No. 5.	
1	pound bread	1½	pound bread
"	beef or mutton	$\frac{1}{2}$	" beef or mutton
$\frac{1}{4}$	ounce tea	$\frac{1}{4}$	ounce tea
1½	" sugar	1½	" sugar
$\frac{1}{2}$	pound vegetables	$\frac{1}{2}$	pound vegetables
1	ounce rice	1	ounce rice
$\frac{1}{4}$	" salt	$\frac{1}{4}$	" salt
1	gill milk	1	gill milk
SPOON DIET.		No. 6.	
No. 6.		No. 6.	
8	ounces bread	8	ounces bread
$\frac{1}{4}$	" tea	$\frac{1}{4}$	" tea
2½	" sugar	2½	" sugar
2	" rice	2	" rice
1	gill milk	1	gill milk

## FORAGE.

## No. 7.

The daily ration of forage is composed of the following articles, viz. :—

8	pounds maize or barley, or 10 lbs. oats
4	" bran
12	" oat or cultivated grass hay
4	" wheat straw

For each horse daily, and half these quantities for each bullock.

In case the entire ration of forage be not required or delivered, the maize, barley, or oats to be reckoned 4-12ths; hay 5-12ths; bran 2-12ths; and straw 1-12th of the full ration.

Fresh beef or mutton to be issued on the order of the Medical Superintendent. The bread to be of the first quality.

The following are the authorized daily allowances of fuel and light, viz. :—

	SUMMER.			WINTER.		
	lbs. Wood.	oz. Candles.	Gills Oil.	lbs. Wood.	oz. Candles.	Gills Oil.
Storekeeper's apartments ... ..	72	2	.....	144	4	.....
Office ... ..	.....	2	.....	144	4	.....
Dispenser's quarters ... ..	72	2	.....	144	2	.....
Head keeper's quarters ... ..	72	2	.....	144	2	.....
Head wardman's quarters ... ..	72	2	.....	144	2	.....
Head nurse's quarters ... ..	72	2	.....	144	2	.....
Male lunatics attendant's room (1) ...	72	.....	$\frac{1}{2}$	144	.....	1
Female do. do. do. (4) ...	288	.....	2	576	.....	4
Gate-keeper's quarters ... ..	72	.....	$\frac{1}{2}$	144	.....	1
Carter and messenger's quarters ...	72	.....	$\frac{1}{2}$	144	.....	1
Porter's lodge ... ..	.....	.....	.....	144	.....	.....
Visitors' room ... ..	.....	.....	.....	72	.....	.....
Kitchens (3) ... ..	1,800	.....	1	1,800	.....	1½
Wash-houses (3) ... ..	1,440	.....	.....	1,440	.....	.....
Male lunatics' dormitories, large (5) ...	.....	.....	5	1,440	.....	7½
Do. do. do. small (1) ...	.....	.....	1	144	.....	1½
Female do. do. (1) ...	.....	.....	$\frac{1}{2}$	144	.....	1
Male invalid do. large (1) ...	.....	2	.....	200	4	.....
Male invalid day room large (1) ...	.....	.....	.....	288	.....	.....
Female invalid dormitory ... ..	.....	.....	$\frac{1}{2}$	144	.....	.....
Passages (3) ... ..	.....	.....	1½	.....	.....	3
TOTALS ... ..	4,104	14	13	7,688	20	21½

Cotton wick is issued in the proportion of eight drachms for every gallon of oil.  
The winter months are June, July, August, and September.

Two



Two days in each week the meat is baked, and on other days it is boiled and served with soup. For breakfast and tea they have only tea and bread, but the ration of tea and sugar appears small, being no more than allowed to the prisoners; and complaints were made to me by some of the patients that they did not get enough to eat, though they had the full quantity supplied to them, according to the scale, at the time of complaint. Clothing is given to the patients as required, every care being taken to prevent them from destroying their clothes.

A farm of about 26 acres has been granted by the Government for the benefit of the institution; it is situated on the banks of the Parramatta River, across the dam at the back of the building, about a quarter of a mile from the dam. There is an overseer and a labourer allowed for working it, and many of the inmates also render assistance; sufficient vegetables, with the exception of potatoes, are obtained for the establishment. A number of pigs are also kept there and fed from the waste of the garden and wash from the kitchen, and when they are fat are sold for the benefit of the institution; the proceeds have hitherto been laid out on the garden, which is irregular, as the money should pass through the Treasury. Some cows are kept at the farm, but not enough to supply all the milk required for the patients.

Outside the building, at the entrance, is the wood-yard and drying ground, which has a very unsightly appearance; this might easily be shifted to the back of the premises, and an enclosure made there for the purpose, which would prevent the present evil of people congregating round the back gates, and remove an eye-sore from the front of the institution.

A property adjoining the Asylum, comprising about 40 acres of land and a house, has been purchased from Mr. Blaxland, for the purpose of enlarging the institution; but no use is made of it at present, as the house is in a dilapidated state, and the ground is not properly enclosed.

Divine service is performed at the institution, by a clergyman of the Church of England every Wednesday, and by the Roman Catholic clergy on Thursdays in each week.

Under the control of this institution there was an establishment in Macquarie-street kept for British invalids, numbering about thirty. The inmates of this building were not lunatics, but the majority of them decrepit and unable to provide for themselves. Some were men whose sentences have not expired; and, as it was considered undesirable to keep up this additional establishment, the inmates have been removed to the Asylum for the Infirm and Destitute at Liverpool, and the building is available for other purposes.

The daily average number of inmates maintained in the institution for the year 1867 was 571½, and the total expenditure, including all stores, £16,919 17s. 4d., but exclusive of the cost of buildings or repairs, &c.,—which gives the average yearly cost for each patient at £29 11s. 10 3/4d., or about 1s. 7 1/2d. a day per head; and for the management and working of the establishment there were 6 officers and 62 attendants. The number of patients in the building on the 1st January, 1867, was 547; there were admitted during the year 96, and the deaths reached 32, or 4·977 per cent.; the number discharged was 37, or 5·754 per cent. on the total number for the twelve months; and 568 patients remained in the asylum on the 31st December, 1867.

#### LUNATIC ASYLUM, TARBAN CREEK.

When the Tarban Creek Asylum was first established by the Government it was intended to provide for convict lunatics only, but free patients were from an early date admitted. The first inmate appears to have been received there on the 13th December, 1822, and at that time the institution was estimated to hold about 60 patients. Many additions have been made since that date, and there are now over 600 inmates in the establishment, but there does not appear to be proper accommodation for more than 350 to 400 people; consequently, every available space is occupied in order to provide sleeping room for the inmates, and, only for the recent improvements that have been made, by providing spacious airing grounds—completed in January last—for both men and women, it would hardly be possible for so many inmates to be retained there.

The walls surrounding the buildings, and forming the airing grounds, enclose about 32 acres of land; there is in all about 45 acres attached to the institution, and 1 acre is set apart outside the walls for a burial-ground; 5 acres have also been given as a water-reserve, about a quarter of a mile from the establishment. The airing grounds are on the south-east side of the building, and extend down to the edge of the Parramatta River, being enclosed all round with a high stone wall, so as to prevent any one approaching the patients, and to guard against their escaping. The males are divided from the females by an avenue planted with orange trees, leading from the superintendent's quarters to a wharf at the river side, which affords a landing place for parties visiting the institution by the Parramatta River. The stone wall is continued up each side of the avenue, so that no communication can be made between the male and female patients; the south-west portion of the ground is appropriated for the females, and the north-east side for the males. The patients are kept out in the airing grounds from two to three hours daily in fine weather, or as long as circumstances will allow. It is a great boon to this unfortunate class of people to have a place like this, where they can enjoy freedom during the day, and, while getting plenty of fresh air, they can see a little of life outside the walls, as there is a fine view of the river and the surrounding country from the yards; and I am informed that a vast improvement has taken place in the majority of the cases since these yards have been used.

While

While the patients are confined within the wards they have not less than three attendants in each ward, but when they are admitted to the outer airing yards it is necessary to have eight or nine attendants always on duty; there are, however, some patients that cannot be permitted in the outer grounds; these are occasionally taken out under the special charge of the warders. No violent measures are resorted to, but it is found necessary occasionally to confine some of the patients in the cells, when they become violent and unmanageable.

I find that out of the large number of inmates, only 16 of them were paid for by their relations or friends, although the rate charged for their support is only 2s. 2d. per diem, which is the rate fixed by the Government; many of the patients are connections of people in good circumstances, who are well able to provide for their support.

Every care is taken to preserve order and cleanliness; and, throughout the establishment, all the wards, beds, and cells, are kept very clean, but great complaint is made of the state of the closets, which require alteration.

The establishment is all constructed of stone, and the various wards containing the halls and dormitories are built in a series of squares. The superintendent's quarters stand in the centre of the wards facing the south-east; the male patients are at the north-east side, and the female on the south-west side. These quarters were originally intended for the accommodation of paying patients, but on their completion were handed over for the use of the superintendent, there being no other provision made for him. A portion of this building is used for the board-room, visitor's room, dispensary, medical officers' surgery, library, and store-room, &c.

All the buildings, with the exception of the superintendent's quarters, are only one story high, and they are connected one with the other by corridors or verandahs, the entrance to the various wards being well secured with double doors; every keeper is provided with a key for the wards. The single rooms vary in size from—

	ft.	in.	ft.	in.		
	10	3	x	6	3	containing 769 cubic feet.
	10	0	x	6	6	" 1,704 "
	12	0	x	7	6	" 1,080 "
in the male division, and—						
	10	0	x	6	6	" 1,704 "
	12	0	x	7	6	" 1,080 "

for the females; but this room cannot be afforded to the sleepers in the other parts of the building while the number of inmates is so great, every available space being crammed with beds.

On the male side there are five wards, consisting of the refractory, sub-refractory, convalescent, sub-convalescent and hospital wards. The entrance for the patients to the large airing-yard is from the convalescent ward. Owing to the crowded state of the institution, it is not possible to keep the building constructed for the hospital, as such; it is therefore used as a general dormitory, and beds have also to be made up in the dining-halls, and in all the passages and corridors, every night. There is a lavatory and bath-room provided for each ward, with closets for every yard, but the latter are in a bad condition for want of proper arrangements. The epileptic and paralyzed patients are kept separate from the others, and are in most cases provided with low beds having padded sides, which are made expressly for them. No lights are allowed in the dormitories during the night in this institution as at Parramatta, and I think it would be beneficial to have some of the large rooms lighted; the lights could easily be so arranged that the patients could not interfere with them.

On the female side there are only four wards; the refractory, sub-refractory, hospital, and convalescent wards; the last opens on to the airing ground. All these wards are in the same crowded state as on the male side. Each yard is provided with bath-rooms and closets, but the same complaint is to be made here, as previously pointed out in the wards for the men; the places, also, appropriated as dining-halls are too small for the numbers who have to occupy them.

The store-room for small stores, is in the main building at the back of the office, but the provision store is out in the yard, at the back of the kitchen. There does not appear to me sufficient check on the issue of the goods and medical comforts; it will be necessary to introduce some forms, to place a greater restriction upon the issue of these articles. I also think it desirable that the storekeeper should be checked by the clerk, who should have a joint responsibility of all goods received.

No provision is made for checking the issue and receipt of the books in the library, which contains over 1,000 volumes; there is no catalogue nor any record kept of the books bought from time to time, and those lost or destroyed by the inmates.

Only one kitchen is provided for both departments, which does not seem adequate for the requirements of such an institution, and it is in a very dilapidated state; the bricks are all tumbling from the coppers and fire-places, and the floor has given way, from the rats having undermined it. At the Parramatta Asylum they have a separate kitchen appropriated for each department. On account of so many meals having to be provided at the one time, the food is cold before it can be distributed, and it must necessarily be prepared a considerable time before it is required, in order that it may be ready at the appointed hour; in addition to which, it has to be conveyed a long distance to the dining-rooms, so that the patients rarely get a warm dinner. Some arrangement might be made to provide steam plates, ovens, or other apparatus for keeping the meals in such a manner that they can always be served up warm.

The



The food provided for the inmates is of fair quality, and but little complaint is made of the manner in which the articles have been supplied; but the quantity of the tea and sugar allowed by the fixed scale appears to be barely sufficient, and the tea when made is consequently a very inferior beverage for the patients. There is also a difference in the scale of this institution as under, and that in use at the Parramatta Asylum. There appears no reason why this difference is made.

## SCALE FOR TARBAN ASYLUM.

## ALLOWANCES.

Ration No. 1, authorized to be issued to the attendants in the Lunatic Asylum, is composed of the following articles, viz. :—

1	pound fresh beef or mutton	} daily.
1	" bread, first quality	
$\frac{1}{2}$	ounce salt	
1	pound vegetables	} weekly.
1	gill milk	
6	ounces tea	
2	pounds sugar	

The following is the scale of general diet for the patients in the Lunatic Asylum, authorized by the Honorable the Colonial Secretary's letters, addressed to the Auditor General, No. 651, of the 13th October, 1846, and No. 1,304, of 20th October, 1852; and to the Superintendent of the Lunatic Asylum, Tarban Creek, Nos. 251 and 322, of 30th June, and 6th September, 1847; authorized 29th November, 1862 :— $\frac{1}{4}$  lb. bread additional for dinner, five days in the week; 1 oz. barley in lieu of same quantity of rice on soup days. The allowance of potatoes on the days when the additional bread is given to be reduced to  $\frac{1}{2}$  lb.

## RATION NO. 2.—FULL DIET—ON SUNDAYS AND THURSDAYS.

1	pound fresh mutton	$\frac{1}{4}$	ounce tea
20	ounces bread	$1\frac{1}{2}$	" sugar
1	pound vegetables	1	gill milk

## ON MONDAYS, WEDNESDAYS, AND SATURDAYS.

1	pound meat	$\frac{1}{4}$	ounce tea
1	ounce barley	$1\frac{1}{2}$	" sugar
$\frac{3}{4}$	pound vegetables	1	gill milk
$1\frac{1}{2}$	" bread		

## ON TUESDAYS AND FRIDAYS.

1	pound meat	$\frac{1}{4}$	ounce tea
$\frac{1}{2}$	ounce suet	$1\frac{1}{2}$	" sugar
6	ounces flour	1	gill milk
1	pound bread		

$\frac{1}{2}$  pound flour,  $\frac{1}{4}$  pound of raisins, and 1 ounce of suet, on Christmas Day and the Queen's Birthday, in addition to the authorized ration.

To be substituted in cases of sickness, at the discretion of the surgeon :—

## RATION NO. 3.—HALF DIET.

2	pints tea	$\frac{1}{4}$	ounce tea	1	pound bread
		$1\frac{1}{2}$	" sugar	$\frac{1}{2}$	" vegetables
		1	gill milk	1	pint broth
$\frac{1}{2}$	pound meat				

## RATION NO. 4.—LOW DIET.

2	pints tea	$\frac{1}{4}$	ounce tea	$\frac{1}{2}$	pound bread
		$1\frac{1}{2}$	ounce sugar	$\frac{1}{2}$	" vegetables
		1	gill milk	$\frac{1}{2}$	pint broth
$\frac{1}{2}$	pound meat				

## RATION NO. 5.—FEVER DIET.

2	pints tea	$\frac{1}{4}$	ounce tea
		$1\frac{1}{2}$	" sugar
		1	gill milk

$\frac{1}{2}$  pound bread (with sago, arrowroot, pudding, and other extras, as occasion may require).

1 ounce pepper and 25 ounces salt for every 100 full daily rations of provisions to patients.

Ration No. 6.—Forage is composed of the following articles, viz. :—

8	pounds maize or barley, or 10 lbs. oats
4	" bran
12	" oat or cultivated grass hay
4	" wheat straw

For each horse daily, and half these quantities for each bullock.

In case the entire ration of forage be not required or delivered, the maize, barley, or oats to be reckoned 4-12ths; hay 5-12ths; bran 2-12ths; and straw 1-12th of the full ration.

The authorized allowance of fuel and light for the use of the establishment, is as follows, viz. :—

7 fires and 1 oven in kitchen.....	$1\frac{1}{2}$ ton firewood daily throughout the year
25 other fires .....	4,000 lbs. firewood, each, per month, for 6 months
For general establishment.....	35 tons coals per annum
For the office .....	40 lbs. coals daily in winter
For 30 hand lamps .....	$\left\{ \begin{array}{l} 6 \text{ gills common oil, daily, in summer} \\ 10 \text{ do. do. do. in winter} \end{array} \right.$
For 3 hall lamps .....	$\left\{ \begin{array}{l} \frac{3}{4} \text{ gill kerosene, daily, in summer} \\ 1 \text{ do. do. do. in winter} \end{array} \right.$
Assistant medical officer, clerk, and	$\left\{ \begin{array}{l} 13 \text{ lbs. sperm candles, monthly, in summer} \\ 15 \text{ do. do. do. in winter} \end{array} \right.$
matron (for the three) .....	
For general establishment.....	20 lbs. candles (tallow), throughout the year

These quantities include hospital allowances and all other extras of fuel and light.

Cotton wick is issued in the proportion of 8 drachms for every gallon of oil.

The winter months are June, July, August, and September.

Provision

Provision is made, on Tuesdays and Fridays in each week, for cooking the meat into what is called pie, which does not seem to me a suitable kind of food, and as I saw it cooked I could not have eaten it. There is an absence of supervision over the preparation and distribution of the food, and the kitchen department, and some person unconnected with the medical staff should be made responsible for matters of this kind, who might have the whole management of the minor household duties, and check the issue of stores, as it cannot be expected that the medical officer can devote his time to such supervision.

A good supply of water is provided by a number of tanks. There is one in the kitchen yard, containing 48,000 gallons; one in the hospital ward, of 35,000 gallons; one 35,000 gallons in the outer yard, at the south-west corner on the female side; and roof tanks, holding about 11,500 gallons. In addition to which, a raised tank holding 20,000 gallons has been erected at the back of the institution, from which the water is conveyed by service pipes to all parts of the building. This tank is filled about twice a week from a reservoir, on the water reserve; the water is pumped up by a 12-horse power steam-engine, and passes through a charcoal filter as it is forced through the pipes.

In the inner airing-yards, improvements have been made by laying out the ground with paths and beds of turf; trees have also been planted in some, to give a more cheerful appearance to the place. Considerable progress has been made in clearing and levelling the grounds of the outer yards, and many of the loose stones have been removed, but a great portion of the land is still in a very rough state. It would be a great improvement if some seats and sheds were provided for the patients in the outer yards.

Amusements are allowed for the inmates, such as cards, draughts, bagatelle, hand and foot ball; tame rabbits and birds are also kept in the wards, for their diversion.

About three acres, at the east side of the male airing-ground, have been cultivated as a fruit and vegetable garden; in which there are a good number of fine bearing fruit trees. The fruit is grown for the benefit of the patients. There is one gardener allowed for working the garden, who is assisted by two or three of the patients. The ground supplies about four cwt. of vegetables and herbs a week; in addition to which, there is a general ration allowance.

Outside the garden an excellent bathing house has been erected, and an enclosure made for the patients to bathe in, well protected with strong piles.

The daily average number of inmates maintained in the institution, for the year 1867, was 564; and the total expenditure, including all stores, was £15,617 1s., but exclusive of the cost of buildings or repairs, &c., which gives the average yearly cost for each patient at £27 10s. 3d., or about 1/6 0/90 a day per head. For the management and working of the establishment, there were 7 officers and 48 attendants. The number of patients in the building on the 1st January, 1867, was 492; there were admitted during the year, 196; the deaths reaching 38, or 5.523 per cent.; the number discharged was 104, or 15.117 per cent. on the total number for the 12 months; remaining in the asylum on the 31st December, 1867, there were 546 patients.

#### DEAF AND DUMB INSTITUTION, SYDNEY.

This institution has now been open about 7 years, and is conducted by a committee of gentlemen and a visiting committee of ladies—having for its object the education of deaf and dumb children, who can be admitted on the recommendation of two members of the institution, or by a clergyman of the district in which the candidate resides, who is required to fill up certain forms.

The aid given by the Government is granted on condition of an equal amount being raised by private contribution. The first grant was £150, which was placed on the Additional Estimates for 1862; this was continued until 1864, when it was increased to £250, and for this year the sum of £450 has been appropriated.

When I first visited this institution, on the 9th June last, there were 11 girls and 7 boys, and it was carried on in a very unsuitable house in Pitt-street, which was badly in want of repair; it opened on to the street, and it contained only 8 rooms, most of them being small and ill-suited; there was no yard or recreation ground for the children to go to, and they had to be taken out to walk each day, when the weather was fine, as the only means of obtaining air and exercise for them; at all other times they were compelled to remain in the dining-room and school-room, which were on the ground floor close to the street. There were no means of separating the boys from the girls during the play hours. The seven boys had to sleep in one room 12 x 12, with only 3 beds. The matron had one small bed-room on the same floor as the boys, but no sitting-room; the other room on the first floor being used as a board-room and for receiving visitors in. The girls' dormitories were on the upper floor, being the only means of dividing the bed-rooms. The school was first opened in Castlereagh-street, in even a more unsuitable place than this.

A sum of £1,250 has been placed on the Estimates for 1868 for the purchase of suitable premises, on condition of an equal amount being raised by private contribution; but as the committee were not able to accomplish this during the present year, they took a lease of Ormond House, on the Paddington Road, for 3 years, at a rental of £100 per annum; and they are to expend £150 on improvements during the tenancy. The house is commodious, and stands on about 3 acres of ground, affording space for two separate play-grounds. The institution was removed from Pitt-street to this place on Tuesday, the 21st July last, and the number of inmates remained the same as at my first visit, viz., 11 girls and 7 boys. The children are far more happy and comfortable than they could possibly be in their old quarters. The upper portion of the house is divided

into two parts, with a separate staircase to each division. The girls occupy the northern side, and the boys the southern portion, so that they are now kept quite distinct from each other, except at school and dinner time. The matron (Mrs. Ashton) has her apartments between the dormitories, with a door leading into each department, so as to be able to exercise a proper supervision over all. On the ground floor there are four large rooms, which are occupied as board-room, school-room, play-room for the children in wet weather, and a sitting-room for the matron. There are three rooms on the first floor, over the school-room and passage, appropriated for the girls' dormitories, and two at the southern side for the boys; the rooms are neatly and well provided with separate beds and bedding for all. The dining-hall is a flagged room on the basement floor, adjoining the kitchen; there are several store rooms and two large attics. All the back part of the house commands a fine view of the harbour, and affords a very cheerful aspect to the place.

All the inmates have either one or both parents living; there are only two who are paid for by their parents, at the rate of £25 per annum, which is a condition of the school when they are able to do so; but most of them are unable from their circumstances to pay, though some subscribe small amounts and make contributions of clothing. The children are all well provided for by the committee, with both food and clothing—a very liberal dietary scale being allowed to them. The articles of food and clothing are not supplied by contract, but purchased at the lowest rate at which they can be obtained by the secretary and the committee. The matron accompanies the children to church on Sundays, and takes them out to walk during the week.

In the rules of the institution, it states that no child shall be admitted younger than 5 years, nor older than 12 years; but this rule has not been strictly adhered to, as there are now many over 12 years of age in the school. No definite arrangement has yet been made to provide for the children, nor are any trades taught to those who might be desirous of learning them, but this may be done at some future time. The parents, however, mostly remove the children themselves, as soon as they have been taught, and are able to work, and in many instances, they often take them away before they have reaped the advantages they could derive if allowed to remain a proper time, which is much be regretted.

While the income of this institution is so slender, and the numbers small, they cannot afford to have more than one teacher, nor can they separate the boys and girls during the school hours. At present the children are taught by Mr. S. A. Gilder, who does not reside on the premises, but attends daily. From the progress made, he is evidently well qualified for his position, and appears to take a great interest in his pupils. The mode of teaching is by the deaf and dumb alphabet, and by the use of signs, made with the hand, and with chalk upon a black-board fixed at one end of the school-room; they also use picture tables, and each child is known by a sign.

Daily boarders are received at the rate of one shilling per week, but at present there is only one attending the school. One female servant is allowed for the institution, who is assisted by the girls of the school in the performance of the household duties, and they are appointed in their turn to this work every morning; but this is not allowed to interfere with their school hours.

Visitors are admitted to the institution daily (Saturdays and Sundays excepted) between the hours of 10 o'clock a.m. and 3 o'clock p.m.

The total expenditure, as shewn by the balance sheet in the printed report for the year 1867, amounted to £711 5s. 11d., and the daily average number of children is shewn as eighteen, which gives the average yearly cost for each child at £39 10s. 4d., or about 2s. 1-984d. a day.

#### HAWKESBURY BENEVOLENT ASYLUM AND HOSPITAL.

This society was founded as far back as 1818; relief was then only afforded to out-door patients, but in May, 1834, a grant of 1 acre of land was given by the Government, in the township of Windsor, to enable the committee to erect a two-story brick building 34 x 31 for an asylum; a tender having at that time been accepted for the sum of £207, for the construction of the same; the building was not, however, completed until the beginning of 1836. Indoor patients were then received there until 1845, when the institution was removed to the building now in use in Macquarie-street, which was erected under Governor Macquarie, in 1820, for a prison hospital, and used as such until 1841. In 1845, the Government having no further use for this building, it was handed over to the trustees for the society, with the view to the formation of a benevolent asylum and hospital; and at the same time a grant of £200 was allowed by the Government to meet the necessary expenses; this aid is still continued annually, on condition of an equal sum being raised towards the support of the hospital by private contributions.

At present, the institution combines the threefold object of an hospital, an asylum for the infirm and destitute, and relief to the outdoor poor, for both males and females. The daily average number for the year 1867, is stated to be 55 indoor, and 23 outdoor patients; and the number will be about the same for the year 1868. The average cost per head for the year 1867, appears to be £16 17s. 8d. for the indoor, and £2 3s. 4d. for the outdoor patients.

In addition to the aid granted by the Government and voluntary subscriptions, there was during last year an income arising from interest on investments, £4,000, and for rent of land which has been granted from time to time, to the institution, amounting to £262 10s.; also £18 15s. for rent of the old asylum building, still in possession of the society.

The

The land belonging to the society is as follows, viz. :—

In the town of Windsor	...	...	1 acre.
Adjoining do.	...	...	13 acres.
Town of Wilberforce	...	...	10 "
District of Wilberforce	...	...	500 "
Mooki, Liverpool Plains	...	...	1,369 "
Total	...	...	1,893 acres.

They have also two runs near the land at Liverpool Plains, called the Mooki Runs—one comprising about 20,000 acres, the other about 16,000 acres—which are rented by the committee from the Government. In the early period of the institution, contributions were made by many subscribers in horned cattle, for the purpose of forming a herd, with a view of establishing an endowment fund; and these cattle increased until a very good herd was formed, and they were depastured on the Mooki Run; but owing to continued disputes which have arisen with the holders of the adjoining runs for a considerable time about the boundaries, and encroachments having been made upon the run, it involved the committee in arbitration and law costs to such a considerable amount that they found it necessary to sell the stock and lease the runs, which are now rented to a Mr. Price for £450 per annum, including the 1,369 acres of purchased land.

When I visited the institution (on the 3rd August), there were fifty-two inmates, being thirty-five males and seventeen females, nearly all of whom were infirm or destitute people, and not what may be termed hospital patients. All accidents or sick cases, for the whole district, are, however, taken in as they occur. Some of the inmates have arrived at very advanced ages, reaching eighty and ninety years, and one old man stated he had reached the great age of 111 years, and arrived here in the first ship with Governor Phillip.

The building is constructed of brick, and stands on about an acre of ground, facing east; it has four large wards, capable of holding about sixteen beds in each. One of the wards is appropriated for an hospital, and one for the women; the other two are used for ordinary patients. There is a small dispensary at the south end of the building, but only a few simple drugs are kept on hand, all the principal medicines being supplied by contract from the township. No general dining-hall is provided for the inmates, and the meals are served from the kitchen to each room, in all of which there are tables and forms arranged at the foot of the beds; and as there is no other place except the verandah, for the men to sit in, they are permitted to go into the rooms during the day, which is not allowed in the Government Asylums. The yard is covered with ironstone gravel, and from the constant traffic in and out all day, a considerable quantity of dirt is carried into the wards; this, with the dormitories being converted into dining-rooms, creates an absence of order, and prevents the place having that neat and cleanly appearance that an institution of this kind should have.

The men also go into the wards and sit, or lie down on their beds, in the day-time, which ought not to be permitted, as it prevents the rooms and bedding from being properly aired. A dining hall for both men and women might easily be erected, by roofing in the space between the main building and the kitchen, which is only about thirty feet distant; but the want of funds is the great drawback in carrying out any proposal of this kind.

No provision is made for keeping the women apart from the men, beyond their having a separate ward—there being only one yard in common, and one entrance to the wards for both sexes.

There is no regular bathhouse or lavatory, but a portable bath is placed in a building at the back of the kitchen, which is used as a dead-house, and the inmates go there to wash.

The institution is supplied with water from a large tank, built in the yard, underground, which is filled from the roof of the building; and in dry seasons, when it gets low, water is obtained from the river.

The closets were in a very bad state of repair, and filthy for want of some kind of drainage, or urinals being provided; there was also a large open tank in the yard, close to the closets, full of stagnant water, which I was informed would be cleared out and filled up; but the odour from these places must, it appeared to me, be very injurious to the health of the inmates.

A small detached cottage is provided for the residence of the superintendent (Mr. T. Paul), and adjoining it is a store-room, which has been built for keeping the supplies in. The provisions, which are supplied by contract, appeared to be all of very good quality, and the inmates well provided for in both food and clothing.

The scale of rations is—

Sugar...	...	2 lbs. weekly.
Tea ...	...	2 ozs.
Bread...	...	1 lb. daily.
Meat ...	...	6 lbs. weekly.

The superintendent is allowed rations for himself and wife.

In most of the benevolent societies tobacco is allowed to the patients; but about the time of the American war, when this article rose to a very high price, one of the committee made a proposal to abolish this allowance, considering the object of the institution

institution was to provide for the necessities, and not the luxuries of life, which was agreed to, and a saving of between £40 and £50 per annum has been effected ever since in the annual expenditure of the society, as the allowance has not been granted.

Only one warder is allowed for the institution, at a salary of £30 per annum, and one cook is paid at the rate of 5s. per week. All the inmates who are able to work, render assistance in cleaning the wards, cutting wood, &c., for which they receive some small gratuity of tea and sugar, or other articles, but no allowance is paid in money.

Meetings are held by the general committee on the second Wednesday in each month for the transaction of business, and the institution is visited daily by one of the visiting committee. The total receipts of the society for the year 1867 amounted to

£1,114	2	4
The balance in hand on 31st Dec.,/66, was..	113	17 6

	1,227	19	10
The total expenditure was (in gross) ...	1,222	0	2

Leaving a balance of... ..	5	19	8
----------------------------	---	----	---

at the beginning of the year 1868.

The treasurer also held fixed deposits and Government securities amounting to £4,000.

#### PENRITH HOSPITAL AND BENEVOLENT ASYLUM.

The present hospital and benevolent asylum has its origin from the establishment, as far back as 1846, of a district dispensary. A collection was made at the opening of the "Cumberland Order of Odd Fellows," for the purpose of forming a dispensary for the relief of the poor and distressed of the district. At a public meeting held on the 27th October, 1846, a committee was formed, and Dr. Patrick Glissan was appointed as surgeon, for the purpose of carrying on the society under the designation of the "Penrith District Dispensary"; all subscribers of 10s. 6d. per annum being entitled to keep one patient on the books of the society; and considerable relief was afforded in this way to the poor of the district, but it was found insufficient to relieve the wants of the numerous cases of distress, which were daily increasing; and on the 27th of December, 1847, a second public meeting was called, when the designation of the society was changed to the "Penrith Dispensary and Benevolent Society." From that date, food, and other comforts, in addition to medicines, were distributed amongst the poor. In the first report of the district dispensary for the year 1847, it appears that seven cases were visited by the surgeon at their own homes, and nineteen patients obtained relief from the dispensary, the cost for that year being £53 9s. 3d., while the receipts were £64 15s. 2d.; and the expenditure continued at about the same rate until the completion of the hospital in 1857. The society is conducted by a president, vice-president, honorary treasurer, honorary secretary, and a committee of twelve, together with all the clergy of the district.

Until 1855, the society was supported entirely by private contribution, when, on 18th July of that year, the president addressed a letter to the Colonial Secretary, stating they were desirous of erecting an asylum, as the society did not sufficiently meet the wants of the district, and asking aid from the Government to the extent of £500, on condition of a similar amount being raised by private contribution, which request was granted, and Admiral King, who had been a great benefactor to the society since its first establishment, offered to give one acre of land to the society, on his property in the vicinity of Penrith, which offer was accepted, and the present building is erected on this allotment.

In the report of Dr. Clarke for 1855, he states having ridden over a distance of 293 miles while visiting twenty-two patients for the society during the year. At the commencement of the year 1856, a change was made in the appointment of the surgeon, by Dr. Willmott being elected to the office; he was also made one of the building committee for the hospital. The total amount of collections shown up to the 23rd July, 1856, as subscribed for the benefit of the society, amounted to

£369	9	8
And towards the building fund...	207	3 4

Total ... ..	£576	13	0
--------------	------	----	---

On 12th September, 1856, the tender for £1,150 was accepted, the building was proceeded with, and finished on 16th November, 1857. The progress of the society at this time does not seem to have been so good as in previous years, and little appears to have been done with the building until February, 1860, when it was agreed that Dr. Willmott should occupy apartments in the hospital, and that pauper patients be admitted on the orders of subscribers, 1s. 6d. per diem being paid from the funds of the society for the support of each patient, exclusive of medical comforts; and two servants were also allowed for the institution, at the rate of £30 per annum, to act under the medical officer. This arrangement does not appear to have been a good one for the society, so far as the funds were concerned, for the expenditure was considerably on the increase, while the subscriptions were on the decrease; the amount paid for medical aid being more than the position of the funds warranted, as it appears to have absorbed nearly all the amount subscribed; consequently the society became involved. In December, 1864, Dr. Willmott gave notice that he wished to vacate the premises, and be relieved of the position as paid surgeon. Dr. Clarke, who has greatly assisted the institution, was then requested to act in concert with Dr. Willmott—both to give their services gratuitously. To this Dr. Clarke assented, and he also undertook the duties of the honorary secretary, as well as having the general management of the institution vested in him.

The



The funds of the society at this time were very low, but the committee when relieved of the heavy charges for medical attendance, were soon able to clear off the liabilities, and at the end of last year there was a balance to the credit of the treasurer of £158 14s. 1d.

The building is constructed of brick; and, for the money that has been expended, it is a very inferior piece of work, being badly constructed, and no attention paid to ventilation. It is two stories high, with an open balcony, and contains four wards about 25 x 18, capable of holding eight to ten beds in each, but only two of the wards are appropriated for the use of the inmates—one on the ground floor for the men. The second upper ward is appropriated for the warder and matron's quarters, and the other lower ward has been divided into three rooms, affording a board-room, a small dining-room, and a room provided for a dispensary, but it is not used as such now, only a few drugs being kept on hand, which are obtained from Sydney as required. The inmates being few, no contracts are taken for supplies, but they are obtained in such quantities as required, and of good and substantial quality. The accounts are all first approved of by the surgeon, and afterwards by the committee.

There is an out kitchen, and a slab room adjoining, which is used to afford shelter to travellers, or to give a few nights' lodging to those who may not be considered eligible for admission into the building. It is also used as a dead-house. It has been proposed to fit up the remains of an old stable, further from the building, for this purpose, which is very desirable. The institution is supplied with water by two large galvanized iron tanks, which provide for all ordinary purposes; but if in dry seasons they run short, water can be obtained from the Nepean River. The establishment is under the charge of Mr. Allen, who acts as warder, and his wife performs the duty of matron. There is no bath-room, and the building is not well provided with furniture; some of the bedding is very old, many of the bedsteads being in need of repair. Most of these articles have been given at different times as donations to the society, and are not so suitable as those supplied to other institutions.

The hospital is established for persons suffering from severe accidents, or those labouring under diseases that do not admit of their receiving treatment at their own homes. Patients are also supplied with medical advice and medicines, upon their presenting themselves at the hospital.

The institution also affords a home for the old and infirm residents of the district, providing such comforts as their cases may require. Any subscriber who contributes £10 per annum is entitled to have one patient always in the asylum throughout the year; and £5 gives the same privilege for six months; £2 2s. constitutes a member with the right of recommending one patient for indoor treatment and six persons for relief at the hospital.

I find that the Government first contributed towards the maintenance of the society in 1861, when £200 was placed on the Supplementary Estimates for that year; and this amount has been continued each year since, but only a proportionate sum, equal to the amount raised by private contribution, has been paid from the yearly vote.

During the heavy floods in June, 1867, the society were able to afford shelter and food to ninety-four individuals who were rendered homeless through the calamity which befell the district.

A great deal of good has been done, and much distress relieved since this institution was first established, the locality being one in which it is very desirable an institution of this kind should be well supported. At the time of my visit (on the 12th August) there were only two inmates in the establishment under the list of aged and infirm; and one case was admitted to the hospital while I was there.

During the year 1867 there were forty-one male and five female patients admitted, and four males remained in the building from 1866. Thirty-eight males and five females were discharged cured, and five males died, shewing the deaths at 10 per cent. on the total admissions. Two patients remained in hospital at the end of the year; and only one male and two females received out-door relief. The daily average number of inmates at the institution is ascertained to be  $7\frac{1}{2}$ , and the total cost of maintenance for the year, £207 17s. 5d., which will make the annual cost per head £26 16s. 5-250d., or about 1s. 5-636d. per diem for each patient (not allowing for three out-door patients).

The subscriptions only amounted to £93 15s., including £5 11s. for fines from the Police Court, and the amount obtained from the Government was £130 4s., which was paid from a vote of £200, granted on condition of an equal sum being raised by private subscription. There was a balance in the hands of the treasurer at the beginning of this year of £158 14s. 4d.

R. C. WALKER,  
Inspector of Public Charities.

## APPENDIX A.

RETURN of the Cost of Maintenance and Working of various Charitable Institutions aided and supported by the Government of New South Wales; shewing the yearly and daily rate per head for support of Inmates during the year 1867.

Name of Institution.	Daily average number of Inmates.	Total Expenditure for the Year 1867.	Yearly Rate per head.	Daily Rate per head.	Number of Years.	Number of Attendances	Remarks.
The Sydney Infirmary—(In-door Patients) ...	185½	£ s. d. 8,842 14 10	£ s. d. 47 13 4-750	s. d. 2 7-344	6	49	Inclusive of the cost of building repairs, £1,134 0s. 11d.
Do. do. (Out-door Patients, 3,926) .....		1,127 15 9	.....	.....	7	...	The total number of attendances on out-door patients, with medicine, was 4,896, at a cost of £1,127 15s. 9d., or 4s. 7-284d. for each attendance.
Protestant Orphan School, Parramatta ...	250	4,336 6 6	16 18 10-875	0 11-140	7	15	Exclusive of the cost of buildings
Roman Catholic Orphan School, Parramatta...	280	4,386 12 3	15 13 3-953	0 10-300	8	13	Do. do.
Lunatic Asylum at Parramatta ...	571½	16,919 17 4	29 11 10-348	1 7-458	6	62	Do. do.
Lunatic Asylum at Tarban ...	564	13,617 1 0	27 10 3	1 6-090	7	48	Do. do.
The Deaf and Dumb Institution...	18	711 5 11	39 10 4	2 1-984	2	1	
Hawkesbury Benevolent Asylum and Hospital	85	928 12 6	16 17 8-182	0 11-102	2	...	
Do. do. (Out-door Patients, 23) .....		49 16 8	.....	.....	...	...	23 out-door patients relieved, at £2 3s. 4d. per head.
Penrith Hospital and Benevolent Society ...	7½	207 17 5	26 16 5-250	1 5-636	2	...	

R. C. WALKER,  
Inspector of Public Charities.

1868-9.

## NEW SOUTH WALES.

## DESTITUTE CHILDREN'S SOCIETY.

(LIST OF DIRECTORS, &amp;c., FOR 1869.)

Presented to Parliament, pursuant to Act 20 Vict., No. 19, sec. 4.

## LIST OF DIRECTORS OF THE DESTITUTE CHILDREN'S ASYLUM.

PATRON—HIS EXCELLENCY THE RIGHT HON. THE EARL OF BELMORE.

PRESIDENT—THE HON. E. DEAS THOMSON, Esq., C.B., M.L.C.

VICE-PRESIDENTS—THE HON. GEORGE ALLEN, Esq., M.L.C.

REV. ALFRED H. STEPHEN, M.A.

HONORARY TREASURER—GEORGE F. WISE, Esq.

HONORARY SECRETARY—REV. ALFRED H. STEPHEN, M.A.

## DIRECTORS :—

ALDERSON, WILLIAM.	MILNE, REV. J.
BIRRELL, J.	METCALFE, M.
CLARKE, HENRY.	MOORE, J. J.
DAWSON, JOHN.	PEARCE, S. H.
DWYER, REV. M. J.	POWELL, JAMES.
DUTRUC, MONSIEUR.	PEDEN, M. J.
FRIEND, W. S.	RAPHAEL, J. G.
HUMPHREY, CHARLES H.	SHERIDAN, VERY REV. J. F.
KING, REV. GEORGE, M.A.	THOMPSON, JOSEPH.
KING, REV. HULTON S.	WOOLFREY, REV. H. N.
LANG, REV. DR.	WILSON, REV. T.
MOORE, C. (THE MAYOR OF SYDNEY.)	

I certify the above to be a correct list of the Directors of the Destitute Children's Society for the year 1869.

Sydney, 25 February, 1869.

ALFRED H. STEPHEN, VICE-PRESIDENT,  
Honorary Secretary.





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

LAW RELATING TO LUNACY;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

24 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price*, 1s. 3d.]

331—A

1868-9.

---

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

---

VOTES, No. 49. THURSDAY, 4 MARCH, 1869.

7. Law relating to Lunacy:—Mr. Burns 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 administration and state of the Law in relation to Lunacy.  
 (2.) That such Committee consist of Mr. Piddington, Mr. Windeyer, Mr. Tighe, Mr. Lucas, Mr. Farnell, Mr. Josephson, Mr. Isaacs, Mr. Wilson, Mr. Dodds, and the Mover.  
 Question put and passed.
- 

VOTES, No. 61. WEDNESDAY, 24 MARCH, 1869.

3. Law relating to Lunacy:—Mr. Burns, 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 the 4th March, 1869; together with Appendix.  
 Ordered to be printed.
- 

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Progress Report ... ..	3
Proceedings of the Committee ... ..	4
List of Witnesses... ..	5
Minutes of Evidence ... ..	7

---

1868-9.

---

LAW RELATING TO LUNACY.

---

PROGRESS REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 4th March, 1869,—“*with power to send for persons and papers*”—“*to inquire into and report upon the administration and “state of the Law in relation to Lunacy*”—have agreed to the following Progress Report:—

Your Committee have examined the witnesses named in the margin\*, from whose evidence, appended hereto, it appears that further legislation in reference to Lunacy is imperatively called for; but as your Committee was only recently appointed, it has not been found possible to complete the investigation satisfactorily this Session. They would therefore recommend to your Honorable House, that the inquiry be resumed early next Session.

\* Thomas Dangar, Esq.  
A. M. Brown, Esq., M.D.  
W. D. Mearns, Esq.  
F. N. Manning, Esq.,  
M.D.  
G. A. Tucker, Esq.

J. F. BURNS,  
Chairman.

No. 2 Committee Room,  
Sydney, 24 March, 1869.

---

## PROCEEDINGS OF THE COMMITTEE.

*TUESDAY, 9 MARCH, 1869.*

In the absence of a Quorum, the Meeting called for this day lapsed.

*FRIDAY, 12 MARCH, 1869.*

In the absence of a Quorum, the Meeting called for this day lapsed.

*WEDNESDAY, 17 MARCH, 1869.*

MEMBERS PRESENT:—

Mr. Wilson,	Mr. Burns,
Mr. Dodds,	Mr. Piddington.

Mr. Burns called to the Chair.

Committee deliberated, and at once proceeded to the examination of witnesses.

Thomas Dangar, Esq., called in and examined.

Witness withdrew.

Clerk directed to summon A. M. Brown, Esq., M.D., and W. D. Meares, Esq., for next Meeting.

[Adjourned to Friday next, at 11:30 o'clock.]

*FRIDAY, 19 MARCH, 1869.*

MEMBERS PRESENT:—

Mr. Burns, in the Chair.

Mr. Tighe,	Mr. Dodds,
	Mr. Farnell.

A. M. Brown, Esq., M.D. (*Acting Medical Attendant to Police, Sydney*), called in and examined.

Witness withdrew.

W. D. Meares, Esq. (*Clerk of Petty Sessions, Central Police Office*), called in and examined.

Witness withdrew.

Clerk directed to summon Dr. Manning, and G. A. Tucker, Esq., for examination next Meeting.

[Adjourned to Tuesday next, at 10:30 o'clock.]

*TUESDAY, 23 MARCH, 1869.*

MEMBERS PRESENT:—

Mr. Burns, in the Chair.

Mr. Wilson,	Mr. Farnell,
Mr. Dodds,	Mr. Tighe.

F. N. Manning, Esq., M.D. (*Superintendent of Lunatic Asylum, Tarban*), examined.

Witness withdrew.

G. A. Tucker, Esq., of Bay View House, Cook's River, called in and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to to-morrow, at *Eleven* o'clock, to consider Progress Report.]

*WEDNESDAY,*

WEDNESDAY, 24 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Burns, in the Chair.

Mr. Wilson,

|

Mr. Farnell.

Chairman brought up Progress Report.

Same read and agreed to.

Chairman to report to the House.

LIST OF WITNESSES.

	PAGE.
Brown, A. M., Esq., M.D. ....	14
Dangar, Thomas, Esq. ....	7
Manning, F. N., Esq., M.D. ....	21
Meares, W. D., Esq. ....	19
Tucker, G. A., Esq. ....	26



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

## LAW RELATING TO LUNACY.

WEDNESDAY, 17 MARCH, 1869.

Present:—

MR. BURNS,  
MR. WILSON,MR. DODDS,  
MR. PIDDINGTON.

JOHN FITZGERALD BURNS, ESQ., IN THE CHAIR.

Thomas Dangar, Esq., called in and examined:—

1. *Chairman.*] You have been a Magistrate of the Colony for several years? Yes.
2. And also for Queensland? Yes, I am a Magistrate for Queensland now.
3. You are aware of the objects for which this Committee is appointed? Yes.
4. You have had several years' experience in the Central Police Office and Water Police Office, in regard to the mode in which lunatics are committed to the asylum? I have.
5. Would you be good enough to describe the process, in so far as the Magistrates are concerned? Very often the friends or relatives of the supposed lunatic apply for a warrant for his apprehension; they swear to an information that they believe him to be dangerous, unfit to be at large, and likely to commit an indictable offence. On that, a warrant issues for his apprehension.
6. Are lunatics or supposed lunatics sometimes apprehended without warrant? Yes, they are sometimes given in charge to constables; or if constables see that their minds are impaired, they apprehend them without any further directions from the Magistrates. It is their duty to do so.
7. *Mr. Wilson.*] They bring them up for protection? They bring them up for protection before a Magistrate, for supposed insanity.
8. *Chairman.*] How are the proceedings in these cases usually conducted before the Magistrates? When the warrants are granted they are handed over immediately—the same day, or the same hour perhaps—to a constable to execute. The supposed lunatic is then brought to the lock-up, where his name is entered on the police-sheet; and then during some part of the day he is brought before the Magistrate or two Magistrates, as the case may be. The constable's evidence is taken as apprehending constable; and if the friends, or the party who applied for the warrant, are not in attendance, the person said to be insane is remanded to Darlinghurst Gaol for the attendance of the surgeon.
9. Is that sufficient, without having the declaration of the surgeon as to the person's insanity? The Magistrate has power to remand the supposed lunatic, merely on the constable's evidence, without even the party being present who applied for the warrant. Generally speaking perhaps, the remand is only for twenty-four hours, that is, until next day, so that the surgeon and the interested parties may be brought before the Court to give evidence.
10. What medical evidence is required by the Magistrates to enable them to commit a person to the asylum? The evidence of two surgeons. Very often, remands take place previous to their committal to the reception-house to be dealt with according to law. I have remanded a supposed lunatic two or three times, and ultimately discharged him; perhaps he has only been temporarily insane from the effects of drink.

Thos. Dangar,  
Esq.  
17 Mar., 1869.



- Thos. Dangar, Esq. 11. If two medical men certify that a person is insane, are not the Magistrates bound to send him to the asylum? Yes, under the second clause of the Act 7 Victoria No. 14.
- 17 Mar., 1869. 12. Do you think it desirable that Magistrates should have no discretionary power in matters of that kind? Magistrates have no discretionary power—they can only expostulate with the surgeons, as with these gentlemen the responsibility rests.
13. Do you think the Magistrates ought to have some discretionary power with regard to committal? I think they ought.
14. Even though two surgeons should certify to the insanity of the person charged? Yes.
15. Do you say you have had to remonstrate with medical men for sending persons to the asylum improperly? Yes. We have refused to decide on the day of inquiry; and, on the next day perhaps, other two Magistrates have carried out the surgeons' opinions, and sent the lunatic to Tarban Creek.
16. When acting as a Magistrate, have you felt satisfied in your own mind that, in some cases in which you have had to commit on the certificate of two medical men, the parties were improperly sent to the asylum? Yes, I do think so; and some of those that have been sent have been very shortly afterwards liberated by the authorities of Tarban Creek—I have seen them walking the streets very shortly after. Perhaps, if the Visiting Board sat oftener they would have been liberated sooner, as it takes some days to procure a warrant from the Executive.
17. Has it occurred to you that certificates from medical men, respecting the insanity of parties, can be obtained with too great facility? Yes, from the loose manner in which the proceedings are conducted by the surgeons. For instance, a lunatic is apprehended at perhaps 11 or 12 o'clock, and brought before the Magistrates; the Police Surgeon, of course, is generally in attendance about 12 o'clock; he picks up a surgeon on his way, or sends for one who comes to assist him as the Act requires two surgeons. They are sometimes not ten minutes examining the patient, and their depositions are very short, and written so as to embrace the words in the Act. I have on many occasions signed warrants for two or three supposed lunatics, on the evidence of the surgeons, in the space of half an hour; and my opinion has been and is now, that from the loose way in which the surgeons examine the patients and fill up the printed form, there is some alteration required in the present law as to examinations of this kind before Magistrates. The Magistrates have no responsibility whatever; they are compelled by the present law to send any person to Tarban Creek, if two surgeons are corrupt or careless enough to give the required certificate. Of course, I do not say they are corrupt.
18. Has it appeared to you that neither of the surgeons on the occasions they have so certified have had sufficient knowledge of the patient's antecedents? They have no knowledge of them whatever in most cases. Neither the Magistrates nor the surgeons have ever seen the party before, as a rule.
19. Do you think that the surgeons have, in many instances that have come under your observation, acted on the representation of the friends of the supposed lunatic? In all cases. There may have been, during the four years I acted, to be within compass, six cases where the surgeons had attended the families and known something of their antecedents—something of their complaints.
20. Six cases out of about how many? I suppose I have sent perhaps a hundred—I have sent as many as three in one day.
21. You are clearly of opinion that in the vast majority of cases the medical men had little prior knowledge of the party whom they certified to be insane? None whatever; and many of the surgeons, possibly, have been in small practice, and the fees have been very encouraging.
22. Inducements to certify? They might not induce them to certify wrongly. There has been some bad feeling, I believe, among surgeons generally, as to favouritism in sending for particular surgeons.
23. Are you satisfied, from your experience as a Magistrate, that persons have succeeded in having parties sent to the asylum as insane who really were not insane, and did so from improper motives? I am certain of it. Myself and a brother Magistrate prevented two very respectable persons from being sent to Tarban Creek. In one case his relatives brought an old gentleman up believing him to be insane, and they swore he was insane; but myself and Captain Scott thought it was done for the sake of getting his property, and we solicited a friend of ours, a solicitor, to take up the case, and it was proved to our satisfaction that the man was perfectly sane.
24. Did the medical men in that case certify that he was insane? They gave evidence, but I am not positive whether they signed the usual certificate.
25. How did you prevent his committal to the asylum? There was a great deal of evidence taken in the case. It is a good while ago, and I do not now remember whether one or two surgeons were examined.
26. Did the promoters of the movement for his committal abandon the case? We dismissed the case, taking the responsibility upon ourselves.
27. Would not your decision be opposed to the law? No, not in that instance.
28. Did not two medical men certify that the person was really insane? I am not quite sure about that.
29. Have other cases come under your observation of the same character? There was one not very long ago, where a sister brought her married sister up for insanity and swore she was insane. The husband of the supposed lunatic assisted in giving evidence as to his wife's insanity; but the case was so glaring that myself and brother Magistrate urged the woman to get a warrant against her husband and sister for conspiracy and perjury. It was proved before us that this married woman was perfectly sane, and they only wanted to get rid of her for some improper purpose.

30. Were any proceedings taken against them for perjury? No, we could not induce the young person to proceed against her husband and sister. Thos. Dangar,  
Esq.
31. Is she still at large? Yes, and has never been before the Court since. 17 Mar., 1869.
32. How long ago is this? Ten or twelve months ago. It was a very glaring case.
33. Could you make any suggestions as to the improvement of the law with regard to the committal of parties for insanity? I believe in the amended law, 31st Victoria, No. 19, the Legislature, have made a great mistake. I believe the object of the amendment was to prevent any supposed insane person from being sent to Darlinghurst Gaol at all. But all persons brought before Magistrates for *delirium tremens*, or any slight supposed lunacy, despondency, or impaired mind, unless two surgeons come forward and certify, are still sent to Darlinghurst Gaol according to the former Act, although the reception-house was built for all supposed lunatics.
34. Do you find from experience that the reception-house has been applied to the purpose for which it was intended? Not at all. I believe it is quite useless, and a great number of servants are kept there with nothing to employ their time; because, when two surgeons certify, the Magistrates have no other power but to commit the parties to this reception-house to be dealt with according to law; and they only wait there perhaps twenty-four hours, or it may be a shorter time, while the proper authorities give the proper order to send them to Tarban Creek.
35. Can you make any suggestion as to a greater safeguard for the liberty of the subject, with regard to the certificates of surgeons in the first instance? I believe all supposed lunatics should be brought before the Magistrates, and remanded to the reception-house, and there examined, not by surgeons brought in promiscuously for the sake of the fee, but by a board of surgeons to be appointed by the Government; and the supposed lunatics should be kept there some days to be watched, and their antecedents inquired into—as to whether any of the family had been insane, whether they had been given to intoxication, and so on. At present, the surgeons are brought in in a hurried manner, and it is impossible for them to know whether the party is insane or not. In fact, I think they have committed perjury in many cases that have been heard before me, because they have no opportunities of judging, from the short time the parties are before them, whether they are insane or not.
36. You think there should be a medical board, or that the surgeons should be better acquainted with the supposed lunatics before the Magistrates are compelled to act upon their certificate? Yes.
37. And then, with regard to the receiving-house, you think they should be detained there, until proper inquiry can be made and the parties' conduct observed, before they are sent on to the lunatic asylum? Yes; and I would suggest, that the depositions taken before the Magistrates, in the first instance, should be sent with the supposed lunatic, and after a proper time for examination at the reception-house there should be a report sent back with the supposed lunatic to the Magistrates for their guidance. It would be impossible for the surgeons to liberate any one proved not to be insane, because the Magistrates' committal would have to go with the proceedings. They could not be liberated at the reception-house, but would have to come back before the Magistrates again, to cancel the warrant or otherwise.
38. The law could be altered in that respect? That was intended, I believe. One of the Legislative members, pleading before me against a lunatic on one occasion, said that it was intended that they should be all sent to the reception-house; whereas, more are sent to Darlinghurst Gaol now than to the reception-house, to be degraded in the gaol. The reception-house is quite useless at present.
39. Are not nearly all the supposed lunatics now sent to Darlinghurst Gaol? All those not certified to be insane by two surgeons. They are remanded to Darlinghurst Gaol, perhaps for seven days, for medical treatment; and, perhaps, when returned to the Police Court, are remanded again for further treatment.
40. Do you not think all ought to be sent to the receiving-house? Yes, all of them.
41. What is the object of the remand generally? They are remanded generally for so many days for medical treatment. That is on the face of the warrant.
42. You think it would be better if that treatment was administered at the reception-house? Yes.
43. It is undesirable that these persons should be sent to gaol at all? Yes; after the reception-house was built, I believe, it was never intended they should be. The first case that came before me, after the passing of the amended Act, I sent to the reception-house on remand, but they refused to take the party in, and the warrant had to be altered. The fees are a great inducement to the surgeons. They get a guinea for the first case, and half-a-guinea for the second and each subsequent case if there are several, on the same day.
44. Mr. Wilson.] From what I gather from your evidence, I think you have stated that certain medical men have granted certificates of lunacy in cases where the parties were proved to be sane? No, they gave evidence to the best of their belief. I do not mean to say that they gave certificates; they swore to the best of their belief that the parties were insane, and myself and other Magistrates have expostulated with them, and they have replied—That we must take the responsibility upon ourselves,—that was their opinion, although it was not ours.
45. Were these cases brought under the Lunacy Act 7th Victoria No. 14? Yes.
46. In these cases, is it not provided by the 31st Vic. No. 19, that "Every medical practitioner signing any certificate under the second third or eleventh sections of the Act of Council 7th Victoria No. 14 shall specify therein the facts upon which he shall have formed his opinion that the person to whom such certificate relates is insane or, is an idiot distinguishing in such certificate facts observed by himself from facts communicated

Thos. Dangar, Esq.  
 17 Mar., 1869. communicated to him by others and no person shall be committed to any Lunatic Asylum or house licensed for the reception of lunatics under any certificate which purports to be founded only upon facts communicated by others." Now, the law prescribes that such a certificate must be given in all cases of lunacy brought up under the Lunacy Act? There is a form which they fill up in all cases. The two surgeons sign their names on the top and fill it up.

47. I understood from you that you were speaking of cases where this certificate had not been given? No.

48. Is the certificate given in the first instance, and the medical men examined by the Magistrates afterwards? We have no other alternative but to commit the supposed lunatics to be dealt with according to law, on that form being filled up and certified by two surgeons, and their giving their evidence that they believe the said parties are dangerous and likely to commit some indictable offence. The party may seem quite sane to the Magistrates' view, and still the surgeons say—"We know better than you," and then have replied to us—"That we must take the responsibility—if anything happens in case we liberate the parties after the surgeons' testimony, and this form being properly filled up."

49. But by the 7th Victoria No. 14, you are not compelled to commit. It says the Justices must be satisfied by the evidence given that the person charged is insane and dangerous before they are bound to commit? I may say, that in many cases I have doubted the surgeons' testimony, and have discharged the parties. At the same time, I have been taunted before doing so by the medical gentlemen.

50. By their telling you that if you did so, you did it on your own responsibility? Yes. In one case a man was brought up for being in the Domain, and calling himself King. He asked the doctor—"Why do you think me insane?" "Because you said you were King, and you were not King." That was all; and the man was sent to Tarban Creek. There are many such frivolous cases as this from the effects of intemperance. Many have been brought before me who, I am quite satisfied, were quite sane; and if they had been remanded to the reception-house, and properly treated for a few days, they might have been returned to society.

51. Do you think Magistrates, sitting in Petty Sessions, are in many cases fit judges, whether a man is sane or insane? No, I do not.

52. You admit that there is great difficulty in determining the sanity or insanity of a person? Yes.

53. You are aware that persons known to be dangerous lunatics, often pretend, and with great tact, to be perfectly sane? Yes, there is great cunning about them.

54. With regard to those persons who, you state, are often brought up suffering from *delirium tremens*—are they in all cases treated under the Lunacy Act? Yes.

55. Why are they not sent to the receiving-house? It cannot be done under the third clause of the 31 Vict. No. 19.

56. This third section gives the Justices the absolute power of committing to the reception-house instead of the gaol? There is a difference of opinion upon that point. The Colonial Secretary, or the authorities here, has been applied to. There was one sent to the reception-house of the description you name, and he was ordered to be sent to Darlinghurst Gaol; the warrant had to be altered.

57. I may state that it is within my knowledge, that the late Attorney General gave an opinion that all parties brought up under the Lunacy Act, and certified by medical men to be insane, ought to be sent to the reception-house and not to the gaol? They are, when they have been brought before two Magistrates, and two surgeons have certified to their insanity; but when the case is not complete—when no surgeon has been examined, or only one—they are remanded to Darlinghurst Gaol. Those sent to the reception-house are committed to be dealt with according to law.

58. Are there not a very large number of cases of persons suffering from *delirium tremens*—would you think it proper to send them to the reception-house, when remanded for medical treatment? Yes; and some very respectable persons are sent to gaol, when two or three days treatment would make them quite right.

59. I question very much whether the Magistrates are bound to take into consideration the respectability of these persons, when dealing with them under such circumstances—all ought to be dealt with alike, poor as well as rich? I think the degradation is very great to a person who may be found in that state, to be sent in amongst a lot of criminals, when the reception-house was built for all supposed lunatics.

60. Have they not degraded themselves sufficiently by going about the country under the effects of drink, and producing upon themselves *delirium tremens*. It seems to me that you are confounding cases of lunacy proper with cases of *delirium tremens*, where people are brought up by the police for protection. Now, in my opinion, the reception-house was never intended for such people. It was only intended for those who, to use the common phrase, have become lunatics by the act of God and through no fault of their own; and not for those who have become temporarily insane from the abuse of intoxicating drink? I have known a great number of cases of confirmed lunatics, in which the parties have been brought up just before the office closed. No surgeon perhaps has been present; and as there are no means of keeping them at the lock-up to prevent them knocking themselves about, the Magistrates have been obliged to remand them to gaol until the proper evidence should be forthcoming. That was never in my opinion intended by the Act.

61. Do you think it would be proper to give power to a single Magistrate to commit a person, as being insane, to a lunatic reception-house? No, not to commit, but to remand for further inquiry.

62. *Chairman.*] You mean that they might be sent to the reception-house until proper inquiry has shown whether they were lunatics or not? Yes.
63. *Mr. Wilson.*] Then, you would recommend that this Act should be so far amended as to give one Magistrate jurisdiction instead of two? Only to remand them to the reception-house, the same as he can now to the gaol. He should have the power to send them to the reception-house instead of the gaol. Mr. Windeyer prosecuted for the wife of a lunatic\* a short time ago before me, and when this was pointed out to him, he, as a member of the Legislature, informed me in the presence of the Bench, that, as he thought, it was intended that all supposed lunatics were to be sent to the reception-house.
64. We now see that, by the 31st Victoria No. 19, all supposed lunatics brought before two Magistrates can be sent to the reception-house—consequently all you would suggest is that one Magistrate should have the power of remanding to the reception-house? Yes. All who may be brought up as being of weak mind.
65. Do you include people labouring under *delirium tremens*? I include all.
66. There are a large number of old women constantly getting drunk and labouring under *delirium tremens*—would you send such parties as these, confirmed drunkards, lying about the streets, to a lunatic reception-house? Generally speaking, they are brought up as vagrants, not as lunatics. In all cases of supposed lunatics, parties must come forward and deliberately swear they are of unsound mind, and likely to commit an indictable offence; and these parties you speak of are quite harmless.
67. You have the power, as I understand you, already to commit all such persons to the reception-house? We have not, unless this form is filled up and affidavits are made by two qualified surgeons who are paid for making these affidavits. What I complain of is, the hasty manner of their examination. They will pass three or four of them in half an hour, only looking at their eyes and perhaps asking a few questions.
68. Are cases of *delirium tremens* entered upon the police-sheet as being of unsound mind? Yes.
69. And you think all such cases as these ought to be sent to the reception-house for lunatics, and not to the gaol? Yes, that is my opinion.
70. You said something just now about the large staff of officers at the reception-house, can you tell the Committee what number of officers are employed there? Only from hearsay; I have heard there is a large staff.
71. You do not know how many are employed? No.
72. You also suggested that it would be necessary or proper, in your opinion, to have a board of medical men to examine these supposed lunatics before they are sent to Tarban Creek? Yes, instead of their being examined in such a hasty manner.
73. Are you aware that there is a board to examine them as soon as they go to Tarban Creek? I have heard so.
74. A board of medical visitors, who are supposed to examine into these cases? Yes; I know that as many as I have sent, the board have discharged them or recommended their discharge to the Executive soon after, because I have seen them walking the streets very shortly afterwards.
75. *Mr. Piddington.*] Is it the general practice of Justices of the Peace to commit alleged lunatics upon the certificate of two medical men? Yes.
76. Are you of opinion that a certificate from two medical men is in all cases sufficient evidence upon which to commit any person as an alleged lunatic? I am not. I may add that sometimes the relatives give evidence as well.
77. Are you of opinion that a board of medical men ought to be appointed for the purpose of examining alleged lunatics? I am.
78. How many medical men do you think should constitute the Board of Examiners of Lunatics? I think three or five.
79. Do you think these medical men ought to constitute a permanent board? I do, considering the number of cases in this Colony.
80. As distinguished from a temporary selection? Yes.
81. Are you of opinion that no alleged lunatic should be committed to any lunatic asylum, unless on previous examination before the Medical Board? I think they ought to be examined by the board before committal.
82. Do you think the report of the Medical Board ought to be submitted to a Bench of Magistrates before a committal to an asylum? As I suggested, I think their report ought to be sent to the Bench of Magistrates.
83. Do you think that, in all cases, the decision of two Magistrates is sufficient security against the risk of a person being committed as insane when he may not be insane? I do not; three Magistrates would be better than two.
84. Then you think it desirable, in order to afford better security against the risk of committing a person to the asylum who may turn out to be sane, that the Bench of Magistrates should not consist of less than three. Yes.
85. And I gather from you, that in all cases you think the alleged lunatic should be examined by a Medical Board, and that the report of the Medical Board should be submitted to the Bench before committal? Yes.
86. Do you think, if all these securities were taken they would form a sufficient security for the protection of persons against erroneous decisions? I think they would.
87. Does it strike you, from your experience, that any other course of proceedings would afford better security against mistake? I have always found the Police Surgeon, and whatever surgeon may be promiscuously sent for, invariably agree. There is never any disagreement in the examination of the patient, which only occupies a few minutes.
- 88.

\* NOTE (on revision):—This person is now discharged from Tarban Creek.

- Thos. Danger, Esq. 88. I want to know whether any other kind of security has struck your mind besides this security; or do you think this so absolutely sufficient that you have not paid attention to anything else? I think that is all that would be required.
- 17 Mar., 1869. 89. It would afford entire security? Greater security than at present.
90. Do I gather from you that the practice is now not to send persons, supposed to be lunatics, to the reception-house recently built? Not unless the form is filled up by the surgeons, and the parties are committed by two Magistrates. But one Magistrate may remand to Darlinghurst Gaol.
91. Should any person be sent to the reception-house who is not suspected of insanity, bearing in mind the object for which that building was erected? I think they all ought to be sent there that are suspected of being of unsound mind. They all ought to be sent there in the first instance.
92. Are they not all sent there who are suspected of being lunatics? No.
93. What class of persons are not sent there? Many are not sent there that are sworn to be of unsound mind and likely to commit an indictable offence, but they are remanded by the Magistrates for want of evidence, and sometimes two or three days elapse before the proper evidence can be brought before the Magistrates. During that time they remain in Darlinghurst Gaol. When they are again brought before the Magistrates, possibly the surgeon says they require further medical treatment, and they are again remanded to Darlinghurst Gaol. In some cases I have remanded a supposed lunatic three times, and ultimately he has been discharged on the certificate of the medical man.
94. Do I understand you to state, that there are two classes of individuals who are directed by the Magistrates to be treated as of unsound mind: one class being sent to Darlinghurst Gaol, and the other class to the reception-house? Those proved before two Magistrates to be insane, on the evidence and certificate of two surgeons, are sent to the reception-house; but where there is no medical testimony—only the constable's evidence possibly—they are remanded for medical treatment, to be brought again before the Magistrates, who then hear the surgeon's evidence; and if he says the party is not insane, he is discharged, after being incarcerated in Darlinghurst Gaol for from seven to ten days or longer.
95. Are these cases where the parties are liable to commit an act of violence? Yes; they are apprehended on a warrant, sworn by some person that may be related or a friend.
96. The only ground on which you commit, is the ground of unsoundness of mind? Yes.
97. And although committed on the ground of unsoundness of mind, they are not sent to the reception-house? In these cases they are not committed but remanded.
98. What is the reason of the distinction between these two cases, both being cases where persons are charged with being of unsound mind? In one case the evidence is complete; in the other the evidence is not complete, because according to the Act it requires two surgeons before you can commit any person to Tarban Creek.
99. Do I understand you, that when these two forms are filled up, the Magistrates invariably commit to the asylum on the strength of these documents? Yes, and they are sent with the warrant.
100. Do the Magistrates commit on the strength of this description of the previous habits of the alleged lunatic, without any further inquiry? They have the certificate and sworn testimony of two surgeons.
101. Do the Magistrates invariably commit on the certificate of two medical men? There have been perhaps two or three cases where the Magistrates have disagreed.
102. What is the result in case of their disagreement? Possibly the same party is brought up before two other Magistrates.
103. You are of opinion that in all cases, without exception, where parties are brought up before the Bench on suspicion of being of unsound mind, they ought to be sent to the reception-house? Yes, and that is the opinion of my brother Magistrates.
104. Was not the receiving-house built for the purpose of receiving all persons of unsound mind? Yes.
105. Would not the receiving-house be a more proper place than a gaol for the treatment of persons of alleged unsound mind? I think so.
106. Could not persons in that unfortunate position receive greater attention and better medical treatment there than in a gaol? Yes.
107. What obstacle do you think exists to the reception of all persons of supposed unsoundness of mind into this reception-house? The very first case under the amended Act we sent to the reception-house on remand, supposing that all such persons were to be sent there for the future; but it was found out a day or two afterwards that we had done wrong, and ever since that all remand cases have been sent to Darlinghurst Gaol.
108. In what respect did you do wrong? We had no power to remand to the reception-house—only to commit those finally decided upon by the surgeons, whom they certified and swore were insane.
109. Do I understand you to state, that the Magistrates have no power to send an alleged lunatic to the reception-house for medical treatment? They suppose so, and it is not done.
110. Are you aware whether the reception-house was not built for the very purpose of affording accommodation for the treatment of persons supposed to be lunatics? I have heard from some honorable members of the Assembly that that was the intention.
111. Is not the question of the sufficiency of evidence, with regard to the condition of the supposed lunatic, one to be determined by medical treatment? It must be determined by medical treatment.



112. Are you of opinion that the reception-house at Darlington is the most suitable place in which alleged lunatics should be treated? Quite so.
113. Without reference to any degradation, is not the reception-house a more suitable place for the treatment of alleged lunatics than the gaol? I think so.
114. *Mr. Dodds.*] I understood you to say you were under the impression that the medical testimony in these cases was very often erroneously given, or from improper motives? I think it is very carelessly and hastily given.
115. I understood you to say it was sometimes given from improper motives? I could not say that exactly. A great deal of suspicion attaches to it at times. Dr. Brown, the Police Surgeon, who is one of the two who give the certificates, is a most careful attentive gentleman, and has taken great pains.
116. Have you ever known a case of a sane person being sent to the lunatic asylum? I have suspected that many were, for this simple reason, that a very short time after myself and another Magistrate sent them to Tarban Creek, I have seen the same parties walking the streets, who have been discharged, on the recommendation of the board at Tarban Creek, through the Executive. That has raised suspicion in my mind; and from the hasty manner in which the proceedings are conducted, and the numerous cases I have had to adjudicate on, I have shuddered at the responsibility, as a Magistrate, that I have had to undertake. But, I believe, the Act is imperative. I think no Magistrate—after two qualified surgeons come forward, fill up this form, and deliberately swear that they think it unsafe to leave the supposed lunatic at large—would be justified in taking upon himself the great responsibility of setting aside their opinion; because they are supposed to know more of the matter than the Magistrates.
117. Are not the medical men employed very often those employed by the friends of the patients? No, they are called in by the Police Surgeon in some cases—needy surgeons very often. I have suggested that in all cases where a supposed lunatic is brought before the Magistrates, the surgeon who has been in the habit of attending the family or the person, before he became in that state, should be the surgeon that should be sent for to give his evidence as to his antecedents. But the surgeons called in are generally the first they can get hold of. In fact the constables are sometimes hunting about the streets for them.
118. One of the medical witnesses is a medical man employed by the Government? He is the Police Surgeon, and he sends for a second one.
119. *Mr. Wilson.*] Are you not talking principally of poor people who have no regular medical attendant? Yes, that is generally the case. But in some cases, it appeared to me, interested evidence was given in order to get the parties away to Tarban Creek.
120. As a rule, where the party has had a medical attendant, his evidence is invariably taken? Yes; but that is very rare. The medical gentlemen in great practice amongst the high families in this Colony will very seldom attend the police office.
121. *Chairman.*] I think you said about one hundred cases had come under your observation where parties had been committed for lunacy? I dare say there were a hundred in about four years.
122. In very many of those cases the parties would be in tolerably good circumstances? Some are in very good circumstances.
123. Do you know whether it is the practice in these cases for the medical man attending the party or his family to be called in to give evidence? I think he is, in these cases.
124. As a general rule, has it not been the practice for the Police Surgeon to call in some other surgeon to assist him to certify? Yes, and they are generally the same names.
125. And you think medical men so called in cannot have sufficient knowledge of the party or his antecedents to enable them to judge properly of his insanity or otherwise? Neither of them can.
126. How are supposed lunatics sent from the Police Courts to Darlington? Until I spoke of it to the Inspector and Captain M'Leir, they were sent in the common police van, with vagrants and drunkards, except in some few cases in which, to appease the friends' feelings, where they have been respectable, I suggested that they should have liberty to employ a Hansom cab and go up in company with a constable. I also went to Captain M'Leir and suggested that all supposed lunatics should be sent to the reception-house in a separate conveyance. I believe they are in some cases sent in cabs; but, if they have not means, they are still sent in the van.
127. Do you know anything of the accommodation in Darlington Gaol for supposed lunatics? There is a padded room, and everything very clean and comfortable.
128. Are you aware whether it is not a fact that as many as fourteen or fifteen supposed lunatics are there at times, and only cells for five or six—Have you heard that the accommodation in the gaol is insufficient? No.
129. Do you know anything of the accommodation at the receiving-house? There is ample accommodation there.
130. Your suggestion is, that in cases where the Magistrates are compelled to remand parties for suspected lunacy, they should have the power to remand to the receiving-house in the first instance, instead of to Darlington Gaol? Yes.
131. With the appliances in the receiving-house, the parties could be better treated than in the gaol? Yes; I understood that was the object of building the receiving-house, and to appease the feelings of the relatives of these weak-minded persons.
132. In answer to Dr. Wilson—you were speaking about persons suffering from *delirium tremens* being entered on the police-sheets as persons of unsound mind—what did you wish us to understand—Did you wish to state that all persons suffering from *delirium tremens* are entered as of unsound mind? Yes.

Thos. Dangar,  
Esq.  
17 Mar., 1869,

- Thos. Dangar, Esq., 17 Mar., 1869. 133. Are these parties treated as lunatics by the Magistrates? Yes, they are remanded, on the testimony of one surgeon who recommends them to be sent for medical treatment; and, after perhaps seven days' treatment in the gaol, they come back, and are often discharged. Some of these persons are very respectable, and I have often suggested to the Police Surgeon whether they could not be received at the reception-house and treated there, which would take away the disgrace from such unfortunate persons.
134. *Mr. Piddington.*] Do I understand you to state that, during the four years you acted as a Magistrate in Sydney, you have committed a hundred persons as alleged lunatics? I used to commit sometimes two, sometimes three a day. I could not possibly recollect the exact number; but I am satisfied there were more than a hundred in the two Police Offices, including those sent to the reception-house and to Darlinghurst Gaol.
135. How many out of the hundred you have committed have turned out to be really insane? I cannot say that.
136. You have not made any record? No.
137. Do you think ten out of the hundred have turned out to be actually insane? More than that; but I have seen a great number about the streets who have been liberated.
138. Do I understand you to say you have remanded five or six alleged lunatics in a week? Yes, for medical treatment.
139. Are you of opinion that all these remands were cases of well-founded suspicion of insanity? No. They presented at the time every appearance of insanity, but many of them were so from intemperance.
140. Is it the practice to treat persons suffering from *delirium tremens*, as the effect of intoxication, as lunatics? Yes; they are inserted in the police-sheet as being persons of unsound mind, and liable to commit some indictable offence.
141. Is there not a clear distinction to be drawn between persons suffering from temporary aberration of mind from intoxication, and cases of really well-founded lunacy? They are all brought up under the same Acts—the 7th Victoria, and the Amending Act.
142. Have you any idea of the proportion of cases, out of about a hundred that you have committed, who were suffering from *delirium tremens*, and the proportion of cases of well-founded suspicion of lunacy? There were a large number of cases of *delirium tremens*—perhaps three or four to one of those remanded to the gaol for medical treatment—who, after a little treatment from Dr. Aaron at the gaol, came back apparently fit to be liberated, and they have been liberated on distinct medical evidence.
143. Are you of opinion that much the larger number of cases of alleged lunacy that come before the Bench are merely cases of temporary delirium? They are the largest number.
144. What is your opinion of the time these cases usually occupy before the patients recover their senses? I think the longest case was one that was remanded for seven days at a time until twenty-one days had elapsed.
145. Upon the average, from your experience, how long does it usually take to bring a patient labouring under *delirium tremens* to his ordinary state of mind? From seven to fourteen days, if he is not confirmed; but some parties affected that way have not recovered at all, and have been sent to Tarban Creek.
146. On the average, how many persons are committed for medical treatment from the various police offices in Sydney in a week? Before October last, there was scarcely a day but what there was one or two cases.
147. Do you think it safe to suppose there were ten or a dozen sent in the course of a week? Sometimes there have been as many as ten in a week from the two places, while I was a Magistrate.
148. If these cases occupied each a week or a fortnight in treatment, would there be accommodation sufficient for them, if all were sent to the reception-house? I am not aware.
149. Do you think cases where parties are only suffering from the effects of intoxication ought properly to be treated as cases of alleged lunacy? I think so; as many have attempted to commit suicide, and some have been committed for trial.
150. In cases of delirium arising from intoxication, do the parties generally recover, or do they generally become confirmed lunatics? The majority of cases of *delirium tremens* recover.
151. *Mr. Dodds.*] Do you think the majority of cases of alleged lunacy that come before the Court arise from intemperance? No, I do not think that; but there are a great number.
152. Is the medical testimony given on oath? Yes; all the evidence is given on oath.

FRIDAY, 19 MARCH, 1869.

Present:—

MR. TIGHE,

MR. FARNELL.

MR. DODDS,

JOHN FITZGERALD BURNS, Esq., IN THE CHAIR.

Alexander Menzies Brown, Esq., M.D., called in and examined:—

A. M. Brown, Esq., M.D. 153. *Chairman.*] I believe you have been for some time past acting as Police Surgeon in Sydney? Yes.

154. For how long? About eleven months.

155. In the absence of Dr. Egan? Yes.

156. Have you had many cases of parties committed for lunacy brought under your observation?

observation during that time? Yes, quite a number; seldom a week passes but there are several. A. M. Brown,  
Esq., M.D.

157. In the course of these eleven months, how many cases do you suppose have come under your observation? Probably about twenty. I am speaking of cases sent to the reception-house. Many more have been sent on remand to Darlington Gaol, and sent from there to Tarban Creek. 19 Mar., 1869.

158. How many persons have been brought up for supposed lunacy during this period? I could not say.

159. You say hardly a week elapses without some persons being brought up? Sometimes there are five in a week—two in a day, perhaps.

160. Have you been called upon in many cases to certify to parties being of unsound mind, in the course of your practice as a surgeon? Yes, very frequently.

161. Has it occurred to you that in many cases in which you have had to give evidence, the surgeon asked to act with you has no knowledge of the case except from yourself or the friends of the parties supposed to be insane? The medical man called in seldom or never knows anything of the case. It rarely happens that he knows anything of the previous history of the case or of the patient, until he sees him at the Court or station-house. It is otherwise in private practice, of course.

162. You know that under the law two medical men must certify to a party being insane before he can be dealt with by the Magistrates? Yes.

163. Does your experience lead you to believe that it in reality turns upon the question whether one medical man is satisfied as to his insanity or not? No doubt the one who knows most of the patient will influence more or less the other in the view he takes. The process is something of this kind. Supposing I am in private practice, and a patient of mine in poor circumstances is unable to go through the usual forms, which are both tedious and expensive; this patient is placed in the hands of the police, and in all probability the family attendant gives evidence in the case. The Police Surgeon knowing nothing whatever of the history of the case, would be influenced more or less by the history of it given him by the family attendant. That frequently happens in cases that come before the Bench in that way.

164. Is it not the practice for a second medical man to be called in suddenly to certify to the insanity of a party who may be in the hands of the police, without having any prior knowledge of the case himself? That is generally the case.

165. Has your attention been drawn to remand cases, where only one surgeon has been brought to give evidence, and the patients are remanded to Darlington Gaol until a second surgeon can be found to certify? Yes, I have recommended many to be sent for protection and medical treatment. More cases of remand have passed through my hands than of permanent insanity, or rather committals to lunatic asylums. The greater number of cases are remand cases, where persons are supposed to be suffering from temporary insanity, and only the testimony of one medical man is taken.

166. Has it occurred to you that in these cases it is desirable that the party should be sent to the reception-house and not to the gaol? That is my view of the matter, and I have urged it very strongly. No cases of insanity, from simple imbecility to acute mania, should be sent to any prison establishment.

167. Do you know anything of the accommodation at Darlington Gaol for lunatics? I have not seen the Darlington hospital; I am not aware what the accommodations are at the gaol for the treatment of lunatics.

168. Is it within your knowledge that they only have two padded cells for lunatics? I am not aware.

169. Do you know anything of the accommodation at the reception-house? Yes, I think the arrangements of that establishment are excellent but too limited.

170. Has your attention been drawn to the way in which supposed lunatics are sent from the Police Office to Darlington Gaol—are they sent in the police van? They seem to be sent in a variety of ways; there is no method or regularity in that respect; I should imagine many of them walk; others, I know, have gone up in cabs with their own friends; and no doubt, in the case of the poor and destitute—those taken from the streets, or sent from the country to be dealt with—they would be sent in the police van with the usual delivery of prisoners.

171. Are not the majority of persons brought before the Police Courts for insanity discharged? Yes, the majority are discharged, after the period of remand has elapsed.

172. Do you think the present mode of having parties sent to the lunatic asylum offers a sufficient guarantee for the liberty of the subject—that there is sufficient care taken, as a rule, to prevent sane persons from being sent there? Yes. I think, as things are at present, under the new Act and the new regulations, there is every guarantee? It is a very troublesome matter to get even eligible cases committed. The trouble is as great, I mean, in evident cases of lunacy as in questionable ones. The trouble is very great since the introduction of the new rules.

173. Do you think the surgeons, as a rule, know sufficient of the parties, of their own knowledge, to be able to certify to their insanity, in cases that come before the Police Courts? At present I exercise every care, whether cases come before me from the Magistrates or may be certified to by surgeons in private practice.

174. I speak of the system? The system I adopt is to exercise every caution and care. I do not know how it may be with others.

175. Do you think the operation of the system is such as may lead to parties being sent to the asylum from improper motives on the part of persons interested? I do not see that the system could be improved. The usual examination before two Magistrates takes place, at which witnesses knowing anything of the person's history are carefully examined.



A. M. Brown, examined, and medical testimony taken as well. I should not imagine that medical testimony goes further to establish the sanity or insanity of a person than the evidence of the relatives or persons connected with him.

19 Mar., 1869. 176. Is it not seldom the case that the medical gentlemen, who testify to a party's insanity, have any personal knowledge of him, beyond the mere conversation they may have with him while making their examination? Generally speaking they have not. The majority of cases are those in which neither of the medical witnesses have seen or known anything of the patient before.

177. Have you ever heard of cases where parties have been sent to the Lunatic Asylum from improper motives on the part of supposed friends? No, I am not aware of any case.

178. Do you think it would be an improvement of the law if there were always a board of medical men to determine the question of sanity or insanity, before any party could be committed to a lunatic asylum? Yes, I think that is very necessary to complete the new system, which is both misunderstood and misapplied. I have taken some interest in the matter, and I think all patients ought to be carefully examined at the receiving-house, before being sent to the Asylum, by a board, who would be guided, of course, by the history of the case while under treatment, received from the superintendent or those in charge.

179. Have you heard whether the board visiting the lunatic asylum, frequently discharge parties shortly after they have been received there? No, the complaint has always been that they have not done so. I have heard it said that parties are frequently detained there who are perfectly sane.

180. Have you not frequently heard that parties who have been sent to the lunatic asylum with the usual certificates, and in due process of law, have been discharged shortly after their reception at the asylum, on the authority of the board there? I have not heard of any cases.

181. *Mr. Tighe.*] I suppose if a person were sent to a lunatic asylum by the Magistrates, upon the testimony of his friends and of two medical men, and was wrongly sent, there would be an immediate remedy from the action of the board at the asylum? The complaint seems to be that the remedy would not ensue with sufficient rapidity—that parties are liable to be detained who are perfectly sane.

182. How long? I have not heard of any specific case since Dr. Manning came; but I have heard that there is trouble sometimes in having patients who have perfectly recovered dismissed.

183. Supposing a man was sent there who ought never to have been sent, how long would that man be kept there before he could get a remedy, with the arrangements in existence? I am not aware. The board meet at certain intervals, and of course a man could not be dismissed until the time of their meeting came round.

184. He could not be detained very long at any rate? Not at present, I should imagine.

185. Do you think it would be possible for a person to be sent to the asylum under the arrangements that now exist, if he were perfectly sane? Yes, I have not the slightest doubt of that. The new Act seems to have been violated continually. I am only aware of one single instance in which a person was discharged who had recovered. Supposing a man has been sent to the reception-house, suffering from violent mania, which may arise from mental excitement, from drinking, or various causes, and he recovers, he is notwithstanding sent on to the lunatic asylum. I understand that under such circumstances they have all been sent on to Gladesville, and have remained there, of course after having perfectly recovered.

186. That is not exactly what I meant. The Chairman made some allusion to the possibility of sane persons being sent to the asylum through the complicity of their friends, and the medical men called in to certify from corrupt motives. I want to know whether under existing arrangements it is possible to carry out such a scheme, if persons are bad enough to attempt it? From the examinations at the Central and Water Police Office, I do not think it possible that such a thing could take place.

187. Do you think that gentlemen who are surgeons, and nothing more than surgeons, are qualified to give an opinion in cases of insanity? I think so, supposing that they are men of ordinary intelligence. I do not suppose it takes a medical man to ascertain whether a man is mentally sound or not.

188. Do you think a surgeon is a better judge than a layman of the same degree of intelligence? I do not see why he should be, unless he may have studied the subject and have had more frequent opportunities of seeing the insane.

189. In that case he would be able to form an opinion because he had studied the subject, but not because he was a surgeon? Precisely. If more conversant with the subject his opinion would be of more value than that of an ordinary practitioner who probably saw a case once in many years.

190. Do you think it advisable that instead of having two surgeons to certify to the insanity of supposed lunatics, it should be confined to persons who had studied medicine? I think it would not be wise to leave the matter entirely to laymen.

191. That is not the question I ask. Do you think it advisable, instead of taking only the testimony of surgeons who may have taken no physician's degree, to insist on having the certificate of at least one person who had studied the higher branch of medical knowledge? No, I do not think anything would be gained by that. I see no reason why a doctor of medicine should be in a better position to give an opinion on such a matter than a surgeon. In their education there is no difference whatever. It is intelligence and experience that are required.

192. Then you can suggest no improvement? Not as regards the medical testimony. I think that has no more weight than the testimony of the relatives and friends; I am certain that it has not.

193. If three or four relatives or friends came forward to testify to a person's insanity, how is the defence managed—who calls witnesses on behalf of the alleged lunatic, to prove that he is not insane—who takes up his case? It is very rarely that any one is in that position. I have not seen a case in my experience in which any one has thought it necessary to oppose an application of the kind. A. M. Brown,  
Esq., M.D.  
19 Mar., 1869.

194. *Mr. Dodds.*] I think you have stated that during the eleven months you have been employed as Police Surgeon, you have sometimes examined as many as two in a day, five in a week, and so on? Yes.

195. Can you state what proportion of these cases arose from intemperance? I stated that the majority of these were remand cases, and I should think most of these remand cases were cases of temporary insanity resulting from intemperance.

196. Then at the end of a week they were discharged? Yes, they are generally remanded for seven days.

197. Can you state what number of cases arose from constitutional insanity or permanent insanity? I could not say for certain. These items are all certified to, and it would be possible, no doubt, to collect very correct data of that kind.

198. Has it come within your knowledge at all that any persons have been sent to lunatic asylums who have been found to be sane? No; and I have been in the habit of giving evidence in lunacy cases for the last fourteen years.

199. You know of no such case? No. I have heard of such cases, of course; but, in my experience, I have not seen them. There have been cases where persons come to me with relatives in custody, and I examine them and send them home again. I have conciliated relations by explaining matters, where, no doubt if they had been dealt with hastily, they might have been sent to the asylum.

200. Have you any knowledge of the working of the Lunatic Asylum at Tarban Creek? No; I have visited the institution only once.

201. Are there many cases sent from the country to the Police Office in Sydney? We occasionally receive cases from the country; but, generally speaking, they are residents in Sydney.

202. Previous to their being disposed of by the Magistrates, what time is occupied by the surgeons in examining the patients—do they make up their minds in a few minutes, or do they take time to consider? It occasionally happens that the surgeon who has attended them in private, or may have been called in, is there with the patient. The Police Surgeon then examines the case with him, and they fill up the necessary forms. When that is not so, any one may be called in, and he examines the patient with the Police Surgeon. It is possible that neither of them have ever seen or heard of him before; but the examination is made with due care, and in the presence of the relatives. The relatives are carefully questioned; and when the surgeons have obtained sufficient information, by conversation or otherwise, they fill up these forms, and the case comes before the Magistrates, who, of course, have depositions taken in the usual way; and I presume the medical testimony simply goes for as much as the testimony of the other witnesses taken together. I should imagine that one case would take at least half an hour, or more, in examination before coming before the Magistrates.

203. You are chiefly guided by the opinion of the medical man, if any, attending the patient? No doubt I am influenced by his statement, as by the statement of any other witness; but it is necessary to judge for one's self. It sometimes happens that the persons brought to me are not of a class that should be sent to the lunatic asylum, and in such cases I invariably send them home. I should imagine that, at least, half a dozen cases have been so treated by me during the time I have been acting as Police Surgeon.

204. How are cases dealt with after they are sent to the reception-house? The treatment there is precisely what it would be in an ordinary lunatic establishment. I understand the medical officer is daily in attendance; and they have padded rooms, and very excellent appliances—baths, and proper accommodation for the restraint and protection of patients. There need be no difference between the treatment at the receiving-house and the treatment at the Lunatic Asylum at Tarban.

205. Then, on the authority of the medical attendant there, they are sent on? On the joint authority of Dr. Alleyne and Dr. Aaron. Dr. Alleyne has to certify with Dr. Aaron. Perhaps I may be allowed to mention what I consider to be a very great hardship; that is, that cases are detained at the receiving-house and not discharged, in accordance with the terms of the Act, on recovery. They are sent on to Tarban Creek instead of being discharged.

206. Have you known any cases where the parties brought up charged with insanity have been dismissed by the Magistrates? I dismiss some cases myself; and, when I do, I, of course, make a statement to the Magistrates that I have examined the person but cannot find any indication of insanity—perhaps it is only drunken fury, or something of that sort. The Magistrates invariably dismiss these cases. I dare say eight or nine such cases have been dealt with in that way during the time I have been acting.

207. *Mr. Tighe.*] You have referred to patients being detained at the receiving-house when they ought to be discharged—who is answerable in such cases? I do not know. The terms of the Act seem very explicit; that is, that they shall be discharged from the receiving-house, as they would be from an ordinary asylum, on recovery. I am not aware of any cases so dealt with, excepting one.

208. What officer keeps them there? I know not. I have spoken to the Superintendent about the matter, but I cannot understand how it has been done.

209. They should be discharged by some person? Yes, in accordance with the terms of the Act.

210. And who should discharge them? I should imagine that if the medical officers are acquainted with the Act, it would be for them to examine and discharge them. They examine

A. M. Brown, examine, before passing on the permanently insane to Tarban, and if they find them not to be insane they should be discharged.

211. Should the head of the receiving establishment discharge the patient himself upon the recommendation of the medical men; or should the Colonial Secretary, or some other official person, do it upon the report of the medical men. Whose duty is it to see the party discharged? The duty of seeing the party discharged would be the Superintendent's; but he would be discharged by the recommendation of the medical officers. Now, I understand that Dr. Alleyne and Dr. Aaron examine cases sent on remand to Darlington; and if, during seven days, they find they are fit subjects for the lunatic asylum, they certify to that effect, and they are forwarded to the lunatic asylum. We hear no more of them at the Police Office. If they recover, they are sent back to the Police Courts and re-examined; we certify to their sanity, and they are discharged. I imagine that the medical officers have all to do with certifying to the sanity or insanity of a patient, either in the receiving-house or the lunatic asylum; and though the Superintendent has to see the instructions carried out, he is in no way responsible for the detention.

212. The Superintendent should discharge them after he has received the report of the medical officers? Decidedly.

213. If he does not do so, does he act contrary to the law? That I cannot say. I spoke to the Superintendent about this, but he seemed quite at a loss. He seemed unable to explain why it was that cases sent to the receiving-house were invariably sent on to Tarban.

214. No matter which way the medical officers recommended? In fact whether they were sane or not.

215. What remedy would you propose for that grievance? I should propose what the Chairman alluded to—the establishment of a board of intelligent men, three or four to meet weekly, and examine the patients sent there. They should certify to those requiring accommodation in the lunatic asylum, and give authority for the dismissal of those who had properly recovered.

216. How many should form the board? The fewer the better.

217. Say five, three to form a quorum. They would be required to meet, I suppose, only once a week? Not seldomer than that.

218. What do you think the probable expense of such a board would be—what fee could they reasonably expect? At present, Dr. Alleyne and Dr. Aaron certify to all these cases of lunacy in the gaol and receiving-house without any special fee. They are both Government officers, and connected with Government establishments. But the police medical officer receives a fee of a guinea; and, in what are called double cases, the one called in receives the same fee.

219. If the Government went to this expense, and made this arrangement, the result, in your opinion, I suppose, would be that some persons who would otherwise be sent to Tarban Creek, and detained there, would be at once discharged? Precisely; and that would be in accordance with the terms of the present Act.

220. *Chairman.* You mean in accordance with the intentions of the Act? Yes.

221. *Mr. Tighe.* Then the Act is imperfectly administered? In that particular it is. I am only aware of one solitary case being dismissed; and, strange to say, it was a case of remand; because the reception-house is only for committals, and they are sent on to Tarban Creek. The most serious and dangerous cases of lunacy at present are not admissible to the receiving-house at all—cases of insanity arising from drinking, where people are bent on murder or suicide. At present, that class of cases are invariably remanded to Darlington, although the object of the Act was evidently to meet all such cases.

222. You think all such cases should be sent to the receiving-house? Yes.

223. *Chairman.* Where they would be better treated than they are likely to be at the gaol—where there are better appliances for their proper treatment? Yes; and where they would not be looked upon as criminals.

224. Have you any further suggestions to offer? I think there is nothing further. I have thought a good deal of the necessity of having this Act altered in one or two respects; but the system seems very simple and excellent, taken as a whole. At present, when the examinations are taken and guided by intelligent medical men, there is no possibility of sending a sane person to an insane establishment. All cases of insanity, from simple imbecility to dangerous lunacy, should be sent to the receiving-house and dealt with there—those who recover to be dismissed; those who appear permanently insane or whose cases are likely to be protracted to be sent on to the asylum. This should be done by the authority of a board of intelligent medical men, so that no case of insanity would enter the gaol. No case of insanity should enter the gaol.

225. So that insanity should not be treated as criminal? Yes.

226. *Mr. Dodds.* Are you aware whether there is sufficient accommodation at the receiving-house for dealing with violent cases? Yes, quite sufficient accommodation.

227. Then, there is no sufficient reason for sending them to the gaol? It is stated that they can only be received at the reception-house when committed, not when remanded. Alter the simple term "committed" so as to include remand cases, and the present Act would meet all that is required, with the exception of the examining board. The Magistrates cannot "remand" to the receiving-house; they can only "commit" those cases that are likely to be permanently insane, so that the most dangerous class of lunatics is excluded, and the intention of the Act set aside.

Mr.

Mr. William Devenish Meares, called in and examined :—

Mr. W. D.  
Meares.

19 Mar., 1869.

228. *Chairman.*] What is your official designation? Clerk of Petty Sessions, Central Police Office.
229. Might I ask, how long you have been Clerk of Petty Sessions at the Central Police Court? About six years.
230. Have any cases of lunacy been brought under your notice during that time? Yes, many.
231. Could you give anything like an approximate statement, from memory, of the average number of cases you have had by the year there? No, I am not able to do that; but I can give an idea of the number we have had since January, 1867, up to the present time. I have not had time, since being called upon to attend here, to look into the matter very fully, and, therefore, this is only an approximation. Since January, 1867, we have dealt with 197 cases. I would not be certain as to two or three, but that is a very close approximation.
232. These were cases where the parties were charged with being dangerous lunatics? Yes.
233. *Mr. Tighe.*] Those who are not charged as dangerous lunatics you have nothing to do with? No; no warrant can be issued, according to our practice, unless the party is charged with being a dangerous lunatic, and likely to commit some indictable offence.
234. *Chairman.*] In what proportion of these cases have the parties been remanded for a time, and afterwards discharged? About 75, out of 168, have been discharged after remand. I do not think any of them have been discharged at the first hearing.
235. Most of those who have been remanded have been sent, for a time, to Darlinghurst Gaol? Yes.
236. There not being sufficient accommodation for them at the station-house? There is no accommodation at the station-house; and the rule is, and always has been, to remand them to Darlinghurst, for a certain time.
237. Even where no charge is made, other than that of being insane, they are treated as criminals, by being sent to Darlinghurst Gaol? I cannot say that we treat them as criminals; they are not looked upon as having committed any offence.
238. But yet they are sent for imprisonment to Darlinghurst Gaol? They are sent to Darlinghurst Gaol, because it is the only place where there is accommodation for them.
239. Did the question arise, after the new Act was brought into operation, whether they could be sent to the receiving-house? It did. There was a case shortly after the Act came into operation. It occurred at the Water Police Office, I think, and I am only speaking from hearsay. I heard that a man had been remanded to the lunatic reception-house, but it was found not to be in accordance with the Act; and since that all the remand cases have been sent to the gaol, and only the commitments to the reception-house.
240. In what way are those people usually sent from the Police Office to Darlinghurst Gaol? In the police van, usually.
241. Is it an open van? No, closed, containing small cells, in which each prisoner is placed by himself. In some cases, where a lunatic has friends who are inclined to pay for a cab, he would be sent in that way in charge of a policeman.
242. Has it not appeared to you desirable that the Magistrates should have power to send all these cases to the reception-house instead of to the gaol? Yes, certainly. It was my impression that that was the intention of the Act, until we came to look into it.
243. All the remand cases, as well as the committals? Yes.
244. You think the Magistrates should have power to send them to the reception-house, until they can receive some temporary treatment and can be properly examined? I should say it is preferable to send them to a place of that kind. Very often their friends have a great dislike to their being sent to Darlinghurst Gaol.
245. Have you been often present when parties charged with insanity have been examined? Frequently I have.
246. Have you been present when the printed forms have been filled up by the medical men, certifying to the insanity of the parties? I have occasionally.
247. What has been the result of your observations as to the system under which supposed lunatics are dealt with? I have often thought it very susceptible of improvement. It has frequently struck me that the examinations were very hurried, and the conclusions arrived at, on what appeared to me, very insufficient grounds. I may state, in connection with that, that the way in which the medical evidence is obtained appears to me to be wrong in principle. It looks like offering a premium to make a man out to be mad. The practice is this: the Police Surgeon first examines the party charged, and if he believes the case is one that ought to be sent on to the lunatic reception-house, a second medical man is called in. They give their evidence before the Magistrates; and if the two medical men give evidence each of them is entitled to a guinea, whereas if only one medical man is examined the practice is that he does not get any fee at all; so that although I believe at present there is no want of care exercised in coming to a conclusion, still the system strikes me as being wrong. I would not like to have it thought that these remarks reflect in any way upon the medical men, as I wish to refer to the principle only.
248. Does it seem to you, in many cases, that the medical men who certify to a party's insanity have not sufficient prior knowledge of the party to be in a position to do so with any degree of satisfaction? As a rule they know nothing at all about them until they are apprehended. The exception is where the medical men who give their evidence have any previous knowledge of the case whatever. As I said before, the Police Surgeon first examines the party —

Mr. W. D.  
Meares.

19 Mar., 1869.

249. The Police Surgeon examines the supposed lunatic at the instance of the friends of the individual? No, after the party has been apprehended, in the course of his duties; and the chances are ten to one that he has never seen or heard anything of the lunatic before.

250. The Police Surgeon calls in any medical man to join in the certificate? Yes, any medical man whose presence he can obtain.

251. Have you ever heard of cases of parties having been arrested for insanity and sent away, or attempts made to send them away, improperly, from interested motives? I remember one case, at our office, of that kind, in which the attempt appeared evident.

252. Was it abandoned? It was abandoned after a lengthened examination; or rather, it was not abandoned, but the party was discharged by the Magistrates. There have been other cases.

253. *Mr. Tighe.*] Did the doctors certify in that case to the man's insanity? No, I think not; I cannot charge my memory positively, but I do not think they did.\*

254. *Chairman.*] How could the case have come before the Magistrates unless there had been some previous certificate from a surgeon? They come before the Magistrates before any certificate whatever is given. They are apprehended on warrant. For instance, a person comes and says he has a brother who is a lunatic, and he is afraid if he is not restrained he will do some harm. He swears to an information, in the words of the Act, that so-and-so is a dangerous lunatic, and likely to commit an indictable offence; and on that a warrant is issued, and the party apprehended. The police surgeon sees him in the lock-up, as a rule; and, if he believes that the patient is likely to recover in a few days, he is brought before one Justice and remanded to Darlinghurst Gaol, for a week generally; but if the Police Surgeon believes he is a dangerous lunatic, and liable to be dealt with under the first section of 7 Victoria No. 14, then he calls in another medical man, and both examine the party apprehended, and they give their evidence before two Justices.

255. They must fill up some forms? They generally fill up the forms at the time they give their evidence. These forms are not connected with the legal proceedings in the case, but are simply for the information of the medical authorities at the receiving-house.

256. If the man is committed, they each draw a guinea? If two of them are examined, they get a guinea each whether he is committed or not. It is only where the Police Surgeon examines by himself that he does not get a guinea. If he calls in another medical man, they both get a guinea no matter what the result is.

257. *Mr. Tighe.*] What process would you recommend in place of the present one? I have thought that something of this kind might be an improvement. In the country districts there is very often difficulty in obtaining the evidence of two medical men. In Sydney the present practice is objectionable, in the way that I say. I fancy that both of these difficulties might be met if power were given to one Magistrate, on the evidence of one medical man, to remand the case to the receiving-house; and then, if the receiving-house were made a place at which petty sessions could be held, and two medical men were paid a salary to examine the lunatics in the reception-house, they would then have the opportunity of studying the case better, and giving a clearer and more decided opinion upon it. The Justices then, sitting in the receiving-house, might either discharge or finally commit, according to their opinion arrived at on the evidence of these two medical men.

258. I suppose you see no objection to a board of medical men? None whatever; the more the better.†

259. If that was done, the inconvenience that at present exists would be entirely avoided? I think so.

260. It would diminish the risk of a sane man being incarcerated? Very much so, I should say.

261. I suppose a person who has never been in gaol before, and not belonging to the criminal classes in any way, takes it very much to heart, being sent to gaol for a week—it grieves and frets him very much? Yes; I have known cases where they have felt it a good deal, and many other cases in which the friends have felt it. Of course, the very word sounds unpleasant in their ears.

262. Under the present Act what you propose could not be carried out—the Government could make no regulation that would have that effect? No, I think not.

263. They must remand to the gaol? They must remand to the gaol, if we read the Act correctly. They can only *commit* to the reception-house.

264. The Act would have to be altered then? Yes.

265. *Mr. Dodds.*] Are there not a number of vagrants of loose character brought up at the Police Office every week, who are made temporarily insane through excessive drinking—would you recommend that they should be sent to the receiving-house? There are not many cases of vagrants so affected. There are a great many cases of people suffering from *delirium tremens*; but they are generally people who have some means or money—publicans and others who have had the means of obtaining drink. What we would call vagrants are dealt with under a different Act, and but few of these are made temporarily insane through drink—they have not the money to get it. Very often we are applied to by people whose friends become deranged, and they try to get rid of them. They generally come to the Police Office, and are told we cannot do anything unless they are prepared to swear that the person in question is a dangerous lunatic.

\*NOTE (on revision):—Upon inquiry, I find that the medical men had examined the man, and had testified to his insanity.

† NOTE (on revision):—Upon reflection, I think three would be better than any larger number.



lunatic. In their anxiety to get rid of them, or have them better provided for, they do not hesitate to swear to their being dangerous; but when we hear the ground on which they form their opinion, we find it is often very slight.

266. *Mr. Tighe.*] How does a lunatic find his way into the asylum? In cases where the party is not a *dangerous* lunatic, the course is rather complicated. I had a case the other day in which I took some interest. There was a poor woman who had an idiot son about eight or nine years old, perfectly unable to feed himself or assist himself in any way. She had an infant at the breast three weeks old; had been deserted by her husband; and had had all her things seized for rent. She was unable to do anything; and she came to our office to make inquiry. I saw it was not a case in which the child could be dealt with as a dangerous lunatic; and the only other course was to proceed by petition. The course was this. The petition was prepared; she had to get two medical men to examine the child separately, and give a separate certificate that each of them had examined him, and that he was an idiot and would be benefited by treatment in the asylum; she then had to take the petition to the Supreme Court to get it signed by one of the Judges, and after that to the Colonial Secretary's Office to get the sanction of the Governor. It took her a week to get it done, and she never could have accomplished it only for the assistance she received.

267. Who would do all that in the case of one having no friends? I do not know. There is a provision in one of the Acts that in cases of that kind, where the party happens to be in custody of a gaoler, he can petition as the guardian.

268. Would any officer of police petition? No.

269. The lunatic, then, would be allowed to go about the streets until he did something that would bring him before the Police Court? Yes.

270. There is a deficiency there? Yes; unless the party can be charged with being a dangerous lunatic; amongst the poorer people they are quite at a loss what to do.

271. *Mr. Dodds.*] Has any case come within your knowledge, at the Police Office, where parties have been improperly charged with lunacy from improper motives, with a desire perhaps to obtain possession of their property? Cases have more than once been brought before the Court, in which, though it did not appear clearly that such was the fact, I certainly came to the conclusion that it was so. That was the impression on my mind at the time, and there was a general impression in the office that that was frequently done.

272. In the case you spoke of just now, did the medical officers testify? I could not say without referring to the case. I am rather inclined to think they did not certify, but gave evidence to the effect that he was insane.

273. Do you think they were improperly biased by the friends? I think they formed an opinion, perhaps, too hastily, without having sufficient opportunity to judge of the man's state. If I recollect aright, neither of them had seen him before.

274. A properly constituted board would be a safe remedy for all that? Yes, naturally it would be. It is the hasty examination that I think so improper.

275. I understand it occupies sometimes not more than ten minutes? A very short time. Dr. Brown, however, seems to be very careful. The impression in the office is, that there is more care exercised now than there was sometime before.

TUESDAY, 23 MARCH, 1869.

Present:—

MR. DODDS,

MR. FARNELL,

MR. WILSON.

JOHN FITZGERALD BURNS, Esq., IN THE CHAIR.

Frederick Norton Manning, Esquire, called in and examined:—

276. *Chairman.*] What appointment do you hold under the Government? Superintendent of the Hospital for the Insane, at Gladesville.

277. You are aware of the objects of this Committee, I believe? Only from what I have learned from the newspapers.

278. Has your attention been drawn to the law relating to lunacy in this Colony? It has, so far as it has come within my duty as superintendent of the hospital to be guided by it; but I have not paid any special attention to it. I have copies of all the Acts on the subject, and of course they regulate my proceedings.

279. Has it appeared to you that the law could in some respects be improved? Yes, in many respects. I think, in the first place, it might be improved by doing away with the present system, under which the greater number of the patients sent to the hospital go through the Police Courts. It has a very bad effect, I find, upon the minds of the insane. They take up immediately with delusions on the subject; and these last, in many cases, the entire time they remain in the hospital. They imagine that they have been committed for a certain length of time. The fact of taking them before the Magistrates has this effect upon them.

280. How would you propose to obviate that? By following out more fully, possibly with some alterations, the system that now is adopted in a small number of cases. By petition, on the certificate of two medical practitioners, a person can be committed to the hospital, under a Judge's order. If, by a similar order from a Judge or a Magistrate, all the cases could be committed to the hospital, instead of taking them personally to the Police Court, it would be a very great improvement.

Mr. W. D.  
Meares.

19 Mar., 1869.

F. N.  
Manning,  
Esq.

23 Mar., 1869.

F. N.  
Manning,  
Esq.  
23 Mar., 1869.

281. Would you not have the persons, said to be insane, brought before the Magistrates at all? No, I would not; I think it a very great pity to do so.

282. How could evidence be obtained as to their insanity? I think that evidence should be obtained from the certificate of the medical practitioner; and the Magistrate's duty should consist in examining these certificates, to see that they are according to law.

283. You would throw the whole responsibility on the medical men? I would. It is on them now in those cases admitted by a Judge's order. The Judge does not see the patient; he sends him to the hospital, on the certificate of two medical men. That applies to people who are generally in better circumstances, who petition for it.

284. Do you think sufficient precautions are now taken to ensure that only insane persons should be sent to the asylum? I think so. I have never admitted any one that I did not consider either was insane at the time, or else had been sufficiently insane to have warranted the certificates on which he had been committed. One or two persons have reached me in a state of sanity, but I have no doubt that, at the time they were examined, they were insane.

285. How long have you been at Gladesville Asylum? Five months.

286. About how many persons have been admitted within that time? Upwards of 60, since the 1st of January of this year—perhaps a hundred altogether.\*

287. From what Courts have you received them? The chief part of them from the Sydney district. They come to me from the receiving-house at Darlinghurst.

288. How many persons have you discharged in that time, whom you have found to be sane, and who have been committed within the same period? Fourteen persons have been discharged sane from the hospital during the last five months, who have entered it within the same period. Of this number, I considered two to be sane on admission, but I think the evidence was conclusive that they were insane at the time the certificates under which they were sent were signed.

289. Have you discharged many parties shortly after admission? I have discharged some within six weeks or two months. One case, I think, I discharged in three weeks.

290. Had the curative means adopted in the establishment made him sane? No; I think he came in sane. In some cases, it has been merely a question of abstinence from intoxication, or something of the kind.

291. You do not think there are many persons sent to the establishment who are really sane? No, I think very few. In some cases, the patients may have recovered before they reached Gladesville; but they have been insane at the time of committal. In the case I mention more particularly, I have no doubt the man was insane at the time the certificates were signed, but it was merely temporary insanity produced by excessive drinking. The necessary formalities, preliminary to his discharge, necessitated my keeping him about a fortnight.

292. I suppose you have full knowledge of the modes in which parties are sent to the asylum? I am not quite clear as regards the different certificates. There are three or four forms of certificate, depending upon how they fall into the hands of the police, I fancy.

293. Have you ever heard that certificates can be obtained with undue facility in Sydney? No. Within the last three months I have applied to the Colonial Secretary to send me the medical certificates, or copies of them, in all cases, my principal reason being, that in many cases I got no particulars of the patients whatever from the Police Courts, which I think is necessary by one of the Acts. I asked, therefore, for the certificates, to see what grounds the medical men had for sending the patients, and to give me a starting-point for treatment. These certificates are very often illegal, or at least informal. They do not certify, as they should do; the reasons for considering the patient insane are not sufficient.

294. Notwithstanding that, you have not, in your experience, found that many parties who have been sent to the asylum have been sane? No, I have not. In those cases in which the certificates go before the Judges, the Judges very carefully examine the certificates; but where they come through the Police Court, the Magistrates consider it sufficient generally to see the patient. They do not seem to examine the certificates, or to take exception to them, though they may be decidedly informal, as, in fact, is the case in many instances.

295. I suppose you know that every week some five or six persons are brought up in Sydney, at the Police Courts, charged with being insane? Yes, I know that is the fact, from the number of admissions we have.

296. Would the alteration you now suggest in the mode of committal provide for so many persons being dealt with? I think so. I do not see why, on the certificate of two medical men, they should not be committed to the reception-house; and whilst there the certificate should be submitted to a Judge, or a Magistrate, who should certify to its legality.

297. Are you aware that, under the present law, it is not in the power of a single Magistrate, or two Magistrates, to commit to the reception-house, unless the certificate is signed by two medical men? Yes, I am aware of that.

298. Do you not think it desirable to have the law altered in that respect? A great deal would depend upon the use to which you put the reception-house.

299. You are opposed to parties charged with insanity being sent to gaol? Yes; very much.

300. Do you think it desirable they should be sent to the reception house awaiting examination? Yes; but I do not think they should be sent there without two medical certificates.

\* NOTE (on revision):—The total number admitted, during the five months, was 114.

certificates. I think, if a case is so serious that it necessitates a man's sequestration in a hospital for the insane, the least you can do, as a first step to that, is to call in two medical men.

F. N.  
Manning,  
Esq.

23 Mar., 1869.

301. Do you think, in a large city like Sydney, you could always get two medical men having sufficient knowledge of the person said to be insane, to be able to certify to his insanity? There are a very large number of practitioners here; and two opinions are better than one in these cases. There seems to be no difficulty in obtaining medical men on the shortest notice here.

302. Supposing a person is violent in his demeanor, and supposed to be insane, would you have him sent to the reception-house to await examination? No, I would have him examined first by two medical men. I am speaking now from what I see is possible in other countries—in England and abroad. The workhouses in England, in fact, serve for some purposes as reception-houses. They always have two medical certificates there, and they seem to have no difficulty in obtaining them. I think if you were simply to use your reception-house as a place where a person could be sent on one medical certificate, you would directly have it filled with cases of *delirium tremens* arising from drunkenness. A medical man finding little difficulty with a patient, would sign a certificate and send him there; and your reception-house, which is not now more than large enough, would be filled directly. In England, many of the public hospitals have rooms in which they receive patients suffering from *delirium tremens*; but I do not think that is the case in Sydney. I know in London the general hospitals are seldom without cases of *delirium tremens* in the wards.

303. Would you have parties committed direct to the hospital for the insane on the certificate of two medical men? Yes, on a Magistrate's or Judge's order, given after examining into the legality of the certificate.

304. Would you recommend that there should be a medical board to meet once a week at the reception-house, to determine which of the parties awaiting examination there should be sent on to the Lunatic Asylum? I think that would be an extremely good thing. In my report I recommended that there should be an Inspector of Lunatic Asylums, one part of whose duty would be to examine the reception-house once a week, in the first place, to see that patients were not improperly detained there; but the board you have suggested now would answer equally well. Either the inspector or the board, whichever may be appointed, should also see that only such cases were sent on as would necessarily require further treatment. I do think it a pity now, in a few cases, that the patients are sent on to the hospital.

305. You think a number of the parties now sent on to the asylum could be cured by being detained for a short time in the reception-house? Yes, I think a certain number might. At the same time it would be necessary to avoid the danger, which always exists, of converting the reception-house, a mere stepping-stone to the asylum, into a place for treatment. The strictest care should be taken that it should not be perverted from its original purpose. In America, the reception-houses, established on the same principle as the one here, gradually degenerated into small asylums of the very worst class; and they have only just now been done away with in the States.

306. How often are examinations held in the asylum over which you preside, with a view to the discharge of patients? Every week.

307. By whom? By the Board of Visitors.

308. How many are there of them? The board consists of three—two medical men and one legal member. The legal member concurs in the recommendations of the medical members of the board, but has no direct right of discharging patients himself. The patients are seen by both of the medical members before they are discharged.

309. Have you any suggestions to make with regard to any change in the law respecting the discharge of patients? I think that under the present law the discharge of patients is unnecessarily difficult. The law requires that the certificates on which they are discharged shall state that they are of sound mind. Now, there are a number—perhaps not a large number—of patients who, though not quite of sound mind, are harmless and able to get their own living; and these, I think, should be discharged on a qualified certificate to that effect, which it is impossible to give them now.

310. *Mr. Farnell.* You have some of that class in the asylum at Gladesville now? Yes, there are five or six that I think might be discharged on a qualified certificate of this kind.

311. Persons to whom you cannot now give a certificate under the law; but if the law were altered you could give a certificate upon which they might be discharged and get their own living? Yes; I think they might be placed more or less under the protection of the police. I will instance one case to show how the law acts at present. There is a man now in the asylum who used to sell fruit about the streets of Sydney. He got into some little row a little before Christmas, and was taken up by the police. I do not suppose that it was anything more than such a row as many people who are sane get into at Christmas time. The man was found to be of weak mind, and was sent to the hospital, and I am obliged to keep him there; but I am quite certain that, if he were supplied with a basket, he could get his own living as he used to do. I trust him in every way about the place.

312. *Chairman.* In that respect you would like to have the law amended, so that you could discharge those patients who, though of weak mind, were not dangerous and could take care of themselves? Yes, I think too the law which obliges all patients who have been committed as dangerous lunatics, and are afterwards discharged to the care of friends, still of unsound mind, to pass out of the asylum under a bond, wants some alteration. Two-thirds of the patients are admitted under a form denominating them dangerous lunatics. It is a mere remnant of by-gone days; but it is distinctly laid down that no person



F. N.  
Manning,  
Esq.

23 Mar., 1869.

person committed as a dangerous lunatic can be discharged, unless his friends will enter into a bond for his peaceable behaviour. This bond, never for less than £50, costs a sovereign; and from its legal and formal character it acts as a direct deterrent to people who would take and keep their own friends, and might fairly be allowed to keep them.

313. Have you any further suggestions to offer? I think these are the two great points in which the law in respect to the discharge of patients needs amendment. I have not yet been long enough in the Colony to see how far it may be advisable—but I cannot help thinking that in certain cases small sums might be allowed by the Government to the friends of the insane who would be willing to take care of them if they received some pecuniary assistance. They cost the Government twelve shillings a week to keep them in the hospital; and though their friends are quite willing to take care of them, they are unable to do so from want of means. It is a question worthy of consideration how far the Government might be justified in giving say from five to eight shillings a week as an assistance to people willing to receive their friends into their own care. They would, of course, have to give certificates of their respectability of character; and it would be necessary that they should get a certificate from a medical man in the district, once in three, six, or twelve months, as the Government might determine, to testify to the continued existence of the person and to his continued insanity.

314. *Mr. Farnell.*] Of course that would not apply to any persons who would be dangerous lunatics? No, only to a peaceable class of weak-minded people.

315. *Chairman.*] Has your attention been drawn to the circumstance that the friends of some of your patients are persons in very good circumstances, and could contribute towards their support? Yes, frequently.

316. I believe there was an effort made by the Government, some short time ago, to induce some of these parties to subscribe something towards the support of their insane friends, or to take them away? That was before I was superintendent.

317. I suppose there are no means of remedying this abuse of a public institution? None, except you attach a police officer to the lunatic establishments, and make it his business to inquire into the circumstances of people admitted into the asylum; and, also, he might be employed in seeing after those persons I have spoken of, who might be discharged.

318. *Mr. Dodds.*] You have a dislike to sending patients to Darlinghurst Gaol or to the reception-house—where would you propose to have them examined? At their own homes. If taken up by the police for some brawl in the street, I would have a practitioner visit them in the lock-up. I am not sufficiently acquainted with the ways of proceeding here to know where they are placed before being dealt with. There are a great many cases taken from their homes and taken to the Police Court as a preliminary proceeding. I think that very bad.

319. Should the medical officers called upon to examine them be appointed by the Government or by their friends? I think the friends ought to pay, and call in any one they choose, as they would in a case of bodily illness. The medical man acting for the friends of the patient might call in any one he chose, as in a case of ordinary illness.

320. *Mr. Farnell.*] You get some patients from other places besides the reception-house? Yes, from the country districts; they come to the hospital directly, in charge of the police.

321. How would you provide for cases in the interior, in order to avoid bringing them before the Police Courts—would you have them conveyed to the reception-house in Sydney, on the certificate of two medical men, or would you have reception-houses established at certain places in the interior? I think there ought to be a reception-house at every gaol. Of course, you could only set apart certain rooms.

322. I suppose you are aware that on their way from the interior, these persons are treated more like prisoners than lunatics? Unfortunately, I know that has been the case. I have admitted one man with heavy irons on his legs. I represented the case to the Colonial Secretary, who instructed the Sheriff to inform all superintendents of gaols, that in future they must do away with these, and now they use mufflers instead. In many cases it may be necessary, and probably is necessary travelling long distances and in public conveyances, that care should be taken; and the muffler is less objectionable than the handcuff, because it is not associated so directly with the gaol. A man that is handcuffed is a prisoner in everybody's mind.

323. *Mr. Dodds.*] Are you able to distinguish many cases where the patient's lunacy has been brought on by intemperance? There are a great many cases in which intemperance has been associated with lunacy; but it is extremely difficult to say how far the intemperance is an effect, and how far it is a cause of insanity. One case I have now in my mind. A man, who has been in the Public Service, bears an excellent character, has never been addicted to drink as far as is known; for some time nothing he has done has been done well, his public duties have been neglected, and eventually he obtained leave of absence to come to Sydney; on the way down he took to drinking heavily, and eventually came to the Hospital for the Insane. In this case I do not consider that the drinking was the cause of insanity, but that the insanity was prior to the drinking. Of course, in the great majority of cases, the drink is the cause of insanity; here it was the effect.

324. *Mr. Farnell.*] Is there any accommodation that you are aware of at any of our gaols, for the treatment of prisoners who may become insane? I know there is no accommodation at Cockatoo. I have never been at Darlinghurst.

325. Do you think it necessary to have some place of that kind established at all our gaols. I think it would be advisable to establish a really good place for observation and treatment in one gaol, and to forward all prisoners who may be under suspicion of insanity

F. N.  
Manning,  
Esq.

23 Mar., 1869.

insanity to that place. That is what is done in England. All convicts who are supposed to be insane are sent there, and the rooms are fitted so that they may be under close observation and it may be determined whether they are really insane or merely malingering. They are kept there three or even six months before they are sent to the Criminal Lunatic Asylum. At Millbank, rooms are specially set apart for the purpose.

326. Are you aware that, some time back, a number of prisoners were removed from the Parramatta Gaol to the Criminal Lunatic Asylum, on the ground of insanity; and that, after they were admitted to the asylum, it was discovered that there was a plot amongst them for making their escape? Yes; I am aware such was the fact.

327. Had there been a place such as you have spoken of for the treatment of such persons, it could have been detected whether these prisoners were insane or not? Yes. There are two prisoners now at Cockatoo upon whom I was called to give my opinion the other day. As an expression of opinion, I do not think they are insane, either of them; at all events, neither of them are so insane as to justify me in giving a certificate of their insanity. I think it necessary they should be kept under observation for two or three months, certainly; and yet there are no places at Cockatoo where they can be examined. They must be either put into cells, where no one can see them, and where the opening of the door is sufficient to put them on their guard, or else they must be put in the prison hospital, where they will get indulgences which will induce them to keep up the sham if they are malingering.

328. You have had a large experience in lunatic asylums? My experience in lunatic asylums is principally embodied in my report. I have never before been in charge of one; but I have interested myself in them, rather from a liking for the study of the subject than as duty.

329. Are you acquainted with the laws relating to lunacy in various countries? I have obtained, and can leave at the service of the Committee, the English, Scotch, and Irish Acts of Parliament, as well as the lunacy laws of France and Belgium, and of the States of New York and Massachusetts.

330. *Mr. Wilson.*] With reference to the admission of lunatics, you state that, in all cases, they ought to be admitted on the certificate of two medical men, countersigned by a Judge? I did not exactly put it in that way. I said I thought some modification might be made in the existing law, which necessitates the taking of a large majority of cases before the Magistrates in open Court and subjecting them to examination. I think, if the Police Magistrate examined the certificates, and made the requisite order thereupon, it would be a much preferable practice. In fact, the less the insane have to do with the police, the better.

331. I suppose you are aware that a large number of persons are brought before our Courts as being of unsound mind, who are simply labouring under *delirium tremens*? Yes, I suppose there are a certain number of people of that kind, but I do not think many of them reach me.

332. Do you not see that there would be considerable difficulty in having all these people sent to the reception-house, instead of to the gaol? Yes, I can see that there may be great difficulty in providing for their treatment there. It seems to me a great pity that provision is not made in the public hospitals for the treatment of cases of *delirium tremens*, instead of allowing them to go to gaol. A large number of cases of *delirium tremens* are treated in private houses in England; and the London hospitals are seldom without one or two cases within their walls.

333. You are aware that we have only one lunatic reception-house in the Colony, at Sydney, though, as a matter of course, there are cases of lunacy in all parts of the country. Have you ever thought of any means that might be adopted to ameliorate the state of these people taken up as insane, in the interior? I have offered suggestions on that point in my report, principally that hospitals for the insane should be erected in certain districts, say at Maitland, Goulburn, and Bathurst. At present, there is very great difficulty in the transit of these people, on account of their insanity, which enhances the difficulty of travel immensely. Another question is of importance, namely, the return of these people to their friends after they are discharged from the hospital. I have now two or three people whom I would willingly discharge, if I knew they would get home again. There is one woman, especially, to whose friends I have written. Her husband does not seem to be in a great hurry to get her back; and it will cost her, to go by mail, some £3 or £4. She wishes to go beyond Dubbo. The only other way is a long journey by a carrier's van, during which she would have to sleep out with the team—not a nice thing for a woman to undertake; and, therefore, she is staying with us, because of these difficulties. The Government does not allow me to give more than a pound, as assistance to persons discharged.

334. Even though hospitals were established in different parts of the Colony, as you have suggested, these unfortunate people would still have to be brought, in many cases, four or five hundred miles; and the rough treatment they are subjected to during the journey must have a very bad effect upon them? Yes, I think it has. The only thing possible is to inculcate upon all having anything to do with them a feeling of kindness, and to provide separate rooms for the reception of the insane in all the gaols. It is a pity they should mix with the other prisoners.

335. *Mr. Farnell.*] Do you not think it would be wise for the Government to pay the expense of sending these persons to their homes, rather than keep them in the asylum after they are cured? Yes, but the difficulty is that we might pay the expenses of some who would be very well able to get back again at their own expense.

336. *Mr. Wilson.*] There might be some law to enable the Government to compel the relatives to pay the necessary money, unless it was certified by responsible persons that they were unable to do so? Yes, that might be done. But there is no doubt you would

F. N.  
Manning,  
Esq.

23 Mar., 1869.

do away with half these difficulties by taking the hospitals to the patients, instead of bringing the patients to the hospitals. I think it is a good thing that they should be within something like reach of their friends.

337. *Chairman.*] It is desirable that the friends of the lunatics should visit them occasionally? Yes; if they do not do so they are liable to get rid of them, and not think so much about them.

338. *Mr. Dodds.*] How would you deal with insane persons who showed an intention to commit violence either to themselves or other persons—would you not have them brought before the Police Court in the usual way, so that the cases might be investigated, because a case might arise where a patient might at a certain time be perfectly sane, and at another time quite insane—would it not be necessary to show that in some way? Absolute remission in cases of insanity is extremely rare. In almost all cases there is more or less insanity at all times during the continuance of the affection. It is difficult to say that a person is insane at one time and sane at another. I think all these people should be dealt with in the same way as other people that are sick. I think we have a strong argument for the little necessity there is for bringing them before the Police Court, from the fact that in England we have no reception-houses, and they are never brought before the Police Courts; they go at once from their homes to the asylums, except in the case of the extremely poor where the workhouse of the district is made the reception-house for the time being. Such a thing is now scarcely known in England as a lunatic being confined in a gaol.

George Alfred Tucker, Esq., called in and examined:—

G. A. Tucker,  
Esq.

23 Mar., 1869.

339. *Chairman.*] I believe you have a private lunatic asylum at Cook's River? Yes.

340. I suppose you are aware of the objects of this Committee? Something with regard to the Lunacy Law, I believe.

341. How many persons of unsound mind have you in your establishment at present? Thirty-four.

342. Yours is entirely a private asylum? Yes, as far as the proprietary goes. I receive patients from the Government, and it is under Government supervision.

343. How long have you had this establishment at Cook's River? Nearly four years.

344. Have you any amendments to suggest in the law relating to lunacy? Yes, there are several. It does not work well I think, and never will work well. It is obstructive in many ways,—with regard to the discharge of patients for instance.

345. Has your attention been drawn to the manner in which parties are first committed to the asylum for insanity? Yes. Formerly, I believe, they were committed to gaol, which was objectionable.

346. You do not think it desirable they should go to gaol at all? Certainly not; nor that there should be any appearance of the gaol in connection with their detention.

347. Did you not understand that the amended Act of 1867 was intended to obviate the necessity of these parties going to the gaol—that they should be sent to the receiving-house instead? Yes.

348. Persons awaiting examination for insanity are not sent to the receiving-house now? I am really not aware whether they are or not. I receive my patients direct on the Governor's warrant. I have not received any through the reception-house.

349. What amendments would you suggest in the law? In the first place, I think the superintendent or medical officer of an asylum should have power to discharge his patients.

350. You cannot now discharge them? I have no power at all to do so, much to the inconvenience of myself, the patients, and their friends. A patient may be kept in an asylum too long; and the interval that now elapses between one opportunity for discharging them and the next is sometimes longer than it ought to be. The official visitors may visit the establishment on or about the first of one month, but may not come again till the last of the next month; therefore nearly two months may elapse.

351. What change would you propose? I think the superintendent or medical officer should have the power of discharging on probation, for one month for instance, so that persons could be returned if necessary during that month, on the same certificate and the same warrant. Of course, in case of their discharge, proper notice should be sent to the Government, as at present. Now, we have to wait for the official visitors, who have to certify; and then there is the Governor's warrant to cancel the first warrant; which all takes up a great deal of time. A great many people object to placing their insane friends in a private asylum on account of the difficulty of getting them out. The difficulty of getting them out is equal to the difficulty of getting them in.

352. Do you think it would be proper to give qualified certificates upon which parties could be discharged, without its being stated that they were absolutely of sound mind—Are there not cases where parties, though not quite sane, are yet sufficiently able to take care of themselves? Yes; the certificate at present given certifies that the patient is capable of being discharged to the care of his friends; and then the friends have to enter into a bond, which is only a formal matter.

353. Do you not think that bond is a difficulty in the way of getting patients discharged? Yes, a great difficulty; the friends object to enter into it.

354. Do you think there is any advantage in having the bond? I do not see that there is, unless the Government carry it into effect.

355. Have you not found great difficulty in getting the friends of patients to sign the bond? Yes.

356.

356. How many patients have you received in all into your establishment during the four years you have had it? Somewhere about eighty.
357. How many have you discharged? There are thirty-four at present in the house; I think four have been forwarded to Tarban, as incurable, and there have been four deaths; the others have been discharged.
358. Do you discharge many shortly after their reception? Yes.
359. Do you think, from your experience, that many parties have been sent to lunatic asylums who were really sane? No, I never met with a case.
360. But you have discharged several shortly after their reception? Yes.
361. Was that in consequence of the treatment in the asylum having restored them? I think a great deal was owing to the rest and quiet, and proper care and attention.
362. Had some of these parties been suffering from over-indulgence in intoxicating drink? Yes; I sent away one last week. The Act does not provide for cases of *delirium tremens*. This gentleman was discharged in ten days.
363. Do you think it would be well to have a medical board to meet once a week at the receiving-house, to determine which of the parties there awaiting examination should be sent on to the lunatic asylum? Yes, I think that would be advisable. They must be sent on to Tarban Creek at present; there is no power of discharging them from the receiving-house. I should think a great number of cases that go into the receiving-house might be discharged from there without the necessity of going to Tarban.
364. Do you know much of the accommodation for lunatics at the gaol? No; but I have been through the receiving-house.
365. How many are provided for at the reception-house? I think sixteen.
366. *Mr. Wilson.*] Have you ever received any patients that have, in the first instance, been sent to gaol? No, I think not.
367. Are you aware that all parties, suffering under *delirium tremens*, taken up by the police, are charged before the Court as being of unsound mind? I believe so.
368. I suppose you are aware that it is the practice of the Magistrates to send these persons to gaol for medical treatment? Yes.
369. Do you think it would be proper to send such cases as these to the receiving-house along with ordinary lunatics? In the first place, I am of opinion that it is wrong to bring them before Magistrates in open Court at all.
370. People with *delirium tremens*? Any person of unsound mind. But if it cannot be altered in any other way, I approve most decidedly of Magistrates having the power to send them to the receiving-house instead of the gaol. I think an official board would be the proper persons to certify to persons going to the reception-house, without taking them into open Court at all.
371. Do you not see very great difficulty in treating, in the reception-house, cases of *delirium tremens* in such a city as this? I do. It would require a much larger place than the present receiving-house.
372. Almost another gaol? Yes, as regards size.
373. Do you think the board you speak of should consist entirely of medical men? I do not think it necessary.
374. Do you think there is anything with regard to the medical profession, taking them generally, that peculiarly qualifies them as judges of insanity more than ordinary civilians? I think not; and I believe any conscientious medical man will tell you the same.
375. Do you think it would be an advantage to have upon the board laymen not connected with the medical profession? I do. In saying this, I may appear partial, as I am not a medical man; but I believe medical men themselves are of the same opinion.
376. Are you aware whether in other countries, boards in connection with lunatic asylums are composed entirely of medical men or not? They are not, to the best of my knowledge.
377. How often do you think this board should be compelled to visit each lunatic asylum? I do not think they should visit less than once a week.
378. At the present time several weeks elapse? Yes. I may also mention that I have to pay the visitors in my case, and I think it would be much better if the money were to pass through the Treasury instead of going to them direct from me.
379. What is the fee? Two guineas.
380. Do you see anything else in the Act which you think requires amendment? What I am going to say more particularly interests the proprietors of private lunatic asylums. In one of the clauses power is given to the Colonial Secretary to remove patients from one asylum to another, or from one licensed house to another, or from a licensed house to an asylum; and that is carried into effect without any communication with the superintendent of such asylum or licensed house, although the parties may be in arrears with their fees, and the only option the superintendent then has is to sue in the District Court.
381. Do you think that before the Colonial Secretary sanctioned any removal he should see that all charges should be liquidated? I do not think the removal should be authorized unless all arrears were paid. I do not speak so much of the discharge of a patient when restored, but of the removal of those who are still of unsound mind.
382. *Mr. Dodds.*] I understood you to disapprove of bringing before the Court, or sending to gaol, any patient of unsound mind, whether the affection were temporary or otherwise. How would you deal with the numerous cases where parties are brought up for protection? I think when the police put them in the lock-up, they might obtain the attendance of two or more members of the board just spoken of, to examine them and certify whether or not they were of sufficiently unsound mind to be committed to the receiving-house, without going into open Court at all.

G. A. Tucker, Esq.  
23 Mar., 1869. 383. Supposing it were necessary to detain a patient for a few days or a fortnight, would you do so on the certificate of two medical men? Experience would soon give the members of the board sufficient knowledge of the indications of insanity to enable them to give all necessary certificates. After a time, they would have greater experience than many medical men could possibly have. It is only practice that can do it. I have many patients that a stranger would not consider insane if he were living entirely with them for a week; so that, in certifying, there is a very great degree of uncertainty. The patient must be very willing to show his delusions, or very violent, for a medical man to be able to certify, if he never saw him before, or had no previous knowledge of the history of the case.

384. *Mr. Wilson.* I presume your remarks with regard to this board apply to the city of Sydney. You have not taken into consideration the advisability of pursuing the same course in other parts of the Colony? I scarcely think the system could extend to other parts of the Colony.

385. Is there anything else in the Act to which you would like to draw attention? Clause 20 provides that no house shall be kept for the reception of lunatics without a license. At the present time I am aware that parties receive patients without a license.

This Act has never been carried into effect with regard to any one else but myself, although of course it was expected that other parties would go into the undertaking. As our lunacy laws stand, every one may take one patient, provided it is not for pay; but there are cases in the Colony now I know where it is beyond that. Then there is another clause preventing the superintendent of any asylum from making any alteration or addition to the house, without first sending a plan and getting permission from the Colonial Secretary. Now, that is obstructive, and would have been so in reference to my own establishment only for the promptness of the Principal Under Secretary. Of course we try to make the establishment as convenient as possible. We are obliged, indeed, to be always doing it, but it becomes very expensive to have a plan each time to forward to the Colonial Secretary; and not only that, but we have to wait sometimes two or three months for his sanction. Since July I have been to the expense of £700 or £800, and have been obliged sometimes to overstep the law by going on with the work without waiting for the Colonial Secretary's approval, owing, I suppose, to the change in the Ministry.

386. Which clause do you refer to? The fourteenth.

387. I suppose you think this restriction might be done away with, and the permission of the visiting board substituted? Yes, that would do, although the board, in many instances, might not see the advisability of carrying out certain conveniences in a certain way. They might wish it done in many other ways. I would not mind sending in for the consent of the Colonial Secretary, provided it could be obtained within a reasonable time; but that is not the case.

388. *Mr. Tighe.* Do you want the clause annulled? I think it would be quite sufficient that the Colonial Secretary should have due notice of any intended alteration, and an opportunity of objecting to it within a certain number of days.

389. What number of days? A week or fortnight.

1868.

---

NEW SOUTH WALES.

---

# REPORT

ON

# LUNATIC ASYLUMS,

BY

FRED<sup>c</sup>. NORTON MANNING, M.D.

---

Presented to both Houses of Parliament, by Command.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1868.

[Price, 7s. 6d.]





## INTRODUCTION.

---

THE commission which this Report is intended to fulfil is thus expressed in the letter of instructions from the Honorable the Colonial Secretary:—

“ You will visit the chief asylums in the United Kingdom, on the Continent, and in the United States. You will direct your inquiries in these visits to the principles on which the buildings have been erected, and the sanitary precautions adopted in their construction. You will carefully observe the different methods of treatment, and obtain statistical evidence of the results in separate cases, so far as is practicable. You will examine the working of different systems of management and discipline, and endeavour to ascertain the effects of the different forms of administrative organization on the condition of the patients, and in relation to efficient supervision and economy of expenditure. In all cases it will be desirable to obtain plans as well as accurate descriptions of the buildings, particulars of the number of inmates allotted to rooms of a given size, and the quantity of pure air considered as indispensable to a given space.

“ You will obtain from the institutions you visit, copies of all regulations, dietary scales, and reports. It will also be within the compass of your duties to procure for the Government, copies of all recent and important statutes, state papers, and departmental reports relating to the treatment of lunatics”; and the end to which all this information is to tend is “ a re-organization of the lunatic asylums of the Colony on the basis of a correct knowledge of the improvements carried out under more favourable circumstances in other parts of the World.”

The inquiries here indicated have a wide scope, and include an examination of the entire system of asylum construction and administration; and, in addition to this, from “ what asylums are” in Europe and America, is to be drawn the conclusion “ what asylums should be” in New South Wales. Before proceeding to the Report itself, it seems advisable to state briefly the steps taken in fulfilling the commission thus set forth—a commission, the duties of which, the instructions further directed, were to be brought to a conclusion, if possible, “ within the period of six months.”

The English Commissioners in Lunacy were first waited upon, and such advice obtained as they could give concerning the asylums best worth visiting at home and abroad.

The following asylums in England were then visited:—

Middlesex County Asylum .....	Colney Hatch.
Essex do. ....	Brentwood.
Sussex do. ....	Hayward's Heath.
Surrey do. ....	Brookwood.
Three Counties (Beds, Herts, and Hunts) do. ....	Hitchin.
Gloucester do. ....	Gloucester.
Worcester do. ....	Powick.
Stafford do. ....	Stafford.
New Stafford do. ....	Lichfield.
Lancashire do. ....	Prestwich.
Derby County Asylum .....	Mickleover.
Lincoln do. ....	Lincoln.
Leicester do. ....	Leicester.
Bristol Borough Asylum .....	Stapleton.



The Coton Hill Lunatic Hospital .....	Stafford.
„ Northampton do. ....	Northampton.
„ Bethlehem do. ....	Southwark.
„ York do. ....	York.
„ Lincoln do. ....	Lincoln.
„ Friend's Retreat do. ....	York.
„ Broadmoor State Asylum.....	Near Wokingham.
„ Earlswood Idiot do. ....	Near Reigate.
„ Camberwell House Private do. ....	Camberwell.
„ Brislington House do. ....	Near Bristol.
„ Fisherton House do. ....	Near Salisbury.

The lunatic wards in the Poorhouses at Leicester, and Chorlton-on-the-Medlock; the Herbert Hospital Woolwich, and the Pauper Hospital at Chorlton-on-the-Medlock, near Manchester, were also inspected. Scotland was next visited; and, after an interview with the Scotch Commissioners—

The Fife District Asylum .....	Near Cupar
„ Perth do. ....	Murthly.
„ Haddington do. ....	Near Haddington,
„ Dundee Royal Asylum .....	Dundee,
„ Edinburgh do. ....	Morningside,
„ Montrose do. ....	Near Montrose,
„ Glasgow do. ....	Gartnavel,
„ Perth do. ....	Perth,
„ Perth Criminal do. ....	Perth,—

and the lunatic wards in the Poorhouses of Edinburgh, Dundee and Perth, were inspected. The limited time at disposal prevented a visit to Ireland; and after the necessary introductions from the Right Honorable the Secretary of State for Foreign Affairs to Her Majesty's Representatives in Europe, and the United States of America, had been obtained, the following American Institutions, among which are the finest and best managed in the Eastern States, were examined:—

The New Jersey State Hospital for the Insane.....	Trenton.
„ New York do. ....	Utica.
„ Pennsylvania do. ....	Harrisburg.
„ Massachusetts do. ....	Northampton.
„ New York City Asylum .....	Blackwell's Island.
„ Philadelphia City do. ....	Philadelphia.
„ Government Hospital for the Insane .....	Washington.
„ Hospital for the Insane .....	Philadelphia.
„ M'Lean Hospital for the Insane.....	Boston.
„ Criminal Asylum .....	Auburn.
„ Asylum for Idiots .....	Near Syracuse.
„ do. ....	Boston.
„ Asylum for Inebriates .....	Binghamton, N. Y.
„ Hudson's River Asylum (in course of erection)	Poughkeepsie.

Subsequently, the following institutions for the Insane, on the Continent of Europe, were inspected:—

#### FRANCE:—

St. Yon .....	Rouen.
Quatre Mares .....	do.
Evreux .....	Evreux.
Bicêtre .....	Paris.
Charenton .....	do.
St. Anne.....	do.
Ville Evrard .....	Near Paris.
Colonie de Fitz Jaques.....	Clermont.
Maison de Santé .....	Vanvres.

GERMANY:—

## GERMANY:—

Illenau .....	Baden.
Frankfort .....	Prussia.
Hamburg .....	do.
Göttingen .....	do.

## BELGIUM:—

Colonie de Gheel .....	Near Antwerp.
Guislain's Asylum.....	Near Ghent.
Asylum for Women .....	Ghent.
Hospice St. Julien.....	Bruges.
Maison de Santé, dite <i>Le Strop</i> .....	Ghent.

## HOLLAND:—

Meerenberg.....	Near Haarlem.
-----------------	---------------

Of all these institutions, reports more or less comprehensive have been drawn up, and such points in the construction and organization noted, as might be useful in remodeling the asylums of the Colony, and so fulfilling the main object of the commission. Copies of plans more or less elaborate were obtained of the—

New Surrey Asylum.....	Brookwood,
Sussex County do. ....	Hayward's Heath
Middlesex do. do. ....	Colney Hatch,
Cheshire do. do. ....	Macclesfield,
Lancashire do. do. ....	Prestwich,
Essex do. do. ....	Brentwood,
Perth District do. ....	Murthly,
St. Anne's do. ....	Paris,
Ville Evrard do. ....	Near Paris,
Evreux do. ....	Evreux,
Illenau do. ....	Baden,
Hamburg do. ....	Prussia,
Göttingen do. ....	do.,
Osnabrück do. ....	do.,
Frankfort do. ....	do.,
Guislain's do. ....	Ghent,
Meerenberg do. ....	Haarlem,—

and most of the American Institutions which were visited, and also of the new Asylum at Auckland, New Zealand.

It is a matter of great regret, that some skilful architect, or some one at least educated as such, was not associated in the Commission, to note the many details which can be judged of only by an architect, by process of actual inspection. In lunatic asylums, as in hospitals, the association of the physician and architect is very requisite; but in the absence of such association, it can only be hoped that this report will not prove "an impracticable set of theories from a medical man's point of view," as has been predicted by an architect of eminence; or rival the but too stubborn facts in brick and mortar, which architects, when working alone, have in many cases erected, even of late years, as hospitals for the insane.

The papers and reports which have been collected, include—

- The Lunacy Statutes of England, Scotland, and Ireland, complete;
- The Lunacy Statutes of New York, New Jersey, and Massachusetts;
- The Lunacy Statutes of France;
- A complete set of Reports of the Scotch Lunacy Commissioners; the Massachusetts Board of State Charities; the Canadian Inspectors of Asylums and Prisons; and an almost complete set of Reports of the English Lunacy Commissioners;
- The more recent Reports of the Irish Inspectors of Lunatics; the Belgian Lunacy Commissioners; and the New York Charity Commissioners;

Reports,

Reports, with copies of rules and regulations, from almost every English and American asylum visited, as well as from several of those on the Continent;

Copies of the French and Belgian Government Regulations for the Administration of Asylums;

The French Statistics of Insanity;

The Report of the English Parliamentary Commissions on Lunatics; and besides these, a large number of books, pamphlets, and papers on asylum construction and organization.

These materials having been collected, it became a matter for anxious consideration in what form the mass of information contained in them, digested and systematized, could be submitted to the Government of New South Wales, so as to carry out the special objects of the Commission. After mature deliberation, it appeared best to draw up a Report of British and Foreign Hospitals for the Insane, not according to mere geographical division, but according to the general principles of construction and organization; and to supplement this by a series of suggestions for the establishment of an asylum system, and the construction and management of asylums—with particular reference to local and other conditions existing in New South Wales, drawn from the above report, from books and papers, and, indeed, from all the sources of information to which travels and inquiries have given access.\*

---

\* In this Report few comments are ventured, upon any want of order, arrangement, or cleanliness in the asylums visited, or comparisons made, which may seem invidious, between the different institutions. It is thought that the wishes of the New South Wales Government will be best carried out by noticing all that is worthy of imitation, and passing lightly over special faults dependent on management, and not on structure, except where such faults may illustrate a point in the Report, or afford evidence of value against a system of management. The Government of New South Wales is engaged in remodelling its own institutions on the excellences of those of the principal European and American establishments—not in discovering abuses and correcting errors in those less worthy of imitation.

---

## REPORT

"One of the first indications of a healthy moral feeling in a community, together with the security of private right and the advance of property, is the provision made for the helpless poor; and where they are neglected, one of the best sign of a hopeful social condition and of fitness for self-government, is wanting." Capt. Spratt: *Travels and Researches in Crete*.

"Hospitals are in some sort the measure of the civilization of a people." Sir Ranald Martin: *System of Surgery*.

"To my eyes, a Pauper Lunatic Asylum, such as may now be seen in our English Counties—with its pleasant grounds, its airy and cleanly wards, its many comforts, and wise and kindly superintendence provided for those whose lot it is to bear the double burden of poverty and mental derangement—I say, this sight is to me the most blessed manifestation of true civilization the world can present."—*The Harveian Oration*, 1886: By George Paget, M.D., Cantab.

BEFORE proceeding to the question of asylum construction, it may be well to consider, as briefly as possible, the various existing methods of providing for the insane; who may be thus classified:—

- 1st. Indigent or pauper—supported almost, if not entirely, by the local or general Government.
- 2nd. Non-pauper—supported either by friends, or from their own estates.
- 3rd. Criminal.
- 4th. Idiots.
- 5th. Inebriates.

1st. Indigent or pauper. Provision has been made for this class in—*A*, Private Dwellings,—*B*, Farm Asylums,—*C*, Close Asylums.

### A.—PRIVATE DWELLINGS.

A large number of the insane, supported by local authorities, are provided for in private dwellings in England, Scotland, France, Belgium, and other countries. In England 6,638 (or upwards of one-sixth of the entire number) of the chronic and harmless class of insane, are thus accommodated in the houses of their relatives, to whom a small weekly payment, varying in different cases, is made. The Poor Law Medical Officers of the district are charged with the duties of visitation and report on this class. The visit is made once every three months; and the report, which is submitted to the Board of Guardians, states whether the patient is well cared for, and may or may not properly remain out of an asylum. The Reports are sent to the Commissioners in Lunacy; but, since this class of patients, though officially under their care, do not come absolutely under their inspection, very little information upon the working of the system can be obtained.

In France, in 1860, 53,167 of the insane were living in private dwellings, out of a total number of 84,214, or 35·75 per cent. of the entire number of lunatics, and 91·26 per cent. of the entire number of idiots; but since no special care is exercised by the State over the insane who are out of asylums, it is almost impossible to arrive at a knowledge of their general condition.

In Scotland, the insane accommodated in private dwellings have, since 1858, come under the guardianship of the Commissioners in Lunacy—the Deputy Commissioners visiting every patient so accommodated once in six months in the nearer, and once in one or two years in the far-off districts. The working of the system and the condition of the patients may be learned from an examination of the Annual Reports of the Scottish Lunacy Board, and from a summary of the Reports of the first four years, which has been published by Dr. Arthur Mitchell, one of the Deputy Commissioners in Lunacy for Scotland.\*

In 1862, the total number of pauper patients living in private dwellings was 1,741, of whom 1,338 were living with relatives, 334 with strangers, and 69 alone. These—numbering 33 per cent. of the whole number of pauper insane in the country—all belonged to the so-called harmless and manageable class, and had been placed, or allowed to remain in private dwellings, under the sanction of the Board of Lunacy; those among them who were not boarded with relatives having been placed with their guardians under a warrant from the Sheriff. The Lunacy Board is invested by law with the all but complete control of the pauper lunatics of the country; it can withhold or withdraw its sanction to their residence in private dwellings, and take whatever steps may be necessary for the removal of patients to asylums. "It is directly responsible for their proper keeping, and accordingly their condition is personally examined and inquired into with as great regularity as possible; and, in addition to this, Parochial Surgeons are required to visit them at stated times, and the Inspectors of the Poor to make annual and other returns regarding them."†

From January, 1858, to the end of 1862, 4,922 visits were paid to the dwellings of these patients, and a separate report on each patient was forwarded to the Board. The object of these visits is stated, in the Second Annual Report of the Board of Lunacy for Scotland, to be—"First, to procure the removal to asylums of such patients as there were reasonable grounds for thinking were still capable of being restored to sanity, or, at all events, of being improved in mental health, under asylum treatment; secondly, the removal of those who, from the nature of their malady, or from the circumstances in which they are placed, there was reason to fear might prove dangerous to themselves

or

\* *The Insane in Private Dwellings*: By Arthur Mitchell, M.D.—1864.

† *Op. Cit.*, p. 30.

or others; and lastly, the removal of those who, from their mental and bodily ailments, could not be properly cared for at home. Another equally important object was, as far as possible, to insure the proper treatment of those patients whose removal to asylums was dispensed with."

In short, as Dr. Mitchell\* observes, "The object of these visits was to secure that removal had not been dispensed with in cases which were not suitable for management in private dwellings, and that a reasonable provision existed for the safe and comfortable keeping of those who were;" and, "excepting always those cases in which bodily infirmities and peculiarities of mental disease make extra comforts necessary, it has been thought satisfactory when these patients are found to be treated in all respects like the sane poor around about them, and among and with whom they live. In the vast majority of cases, it is enough if the patient is really treated as a member of the family in which he lives—if he is not half-naked and in rags, whilst they are warmly and sufficiently clothed—if he does not sleep in an out-house, or on the bare floor, while they have comfortable beds—if his meat is not thrown to him as if he were a dog, while theirs is decently served—if he is not unwashed and filthy, while they are clean; and so on, in other respects."

Under this system of visitation, carried out with great zeal by the Board of Lunacy, the condition of the insane in private dwellings has immensely improved, and at this time compares favourably, as far as their comfort and happiness are concerned, with that of the insane in the Poor Houses of Scotland—the wards of which are, as a rule, in their arrangements for the well-being of the patients, much in advance of those in England. The mortality is also less. Dr. Mitchell gives the following table:—†

Mortality—Percentage on Annual Number Resident.

	Pauper Patients in Private Dwellings.	Patients in Lunatic Wards of Poor Houses licensed for Chronic Cases only.
1858 .....	5.4 .....	9.4
1859 .....	4.6 .....	9.5
1860 .....	5.0 .....	10.1
1861 .....	4.5 .....	13.1

and the cost is thus stated by the same authority:—

The Average Daily Rate of Maintenance, over 5 Years, has been—	
The Public and Private Asylums .....	£0 1 3½
In Lunatic Wards of Poor Houses .....	0 0 11½
In Private Dwellings .....	0 0 5½

This system, as it exists in Scotland, is not without its evils. The number of pregnancies occurring in imbecile or insane patients, under such a system, is out of all proportion to that which is found in close asylums—where also, unhappily, such a thing is not totally unknown; and a momentary consideration of the life led by the parish fool or "softy," even under the best circumstances, will show that it is by no means a desirable one. It has, for these and other reasons, met with the sharpest criticism in England; and yet, on a study of the evidence which is adduced in its favour by Dr. Mitchell, and in the Reports of the Lunacy Board of Scotland, its marked advantages are apparent; and it is impossible to do other than admit that, under such a system, fairly and strictly worked, a certain proportion of the chronic insane may, in almost all countries, be provided for and kept in comfort, happiness, and health, at a cheaper rate than in county asylums or the wards of poor-houses. The number, however, can never be very large; and it is noteworthy that in Scotland, where the existence of a poor and scattered population—many of them of the cottier class—affords peculiar advantages for the carrying out of the system, the number of patients so accommodated is only one-third of the entire number of pauper insane, and has been slowly and steadily diminishing ever since the visitations of the Board commenced.

A new country must, however, form a complete exception. There can be little doubt that it would be impossible now, and for many years to come, to provide such accommodation as would be fitting, or to carry out this system to even the least extent in New South Wales, where the population is a changing one, the mass comparatively wealthy, and the class, with whom lodging and care is found for the patients in Scotland, does not exist.

In America the system has attracted much attention; but so far has been thought, and doubtless has been, impossible in the majority of the States of the American Union: but the Massachusetts Board of State Charities, impressed with what has been done in Scotland, has eloquently advocated a trial at least of it in Massachusetts, one of the oldest and most settled States of the American Union.

A considerable number of insane are provided for in private dwellings in Belgium, but instead of being scattered throughout the country they are collected in one District—the Colony of Gheel—a description of which, written on the spot, and free, it is hoped, from the bias of extreme opinion, will show the nature and peculiarity of this insane Colony, which, spite of cross railways and diligences, has been visited by a large number of physicians and others interested in the care and treatment of the insane.

The Colony of Gheel, has been described by many of its visitors, some of whom have vaunted it highly, whilst others have deprecated it with systematic hostility. French, German, Belgian, and English literature is voluminous on this subject, and around

\* *Op. Cit.*, p. 32.

† *Op. Cit.*, p. 90.

around the Colony has arisen a storm of controversy. To M. Jules Duval\* we owe the fullest description we have of the colony; but nothing but personal inspection can satisfy any one really interested in the subject, or enable him to realize Gheel as it exists. The colony is situated in the district called the Campine, in the Province of Antwerp, in Belgium. It may be reached either from Antwerp or Brussels: the railway going to the small town of Herenthals, and the remainder of the journey being made in a *diligence*. The colony includes an area of about 30,000 acres, and its population is 11,000, about a quarter of whom live in the town of Gheel, whilst the remainder are spread over the country around, in a total of 2,000 houses. In the town itself these houses are usually of brick or stone; but in the country around they are not uncommonly made of osiers, plastered with mud, and thatched with straw or reeds. They are the dwellings, in fact, of a poor peasantry. Among this population are scattered the large number of 1,040 insane, sent from every part of Belgium, who are in charge of 780 "hosts" or "nourriciers."† Of these, 100 are paid for by their friends, the remainder are paupers living at the cost of the commune to which they belong. They live in the houses with the families of their hosts, work with them in the workshops or the field, and lead a life varying, in most respects, little from the ordinary life of the sane. The largest number of the insane accommodated in one house is four, but this number exists in one house only,—a house in the town in which good accommodation is provided for the patients, who pay well. In several houses three insane are accommodated, and in many two, but it is more common to find only one living in a house. The insane colony is under a Commission, comprising the Governor of the province and other officials, and a medical man appointed by the Government, who are the governing or administrative body corresponding to the usual board of asylum governors, and have drawn up a complete and stringent code of rules for the control of the colony. The board appoint the medical staff: a medical director who receives 4,500 francs a year and a house; and four physicians, one of whom is in medical charge of each of the four sections into which the colony is divided. There are also a secretary, an assistant secretary, and four "gardes" or supervisors of sections. The infirmary, which has been erected within the last five years, is placed at a short distance from the town. It contains rooms for the medical director and secretary, and store rooms for the entire colony; and is a small and complete asylum for forty patients. The rooms are lofty and of large size. The bedding and furniture are good, and the arrangements generally very complete. It contains rooms and airing courts,—1st, for quiet cases; 2nd, for violent cases; 3rd, for those under observation on admission. The rooms for patients under observation are 7; for violent, 2; for dirty, 1; the remainder are for quiet patients.

When visited it contained 26 inmates, 12 of whom were old and dirty demented cases, 2 only were violent. The infirmary is intended to accommodate—1st, all patients on arrival, so that they may be observed and relegated to such a part of the colony as may be best fitted for them; 2nd, all sick who, on the report of the physicians of sections or of the physician-in-chief, are removed to the infirmary, to receive there such care and treatment as are difficult to obtain in the cottiers' houses; and, 3rd, all who suffer from temporary acute attacks of insanity, and whose continuance at large might be dangerous or injurious to themselves or the inhabitants of the district.

The more quiet cases of the insane only are sent by the Government to Gheel. None requiring constant restraint—no known suicidal or homicidal patients are sent, or any who are likely to disturb the public peace or offend public decency. On arrival at the colony they are placed in observation rooms at the infirmary. In the course of a few days, if found to be quiet and manageable, they are sent to one of the houses kept by the nurses or hosts. Of these latter a list approved by the governing board is kept by the medical director. On this list are entered only the names of such people as are of good conduct, and have provided such accommodation for the insane in their homes as is required by the law regulating the colony. This accommodation is a room containing 500 cubic feet, or about 12 cubic metres, for each individual; with a boarded or paved floor, a window at least 50 centimetres square; with iron or wooden bedstead, and wool or hair mattress, straw palliasse, coverlet, blanket, sheets, &c. Names are removed from the list by the governing board for misconduct, for cruelty or ill treatment of patients, or for other reasons. The director is the sole judge of the fitness of the situation to which he sends the patient, and the person to whom he is entrusted. In the houses around the small town are placed, as far as possible, such of the insane whose physical or moral state renders more frequent and continuous attention necessary. In a separate quarter are to be found the imbecile and idiots. In another department, in which there is no stream of water, are placed, as far as convenient, the epileptic; whilst in the more remote houses, in the habitations on the moorland, hard by the woods, are the more violent, turbulent, and noisy.‡

The patients from the Walloon Provinces are placed, as far as possible, together, in a section where the hosts speak the French language. The

\* Gheel, ou une Colonie D'Aliénés vivant en famille et en liberté: Par Jules Duval, Ancien Magistrat, Vice-Président de la Commission Centrale de la Société de Géographie de Paris.—Paris, 1867.

† The term "nourricier" is applied to those receiving indigent patients paid for by the public; whilst "host" is applied to those receiving patients paid for at superior rates by their friends. The words, however, are used almost indiscriminately.

‡ Of this class Dr. Bulckens writes as follows:—"Exercise is an instinctive craving of the maniacs; we isolate them, but we permit them to have free air for the unreserved use of every muscle, for their vociferations, for their gestures. Their excitement, meeting no obstacle, shows itself freely; but it is not long in exhausting itself. Having no other hearers than the woods, the moors, and the feeble report of the neighbouring echoes, the insane are but little encouraged to repeat their boisterous conduct,—so true is it that a man, in a state of reason as well as in a state of madness, often requires an audience for the production of certain bizarre actions and to find a stimulant to his eccentricities."

The hosts, or "nourriciers," number, as has been said, 780. The following table, from Dr. Bulckens' report for 1860, gives their various occupations at that time; the number has since increased:—

Husbandmen .....	372	Turner (wood) .....	1
Shopkeepers .....	25	Dyers .....	2
Shoemakers .....	17	Rope-makers .....	2
Tailors .....	14	Saddlers .....	2
Joiners and cabinet-makers ...	16	Tanners .....	2
Wheel-wrights .....	5	Millers .....	3
Gardeners .....	7	Braziers .....	3
Bakers .....	8	Carriers .....	4
Butchers .....	5	Canteen-keeper .....	1
Weavers .....	7	Employés connected with com-	
Day-labourers .....	10	mon affairs and the insane...	10
Tavern-keepers .....	32	Justices of the Peace .....	2
Locksmiths and blacksmiths...	7	Teachers .....	5
Dressmakers .....	4	Veterinary surgeons .....	2
Lace-makers .....	8	Apothecaries .....	2
Barbers .....	5	Doctor .....	1
Sabot-makers .....	9	Manufacturer of tobacco .....	1
Masons .....	4	Householders .....	10
Slater .....	1		

643 \*

It is important to note that the insane are not placed only with peasants, but among artisans and townspeople; that is to say, among every class of inhabitants. People, well-to-do as well as poor, receive the insane in their houses, and the prosperity of the colony depends mainly on the amount of money flowing to it as payment for the care bestowed on them. In selecting a host for a patient, the director is guided by the mental condition of the patient, and by the life to which he has before been accustomed. Patients pursuing trades are placed, as far as possible, with people of their trade in the town—shoemakers with shoemakers, and tailors with tailors; or, if used to agricultural work, they are sent into the country districts. If the patient and the host to whom he is confided get on well together—if the host and patient agree, and are equally satisfied with each other—the patient may remain for years in one house. But their lodgings are often changed by the director; and, on the register of such changes, kept in the director's office, the following are found to be the chief causes:—

1. "For continual discontent of patient";
2. "For want of care by nurse";
3. "At request of nurse";
4. "For sanitary reasons."

The patients live with their guardians as members of their families, and occupy themselves as their guardians direct. Not unfrequently the patients are induced to work for, or with, their guardians for slight wages, or an occasional present in money, clothes, tobacco, or some small luxury; and in many cases kind treatment has so attached patient to host, that he willingly labours for love. The recompense for work is a matter resting between patient and host, but all cruelty or compulsion to work is forbidden. On walking through the town or country, patients may be met everywhere, strolling about the town in idleness, engaged in doing errands for their hosts, or working at their trades or in the fields—some alone, and some with their hosts. Ordinary agricultural operations are to be seen in all the fields—weeding corn, planting potatoes, digging, carrying manure, &c. Some patients are to be seen nursing or rocking children; some engaged in cooking or other household avocations; some peeling potatoes, feeding cows, or churning. One insane woman is provided by her host with a small basket, containing needles, cotton, small household stores, &c.; with these she goes through the colony as a pedler, selling her stores, and bringing home the money. The work, in many cases, seems a great safety-valve; some, if interrupted in it, become at once excited and noisy; but in other cases it is by no means all work and no play, and those found seated at a shoemaker's bench in the morning, may be met going fishing in the afternoon. A few only refuse all work, and either wander about, or sit in the chimney-corner or their own rooms. The best possible understanding seems generally to exist between patient and host. It is to the interest of both that such should be the case. The patient, if kindly treated, will repay the kindness by work, whilst the host can indulge the patient in a variety of ways for diligence and good behaviour. In some cases they are most carefully and jealously watchful of the property of their nurses, and the attachment between them and the children of the family is frequently very strong.†

The nurses are forbidden to use any correction or restraint, except the camisole or belt, without being authorized to do so by the medical director, but in addition to the use of the camisole and belt, another instrument, which certainly comes under the head of restraint, is somewhat freely used. This is called an "*entrave*," and consists of leglets of iron, or leather, joined by a small chain. When on the legs it prevents the patients wandering far from home; they can walk with it, but only slowly. From fifteen to twenty patients are said to wear these affairs, either constantly or at times.

The

\* Rapport sur l'établissement d'Aliénés de Gheel: Par M. le Dr. Bulckens, 1860.

† The care with which the insane nurse the children is extreme; and in one house, when the "*ceinture de force*" was produced for inspection, a small child cried bitterly, because she imagined it was about to be applied to her lunatic friend who was standing by.



The payments made by the commune, or district, for their indigent insane, vary with the prices of provisions, and other necessities; they are received by the Commission, or governing board. In 1867 the total sums paid were, for—

Quiet patients, 7½d. a day  
More noisy, 8d. „  
Dirty, ... 8½d. „

and this was apportioned as follows:—

Centimes.

53·78 to nourricier for food, care, and lodging;  
7 for medical care;  
10·22 for clothes;  
4 for charges of administration.

75 centimes.

The extra sum, in the case of the more noisy and dirty, goes to the nurses. For patients paid for by their friends, the arrangement is a private one; but the Government fix a tariff to be paid for medical care by such lunatics, varying with the sum paid for their maintenance. The clothing is managed by the central administration, who buy materials, and hire tailors and seamstresses. Stores are kept at the infirmary, and from these, clothing is issued at stated times to the nurses, an entry being made of each article in a book kept by the nurse. This book contains the rules for the government of the colony issued by the Commission, and serves also to record the visits to the different cottages of the supervisors of sections and the medical officers, who enter their names at each visit. The clothing seems good and serviceable; and the insane are, in most cases, better clothed than their nurses. The accommodation provided for the paying patients varies with the rate of pay, and is in some instances excellent in every respect.

For indigent patients the accommodation provided in the town is, as a rule, fair; but the best that can be said for that in the country districts is, that it is, generally, better than that enjoyed by the families themselves. The Flemings of the cotter class are not a cleanly race. The common sitting-room of the family, which is often the bed-room also of some members of it, is generally extremely dirty: the room has frequently no flooring but the hard mud. From it opens directly the cow-shed; and a mingled odour of cows and manure fills the whole house. But in this the lunatic is in the same position as the family whose house he shares, except that he often seems to appropriate the chimney corner. The food provided for the insane is the same as that eaten by the family: meat three or four times a week, rye and wheaten bread, potatoes, coffee, &c. In clothing, as before said, the lunatic is better off than his nurse. His sleeping room is almost always the best in the house. The bedding provided for him is sufficient, and, though wanting in cleanliness, cleaner than that of the nurse, which is not under inspection. In 13 years 5 suicides only have occurred: 4 by hanging and 1 by drowning. Open wells exist at almost all the houses, and near many of them are small streams. The ordinary house knives are constantly left about—indeed no precaution is taken in this matter; and although known suicides, homicides, and incendiaries are excluded from the colony, it is a matter for wonder that accidents are so few. In the same period 2 cases of illegitimate children have been born from insane women, whilst a third is *enccinte*. This is sad enough, but as before remarked such an event is not altogether unknown in close asylums. Police regulations are framed by the Government with special reference to the insane. They are not permitted to frequent wine shops or inns; and innkeepers are forbidden to sell them intoxicating liquor. Certain hours are fixed after which they are not allowed in the streets, and the pipes smoked by them must have covers, so as to prevent accident; but there is little or no restriction in their going and coming. They frequent the dancing and concert rooms, which are open two or three times a week, and join in the amusements to be there found; whilst the number of churches at Gheel serve to supply plentifully their religious wants. Looking at Gheel as a whole, it is easy to see that it is not a “paradise of fools,” as represented by some of its visitors; neither does it merit the emphatic condemnation which has been bestowed on it by others. 1,000 insane, or almost one-fifth of the entire insane population of Belgium—the numbers of which are—

Indigent .....	3,886
Paying patients .....	1,560
	5,446

are here maintained; and it cannot be doubted that they are more happy and, in many respects, as comfortable as they would be if provided for in a close asylum, with its many appliances and its artificial life: as well washed, as well bedded, perhaps as well fed, they are not; they have not the constant medical care, and the varied amusements, of an asylum; but they are leading a life which is to them a natural one. There is a freedom, spite of camisole and leglet, which cannot be found in ordinary asylums; and the chances of cure are as great, if not more so. It must always be remembered that Gheel is intended, under present regulation, for the more quiet\* and chronic cases only. The large mass are beyond all hope of cure when sent, so that the statistics of the place cannot

\* Many of the cases are indeed so “quiet” and manageable, that it seems strange that their friends (if friends they have) should ever have sent them from home.



cannot be compared with those of ordinary asylums; but it cannot be doubted by all who carefully examine the subject, that the colony is good in principle, useful to the country and to the insane, and, in most respects, excellently managed. The existence of Gheel with its large number of insane living in private families, has undoubtedly greatly influenced the minds of thinking men in all countries, and had a great effect on the provision made for the chronic class of insane. The system of placing the insane in private dwellings as now pursued in Scotland; the cottages attached to large asylums, in which the insane are placed with the artisans and labourers at the asylum, are both steps in the same direction. But though Gheel is flourishing—though the number of people willing to receive patients and comply with the Government regulations has yearly increased—it has been found impossible, even in Belgium, to commence a new colony of a similar kind. Such an attempt in the Walloon Provinces—where the main requisites, a poor proprietary owning small patches of land, and a wide extent of country, existed—has signally failed. On referring to the list of nurses, it will be seen that a large proportion, 372 out of 643, are husbandmen. They are of the cotter class, owning the little plot of land, generally from 2 to 3 acres, occasionally 6 or 7, on which their houses stand; the land being, as a rule, reclaimed from the unproductive moorland which exists to a great extent in the Campine. But, besides these two conditions—a cotter class in a large open district, not easy to find in any country—there is a peculiarity in the Gheeloise character which exists nowhere else. A fine race, vigorous and intelligent, distinguished for their native virtue, their simplicity, and their affectionate disposition. So far from having degenerated by constant contact with the unfortunate beings whom they receive with so much kindness, they have preserved intact both their moral conscience and their reason; and, by centuries of association with the insane, there has grown up and become ingrained in their minds a fixed idea of confidence in the generally inoffensive character of the insane, that they are to be won by kindness, and that harsh measures are unnecessary except for exceptional cases; and, in addition to this, a sense of public spirit, a belief in Gheel as a grand and good institution, the upholding of which is part of their duty in life. So that each inhabitant, whether occupying the position of nurse or not, feels himself responsible for the good treatment of the insane of the colony; and thus the total sane population of 11,000 is watching over the welfare of the 1,000 insane. This explains, in no small degree, how it is that liberty is possible to the insane, and why accidents are infrequent. The existence of Gheel is, in fact, an accident. Its origin is lost in the night of time among monkish legend and priestly exorcism. It is said that in the sixth century a young Irish princess, called Dymphne, converted by a priest named Gerebert, fled with him from the criminal love of her pagan father, who, however, pursued her, found her at Gheel, and decapitated her with his own hand. This young princess in process of time became Saint Dymphne. At her shrine the insane were cured of their malady, and she was soon considered by the population as the patron saint of these unfortunates. In the twelfth century a beautiful church was raised in her honour, and the history of the colony commences. Mad people were brought on a pilgrimage to the tomb of this saint: many, it is said, were cured. A small cottage was built near the church, as a residence for the insane during the time prayer for their cure was made; and this (which still exists, and is occasionally used for its original purpose) was the first beginning of what is called the Gheel System. Little by little those who were not cured—either lingering in the hope that the saintly intervention might yet come, or left without means of reaching home—were lodged in the houses of the peasantry near, who have in the course of long years grown to understand their peculiarities; and so a custom inspired by faith has been transformed into a permanent institution, which has of late years been placed under Government control. To make another Gheel is, then, impossible; but it is not impossible to learn the lesson which it teaches—that a large proportion of the quiet insane may be provided for safely and cheaply, with increased happiness to themselves, in private dwellings.

A mode of providing for the insane in private dwellings has of late years been to some extent put in practice, and found many advocates both in England and Scotland.

Dr. Bucknill some years ago placed, in labourers' and artisans' cottages near the Devon County Asylum, the limited number of patients of the chronic harmless class. The payments for their support were made from the asylum funds, and their clothes were also supplied from the same source. The distance from the asylum allowed of constant and effective supervision; and, at the same time, the amusements of the asylum were at the command of those of the patients for whom they were deemed suitable.

This experiment answered all the expectations of its promoter, and the example thus set has been followed in other asylums. At Montrose, a few patients are lodged with those servants of the institution who are already provided with houses, and the superintendent, Dr. Howden, is awaiting the erection of other cottages for the artisans of the institution, to carry out the system more fully.

At the new Surrey Asylum, some 30 quiet patients are accommodated in the houses of the farm bailiff and gardener; and at Gloucester, Mr. Toller, the superintendent, has filled two small cottages on the asylum estate with harmless patients, with the best results.

Dr. Lockhart Robertson, of the Sussex County Asylum, the Editor of *The Journal of Mental Science*, has warmly advocated a development of this system as preferable to that existing in Scotland. It is suggested, that, as the ordinary asylums become full, the more chronic and quiet patients should be accommodated in cottages near—first with the gardener, gate-keeper, and other servants of the institution, and then in the cottages of the neighbouring villages; and that they should be under the supervision of the superintendent of the asylum, and removable to and from it as alteration in their symptoms might

might render necessary. The asylum would thus become the centre of a district more or less peopled with insane. It would supply the clothing, medicine, and minor comforts necessary; and, whilst the patients were enjoying the domesticity and individuality of life in private houses, and deriving pleasure from social intercourse, free from the monotony of ordinary asylum routine, they would still be under its protecting wing, and perhaps find it a "present help" in time of trouble.

This idea has received the assent of some of the most celebrated of asylum superintendents both in England and Scotland, and deserves the deepest consideration of all interested in asylum management.

### B.—FARM ASYLUMS.

THE amount of land possessed by several of the English and Scotch Asylums, and cultivated by the inmates, is large. At Elgin, an asylum for 55 patients, there is an estate of 92 acres; at the Three Counties Asylum there are 216 acres under cultivation; at the Sussex County Asylum, 100; and at other English and Scottish Institutions, an almost equal amount. But this is in connection with a Close Asylum, and differs somewhat from what is known as the Farm Asylum, of which the best specimen is the Colony of Fitz James, at Clermont sur L'Oise, in France.

At Clermont, about 40 miles from Paris, on the Northern Railway, is the most noteworthy establishment for the care and treatment of the insane in France. It consists of three departments,—the "Asylum" proper, and the Colonies of Fitz James and Villiers. The institution is entirely a private enterprise of the three Brothers Labitte. Dr. Gustave Labitte is the Physician and Medical Director; he resides at the asylum and has an assistant medical officer, whilst there is a resident physician at Fitz James, who is responsible for the medical care of the patients there and at the branch establishment at Villiers. One of his brothers, M. Auguste, undertakes the general and financial management; and the other, M. Alexandre, superintends the vast agricultural operations which form the most distinctive feature of the establishment. Each of these is assisted by a staff of clerks, stewards, and supervisors. The total number of patients is about 1,400: and of these, 300 are "pensionnaires," paid for at various rates by their friends (the lowest rate is 700 hundred francs a year); and the rest (1,100) are paupers, paid for by the Governments of the four departments, from which they are received, at the rate of 1 franc a day, or 5s. 10d. a week. For this sum they are boarded, lodged, and clothed, and receive all necessary medical treatment and care.

The "Asylum," which is in the town of Clermont, contains 1,000 patients, and differs but little from ordinary proprietary asylums both in England and France. There are here workshops at which all the clothes and boots used by the pauper patients are made, and ordinary carpenters', painters', and glaziers' work is done; and there is also a large bakery at which bread is baked for the asylum and the colonies, and a vegetable garden, of 40 acres, in which all the vegetables necessary for the asylum are grown.

The colonies are two in number. At the first, situated at Fitz James, about two miles from the town of Clermont, 300 patients are accommodated and employed; and at the second, which is at the village of Villiers, some four miles distant, are 100 patients. A few of these are pensionnaires, but the majority are paupers. At Fitz James, a large building—not unlike a sea-side hotel or boarding house, nicely furnished, and containing billiard and reading rooms—affords accommodation for the male pensionnaires, and a plainer building near is occupied by the paupers. This building is of three stories: the ground floor is divided into dining and day rooms, and the upper two stories are used as associated dormitories. The buildings are all substantial, and fairly furnished. There are baths, lavatories, and all necessary fittings,—substantial, but of the plainest kind. The women are accommodated in separate buildings a little removed from those occupied by the men. That for the pensionnaires is a fair sample of a small French château, surrounded by gardens and trees, and fitted with all the requirements of a modern house for ladies. At Fitz James and Villiers are placed all the quiet and manageable patients who can be drafted from the "asylum." The principle of the colonies is labour. The pensionnaires work if they choose, and a few do so; but, the paupers are expected to work, and the 1,000 acres—500 at Fitz James and 500 at Villiers—are cultivated by them, under the direction of a limited number of attendants and workmen. The system of work is as follows:—The patients go to their work in squads of a dozen or fifteen individuals, under the charge of an attendant or *chef d'escouade*, who directs their work and supervises them. Several squads are sometimes united together, according to the work to be done, but each squad is under the direction of its chief. The working hours differ in summer and in winter, but are on an average 6 daily. Each patient receives occasionally a small present from his earnings, according to the importance of his work, with an addition to the fixed allowance of food. The entire establishment of Fitz James is a large farm in the highest state of cultivation, with all the accessories of stables and barns for cattle, and sheep; steam flour mills and threshing machines, and excellent agricultural implements. 30 working bullocks and 20 horses are kept. The sheep number 500; 300 are kept in pens and fed. There are 30 cows, a large piggery, fowls, rabbits, pigeons, &c.; and, though the patients are employed from morning to night in every part of the farm and buildings, there are no walls or arrangements for security differing from any common dwellings, and the colony is as little like an ordinary asylum as possible. The women are not employed in field work, as it is found that much supervision is necessary when the sexes are mixed; they live in detached buildings, which are walled round, and are employed in laundry work.

The

The washing is done with very little machinery,—two of the ordinary French steam pumps, and a centrifugal wringer, being all. The river Beronnelle traverses the length of the building, and is so walled in that the laundresses stand on either side at their scrubbing boards, as may be seen by the open river-sides all over France. The water, used as it flows, is constantly fresh and plentiful. For drying, there is a drying steam closet, and on an upper story a wooden building, with movable louveres, through which the air is constantly passing. Cooking in both male and female departments is done with coal, which is found cheaper than steam. The patients employed in farm work look wonderfully robust and well. The clothing supplied to them is rough, and less expensive than seen in most French and all English asylums, but it is serviceable and appears fitted for work. The women almost all wear sabots. There is a band; and concerts and other amusements are encouraged. The curé of the village of Fitz James is the chaplain to the colony; and the patients attend the village church, where special seats are appropriated to them.

The distinctive features of this establishment are well worth the attention of all interested in the treatment of the insane. They are,—

1. The large amount of land under cultivation;
2. The freedom from restraint in the shape of walls, &c., or "*l'air libre*," as Dr. Labitte himself calls it;
3. The care with which one part of the establishment is made to work with the other, so that the whole shall be as much as possible self-contained and self-supporting.

1st. Deducting the number of pensionnaires, who do little or no work, from the total asylum population of 1,400 we have, in the total establishment under the care of the Brothers Labitte, 1,100 indigent insane; and, by the more quiet and harmless patients from among this total number, we have 1,000 acres of land cultivated in the best manner—an average of almost 1 acre per patient; far in excess of the cultivation practised in any English asylum. The work is done almost entirely by the patients.

Dr. Labitte gives the following as the population of the colony, and the manner in which they are employed—

Indigent Patients	Men.....	170
	Women .....	87
Pensionnaires.....	Men.....	21
	Women .....	28
		306

The 170 indigent male patients are employed as follows:—

Field work .....	60	Steam-engine .....	1
Care of poultry yard and offices .....	15	Farrier .....	1
Cow-houses .....	8	Turner .....	1
Stables .....	6	Wheelwright .....	1
Piggeries .....	8	Painter .....	1
Sheep-folds .....	4	Butchers .....	2
Care of horses and implements... ..	5	Boys, more or less occupied according to their ability .....	22
" <i>Hommes de peine</i> " .....	10		170
Indoor work .....	20		
Kitchen .....	3		
Millers .....	2		

The 87 indigent women are all employed, and some of the pensionnaires also. These latter pay only the lowest price at which pensionnaires are received, and are lodged in the female section and not at the little château. Dr. Labitte gives the following table:—

Washing .....	50	General indoor work .....	6
Ironing .....	4	Sewing .....	25
Folding .....	8		107
Drying rooms .....	8		
Carrying linen .....	6		

or 20 pensionnaires, and the whole number of indigents. There is a chief attendant (*surveillant en chef*) for the male, and another (*surveillante en chef*) for the female department. The attendants and workmen for the entire colony are,—

For male side—

8 domestics for house work	1 shepherd
7 chief attendants ( <i>chefs d'escouade</i> )	1 miller
4 attendants	1 butcher
7 carters	1 engineer
2 cowherds	1 cook

For women—

4 domestics	3 attendants.
5 chief attendants ( <i>chefs d'atelier</i> )	

The

The domestics are occupied entirely with the paying patients; so, there are 11 attendants—(7 chefs d'escouade, and 4 ordinary)—to 170 patients, or about 1 to 15, for the males; and 8 to 107—(87 indigent and 20 paying)—or 1 in 14, for the females. In considering the work done, it must be remembered that not all the quiet patients are employed in farming and washing, but only such whose prior occupation fits them for it, and such as are likely to be benefited in mental or bodily health. In addition to the farming and washing operations at the asylum proper, bread is made and baked for the asylum and its two colonies, clothes are made, and carpentering and other work done.

2. The freedom from restraint, in the shape of walls. The establishment for men has in no respect the aspect of an asylum. There are no walls, and the fences are those which ordinarily surround a farm; and yet, with this, escape and attempts at it are not more than ordinarily common, the number being about five a year, and no suicide has taken place in the colony. The plan adopted shows what amount of liberty may be allowed to the quiet classes of the insane, *i. e.*, in this case to almost one-fourth of the population resident in an asylum. Out of the entire asylum population of 1,400, 400 are here allowed to live under circumstances which approach as nearly as possible to those under which the sane exist, the sole care being to keep up an efficient staff of attendants.

The department for the women is surrounded by a wall, and entered through a gate the portress of which is a lunatic. The wall is employed almost entirely to separate the sexes. It is found impossible to allow to the women at Fitz James the same liberty as is enjoyed by the men, solely because the admixture of the sexes is undesirable. If the male and female departments were placed at a greater distance from each other, the women's department would be also without walls, and some of the patients would be employed in field work, which is frequently done by women in all parts of France.

3. The next feature of the establishment is the care, well worthy of imitation in public institutions, with which one part is made to fit into and work with the other, so as to make the entire undertaking, as much as possible, self-contained and self-supporting. Vegetables and fruit required for the patients at the colony are grown at the farm, and a considerable quantity of corn also, though not enough for the entire supply. This is ground by steam at the farm, sent to the asylum at Clermont, and made into bread for the use of the entire institution. Cows are kept, and milk for the supply of all thus obtained; and no small part of the meat required for consumption is obtained from cattle, bred, reared, and fattened at the farm. Whilst the farm thus supplies food, the clothes for the patients are made and repaired almost entirely in the asylum proper; bedding is also made and repaired there, and all necessary carpenters' and painters' work is done; the washing for the entire establishment is done by the women at Fitz James.

The entire establishment is said to be extremely remunerative; whilst the price at which indigent patients are received, is less than the sum which they are found to cost in most of the departmental asylums of France.

Dr. Labitte, writing in 1861, says of the establishment of Fitz James—"The colony has now existed in its completeness for four years, and every day we note its success in the more prompt amelioration in the mental condition of the sick who are susceptible of cure, and in the facility which we find in directing and occupying those who at first were regarded as turbulent and incapable of rendering the least service."—"We are then convinced that this system of colonization is most efficacious to arrive at non-restraint and '*la vie à l'air libre*', which are the subjects of so much discussion. All idea of restraint and seclusion tends to disappear in a place of residence which presents no character of seclusion, and where everyone pursues, with as great liberty as possible, his usual avocations, and meets in a life in common, wisely directed, an example of order and of work."

That the establishment has been a success since the time this was written may be seen from its present condition, and from the fact that another farm of equal extent has been lately added. A full examination of the system of Farm Asylums shows that it is economical, and calculated to promote the comfort and happiness, and be beneficial to the mental health, of the inmates. At the farm there are twenty-two idiot or imbecile boys, for whom the country air is considered beneficial. They have a day-room, a school, and a dormitory, completely separated from those occupied by the other patients. They spend four hours a day in school; and in the intervals of lessons, some occupy themselves on the farm or in cleaning the courts, and the remainder walk or play in the fields. When they have attained a certain age, they are sent, if sufficiently tractable, to the workshops at the asylum, and taught a trade. At the asylum there are, from among these children, two tailors, a shoemaker, a carpenter, and a joiner, usefully occupied.

There is a gradually growing belief in the wisdom of employing the insane in outdoor, and especially agricultural, avocations; and the Department of the Seine, lately engaged in remodelling its institutions for the insane, has endeavoured to adopt, to some extent, the principle of the Farm Asylum at the beautiful new asylums of Ville Evrard and Vaucluse, both situated immediately beyond the suburbs of Paris. Each of these asylums, intended for the more quiet class of the insane, and for such as are likely to be benefited by agricultural labour, has attached to it 700 acres of land. Excellent farm buildings have been erected; and it is intended to practise agriculture on a large scale, with all the accessories of good implements and machinery, by means of the inmates.

## C.—CLOSE ASYLUMS.

By far the most common mode of providing for the insane is in the Close Asylum—the “*Asile Fermé*” of French writers—and under this designation come all State, Provincial, District, County, and Borough Asylums; all Hospitals for the Insane, and Proprietary Houses, as generally constituted, as well as Parochial Asylums and Special Wards in Poor-houses. The principle in all cases is the same. The asylum is arranged to accommodate a given number of insane, who are kept, more or less, under lock and key; isolated from the world and the ordinary life thereof; subjected to such medical or other treatment as is thought beneficial; made to conform to the routine necessary for the working of the machinery of asylum government; and superintended, watched, and ministered to by a staff of paid officers and servants. These asylums, alike in the main principle, differ in the form of government, in their structure and organization, and in various details of arrangement.

A very large number of the more chronic class of the indigent insane are accommodated in the poor-houses of the parishes and unions to which they belong; in England, Scotland, and the United States, separate wards, are, as a rule, set apart for their use, and these wards have, in some cases, grown into distinct asylums. In Scotland, the parochial asylums are simply a development of the poor-house ward; and the large asylums which exist in the cities of New York, Boston, and Philadelphia, are of the same character, and are under the immediate management and control of the parochial or town authorities. The poor-house wards for lunatics in England have been for many years, in only too many cases, modified prisons. The authorities have been content to maintain the unfortunate lunatics in security; their food has been of the poorest, their lodging of the roughest: whilst a minimum of cleanliness only was possible, and means of recreation and employment almost unknown. In the disclosures recently made by the Lancet Commission, the crying evils of the entire poor-house system were laid bare, and the condition of the lunatic, as well as that of his sane brother, revealed. It is true that the lunatic wards, being under the nominal supervision and the occasional visitation of the Commissioners of Lunacy, were, in most cases, much better in every particular than those occupied by the other inmates; but much was then, and still is, to be desired. It would be wrong not to add that, in a few of the English poor-houses, all the requirements of the insane have been attended to, and the arrangements have met with the approval of the Board of Lunacy. The lunatic wards in the Scotch poor-houses are in most respects much better appointed than those further south. The wards at Dundee contrast most favourably with those of the lunatic asylum of the same town; those at Perth are in almost all respects excellent; and at Edinburgh, even in the Old Darien House, there is cleanliness and comfort. Means are taken in most of the poor-houses in Scotland to give the insane such small amount of recreation as can be afforded by a few newspapers, and an occasional walk beyond the bounds of the airing-yard; and some employment is found for the majority of the inmates; but the “*juvantia*” of a well-organized asylum are wanting.

The condition of the lunatic wards in the poor-houses of the United States may be judged of from the following extracts from Dr. Willard's Report, on this subject, to the Legislature of the State of New York:—

“The investigation shows gross want of provision for the common necessities of physical health and comfort, in a large majority of poor-houses where pauper lunatics are kept. Cleanliness and ablution are not enforced; in a few instances the insane are not washed at all, and are unapproachably filthy, disgusting, and repulsive. In some of these buildings the insane are kept in cages and cells, dark and prison-like, as if they were convicts, instead of the life-weary deprived of reason. They are, in numerous instances, left to sleep on straw, like animals, without other bedding.”

“Those confined in cells are extremely filthy, most of them not using vessels; and their excrements are mixed with the straw on which they lie. Their straw is changed only once a week; and those lunatics, besmeared with their own excrement, are not allowed to come daily to the open air, eat in the same filthy apartments, and are not washed from one year's end to another.”

Dr. Willard eloquently remarks—“It is a painful thought that, among the poor patients, who, from the ills of life, suffer mental alienation—fathers depressed from losses and anxiety; mothers exhausted with child-bearing, and the rearing of a large family; the youth from vice or disappointed hopes; and the foreigner, among strangers, looking wistfully back to his native home—that these, all suffering from diseases which might have been stayed, should be thrust into miserable poor-houses, and almost compelled to suffer the miseries of incurable lunacy.”\*

The poor-house wards, grown into distinct asylums, contrast most painfully with the excellent State asylums of the country. The amount of restraint is excessive, the number of attendants small, the accommodation most defective (the division for violent patients at Blackwell's Island, New York, is sadly deficient in every asylum requirement), and the means of employment and recreation almost absent. The main cause impeding improvement in these institutions, is the system of government in which the “guardian” element, and this not altogether free from political spirit, is very apparent. The medical officer is not the superintendent of the institution; there is a divided authority, a vicious system in the appointment of servants, and, with all this, a parsimony which is happily a rare thing in the noble institutions for the insane in the United States. The New York City Asylum is, in most respects, vastly superior to that of Philadelphia.

The

\* Report on the Insane in Poor-houses and Receptacles—made to the Legislature of the State of New York, by Dr. Sylvester D. Willard, 1865.



The treatment of the insane poor, even of the most chronic and harmless class, in the wards of a poor-house, appears to be a great mistake. It has only one recommendation, that of economy; and it is worthy of note that, in Scotland, where the requirements of the insane are most attended to, and the character of the poor-house accommodation most satisfactory, the expense of maintenance approaches very nearly to that of the district asylums. Dr. Mitchell\* gives the following as the average daily maintenance rate for pauper patients for 5 years—

In public and private asylums	s. d.
.....	1 3½
In lunatic wards of poor-houses	0 11½

and if, as has long been threatened by the committees of the district asylums, a larger price for care and treatment is charged for the acute, and consequently more troublesome cases, from those parishes which provide for their chronic cases in poor-houses, the entire cost for pauper insane to these, will be about the same as to those parishes which now confide the whole of their insane—acute and chronic cases alike—to the care of the district asylum.

In those English poor-houses in which the most satisfactory and complete arrangements have been made, the weekly cost of maintenance is as follows:—

	s. d.
City of London.....	6 7
Camberwell .....	7 6
Eagle House (St. Saviour's) .....	4 6
Bath .....	6 0
Chorlton-on-Medlock .....	6 11
Manchester New .....	5 9
Halifax .....	7 0

The lunatic hospitals of England, among which Bethlehem, St. Luke's, and those at York, Lincoln, and Northampton are best known; the Royal Asylums of Scotland; and the three institutions of a similar character in America: the M'Lean Asylum at Boston, the Bloomingdale Asylum at New York, and the Philadelphia Hospital for the Insane, accommodate only a small number of the indigent, but are devoted mainly to the insane of the great middle classes.

All these institutions were founded either in the last century, or in times prior to that—in some cases by public subscription, in others by the munificence of one individual; and are now possessed of property to a greater or less amount. This property in most cases consists of the asylum building and estate; in some of the Royal Asylums of Scotland these are still encumbered with debt, but in others, there is a good annual income. The government is in the hands of trustees, governors, or directors; some being so *ex officio*, according to the charter obtained by the corporation at its foundation, some because elected to the office, and the remainder by payment of a qualifying subscription to the funds of the institution. These governors or trustees manage the affairs of the institution by a committee of their number who form a board of control, appoint all officers, and apply the income to the purposes designed by the founder or laid down in the charter of the institution. In the majority of instances, accommodation is afforded in these institutions for the insane of the great middle class, whom their malady has reduced to circumstances of comparative poverty, which prevent their paying largely for their support. These are admitted either at reduced rates of board, or absolutely without payment, and are maintained in the institution either for certain fixed periods during which the malady is considered curable, as at Bethlehem, St. Luke's, and the Philadelphia Hospital, or till cure or death arrive, as in the Royal Asylums in Scotland and others. In some of these institutions, accommodation is provided for the rich, who pay more or less handsomely for their maintenance, (the surplus of such payments accruing to the asylum funds); and for paupers, who are paid for by the parishes to which they belong. The entire pauper insane of the county of Northampton are thus accommodated in the Northampton Lunatic Hospital, and the insane of the Borough of York in the lunatic hospital of that place.

The county and borough asylums in England, the district asylums in Scotland, and the county asylums in America, are greatly alike in constitution and government; the basis on which all are established is the parish system, by which the poor and insane are supported by the more well-to-do of their fellow-parishioners. These asylums have been erected either by funds drawn at once from the county rates, or by borrowed money which is repaid by instalments from these rates. The government is in the hands of the Justices of the Peace of the county, who, by an executive committee or board of control, appoint all officers, and arrange for the admission and discharge of patients; and the payments for their support, by the different unions and parishes. The power of the Magistrates is accurately defined by the legislature, and the constitution of the asylum fully laid down in the same manner. The departmental asylums of France, and the provincial asylums of Belgium, Holland, and some of the German States, differ from the county asylums of England in some minor respects only; the chief of which is that the Central Government interferes more actively in their management. All financial and general control is, however, in the hands of the prefect or chief officer of the department or province. The State asylums of the United States and some of the German States, as Baden and Brunswick, &c., are more distinctly Government institutions; they are erected and kept in repair by the State, and are in all respects Government property; the officers are appointed by the State Executive, or by a Board of Control nominated by it; but the maintenance of the patients is made to fall to some extent on the parishes and townships from

\* *Op. Cit.*, p. 90.

from which they are sent, the payments being collected by the Government. In the State asylums of Germany and America, special provision is always made for patients able to pay for their maintenance.

In providing for the indigent insane, private enterprise has, in most countries, entered into competition with the Local or General Government; but it is in England that the system of proprietary houses has been most largely developed. Near London, and in other parts of the county are large asylums, owned and administered by private individuals, containing from 200 to 500 pauper patients, paid for by the parishes to which they belong.

Almost all these proprietary houses in England are close asylums, and are licensed by the Board of Lunacy, and visited at least once a year by the Commissioners. They are in many respects satisfactory refuges for the insane; and in more than one instance, private enterprise is in advance of public charity, in its adoption of modern improvements, and in the minor economies of household management; but, taken as a whole, the accommodation to be found in proprietary houses, and the arrangements for the comfort and treatment of the patients, are less satisfactory than in county asylums. And it cannot but be admitted, that the principle which permits a private individual, to enter into a commercial speculation in the care and treatment of the insane, is at the bottom wrong; and that this sale of the insane to any one who will undertake to provide for them at the smallest cost, may, except under the strictest supervision, lead to abuses which, though not impossible in public establishments not managed for profit, are far less likely to occur in them than in private houses. It is somewhat remarkable that proprietary asylums for pauper patients are unknown in America.

It will now be necessary to describe the general construction and organization of asylums for the insane of the

#### INDIGENT OR PAUPER CLASS.

##### SITE.

Under the head of site are to be considered:—

- 1st. The site itself, as regards elevation and soil;
- 2nd. The aspect;
- 3rd. Distance from town.

*Elevation.*—Almost the entire number of recently built hospitals for the insane are placed in elevated positions, and command extensive views, some of which are among the most beautiful in the countries to which the asylums belong. It is difficult to find buildings possessing greater advantages, as regards view, than the Coton Hill Asylum, near Stafford, which has a fine view of agricultural scenery in the one direction, and of the town of Stafford in the other; the Worcester County Asylum, which has a rich agricultural district near, and the Malvern Hills in the distance; and the Sussex, at Hayward's Heath, from which the South Downs are visible. The new Surrey Asylum stands on an open moor, and looks over a fine stretch of country; and these are a few only of English asylums which are placed in situations rich in natural beauty. The American asylums, as a rule, command views of singular beauty and extent; and some of the more recently built of the Continental asylums are finely placed. The summit of a hill has been generally chosen, and the slope in front is made to serve for airing grounds. In some instances,—as at the Criminal Asylum, Broadmoor, and at Cupar, in Fifeshire,—the slope is so rapid that a full view of the surrounding country is visible over the high walls at the lower extremity of the ground; and in other asylums, by placing the wall in a slightly sunken position, the view is easily obtained, and the airing grounds thus lose almost all their prison-like appearance.

*Soil.*—But little choice has been exercised as regards soil. In the list given below, we have asylums standing on clay, gravel, chalk, sand, and other strata:—

Sussex .....	Whealden clay,
Essex .....	gravel,
Worcester .....	clay,
Three Counties .....	clay—chalk subsoil,
New Surrey, Brookwood .....	sharp gravel,
Colney Hatch .....	clay,
Derby .....	sand,
Bristol City .....	millstone grit,
New Stafford .....	gravel,
Northampton .....	iron-stone;

and abroad the nature of the subsoil is equally various.

*Aspect.*—The great majority of European and American asylums front the south or south-east. Occasionally, as at Prestwich near Manchester, the frontage is to the south-west; and in other asylums a slight change in the aspect of the building has been made, because of peculiarities in the form of the ground on which it stands.

*Distance from Town.*—A few asylums—such as Bethlehem, and the Female Asylum at Ghent—were originally placed in towns; but the greater number of those which now occupy urban or suburban positions, were formerly at a small distance from the town, which in its growth has encroached upon them. This has been the case at Leicester, Northampton, Stafford, Gloucester, and Prestwich, at St. Yon, Rouen, and Charenton, Paris, where the asylums are now in close proximity to the town. For the large majority of new asylums, country sites have been chosen at a distance ranging from one

## LUNATIC ASYLUMS.

17

one to five miles from the town. The following table will show the distance from town, with the railway communication, of a number of English asylums. The distances are approximate only; it was almost impossible to obtain them with exactness:—

Name.	Place.	Nearest Large Town.	Distance.	Railway Station.
Gloucester County .....	Gloucester .....	Gloucester .....	Suburbs .....	1 mile.
Worcester " .....	Powick .....	Worcester .....	4 miles .....	4 "
Stafford " .....	Stafford .....	Stafford .....	Suburbs .....	1 "
New Stafford " .....	Burntwood .....	Lichfield .....	4 miles .....	2 "
Derby " .....	Mickleover .....	Derby .....	5 " .....	5 "
Lincoln " .....	Bracebridge .....	Lincoln .....	2 " .....	2 "
Leicester " .....	Leicester .....	Leicester .....	Suburbs .....	1 "
(1) Lancashire " .....	Prestwich .....	Manchester .....	4 miles .....	4 "
(2) Essex " .....	Brentwood .....	Brentwood .....	Suburbs .....	1 "
(3) Three Counties—Beds, Herts, and Hunts .....	Arlesly .....	Hitchin .....	4 miles .....	1 1/2 "
(4) Middlesex .....	Colney Hatch .....	London .....	5 " .....	At Asylum.
New Surrey .....	Brookwood .....	London .....	25 " .....	3 miles.
Sussex .....	Hayward's Heath .....	Brighton .....	12 " .....	1 1/2 "
Bristol Borough .....	Stapleton .....	Bristol .....	4 " .....	4 "
Coton Hill L. Hospital .....	Coton Hill .....	Stafford .....	1 mile .....	2 "
Northampton L. " .....	Northampton .....	Northampton .....	1 " .....	2 "
York L. " .....	York .....	York .....	Suburbs .....	1 "
Leicester L. " .....	Lincoln .....	Lincoln .....	Suburbs .....	1 "
Friends' Retreat L. " .....	York .....	York .....	Suburbs .....	1 "
Criminal Asylum .....	Broadmoor .....	Wokingham .....	5 miles .....	4 "
Idiot " .....	Eastwood .....	London .....	30 " .....	2 "
		Reigate .....	3 " .....	2 "

REMARKS.—(1) Omnibus communication with Manchester. Suburbs extend almost to asylum.

(2) These asylums are within easy reach of London, and trains are frequent. A tramway runs from the nearest station to Colney Hatch and the Three Counties Asylums; and coals, stores, and sometimes patients, are brought to the asylum by it.

An examination of this table will shew that with few exceptions, the English asylums are placed in close proximity to large towns—near, as a rule, the largest town of the district to which they belong—the distances ranging from 1 to 5 miles. Most are within easy railway communication, and two, Colney Hatch and the Three Counties, have stations close at hand, and tramways running into the asylum yards. The only three asylums which are removed any distance from large towns are the Sussex County, which is 12 miles from Brighton, with which, however, railway communication is easy; the New Surrey, at Brookwood, which is within easy reach of a railway station; and Broadmoor, which can be reached by two distinct lines of rail, and is only 5 miles from the town of Wokingham, which contains about 5,000 people. The price of land, and the fine estates to be acquired for a moderate sum, appear to have influenced the directors considerably as to the choice of site in all three cases; and other arguments, derived from the nature of the class of insane for whom Broadmoor was intended, had weight in the selection of a site for that institution.

The asylums in Scotland are, as a rule, even more easily reached than those in England. The Royal Asylums of Scotland are generally suburban. The beautiful new asylums of Montrose, the Fife District, near Cupar, and the Haddington District, near Haddington, are all within about 2 miles of the chief town of the district; and the Perth District Asylum, recently erected at Murthly, is only 6 miles from Perth, and has a station within 200 yards of the asylum, and a tramway into the asylum yard.

The American State Asylums are either suburban, or placed at a distance from the city which seldom or never exceeds 3 miles; and where they are thus far removed, they are either within a few hundred yards of a railway station, or within a mile of the terminus of one of the many lines of street cars. The greatest care appears to have been taken in the selection of a site as near the town as possible.

In France, the new Departmental Asylums are generally placed at a short distance only from the chief town of the department. The new asylum at Quatre Mares is about 2 miles from Rouen. The Asylum of Evreux is less than 3 miles from that town, whilst, of the three new asylums for the Department of the Seine, one, that of St. Anne, has been placed actually in the suburbs of Paris, where it is more or less surrounded by houses; and the two others, Vacluse and Ville Evrard, are at a distance of some 7 miles, but within easy railway communication. Two railway stations are within an easy walk of the latter asylum.

The newest of the German asylums are placed in the immediate neighbourhood of large towns. At Frankfort, Hamburg, and Göttingen, the asylums are not more than a mile from the city; whilst the beautiful new asylum at Ghent, which bears the name, and was the crowning labour of the life of, the great Belgian psychologist, is within 1 mile of the city. The best of the Dutch institutions for the insane, Meereenberg, is about 3 miles from the large town of Haarlem.



## LAND.

The Table given below will show, as accurately as it was possible to ascertain, the amount of land possessed by various asylums in Europe and America, and the amounts under cultivation as farm and garden.

Asylum.	Population.	Pleasure Grounds, including Airing Courts.	Pasture.	Arable, including Garden.	Total.	Remarks.
Worcester County	570	20	30	50	100*	*40 acres are rented.
Sussex	700	30*	70	100	200	*Includes plantation and wood.
Essex	580	10	10	76	96	
Three Counties	528	20	16	216*	252	*Garden, 54 acres.
New Surrey	150	.....	.....	.....	150	Farm not yet formed.
Middlesex County	2,000	80	35	35	150	
Gloucester	590	10	35	35	80	
Derby	380	50*	.....	50	100	*Includes pasture.
Lancashire	1,000	25	51	20	96	
Leicester	400	15	14	51*	80	*Spade cultivation.
Stafford	520	.....	.....	.....	100	Farm not yet made.
Stafford	520	17	40	20	77*	*40 acres rented.
Lincoln	500	10	.....	30*	40	*Spade cultivation only.
Bristol Borough	200	14	6	12	32	
Coton Hill L. Hospital	140	10	40	30	80	
Northampton	450	15	10	50*	75	*Spade cultivation only.
Retreat, York	130	28*	.....	12*	30	*Spade cultivation only. Pleasure grounds include pasture.
Elgin District	80	12	.....	70*	92	*Spade cultivation only.
Perth	220	.....	.....	.....	60	Farm not yet complete.
Haddington	100	2	.....	10	12	
Fife	213	7	10	40	57	
Montrose Royal	380	30	10	70	110	*30 acres rented annually.
Government Hospital, Washington.	380	105	100	25	230	*70 acres park and woodland; in treaty for 150 more.
Pennsylvania State	350	18	40	72*	130	*Farm under plough, 30 acres.
Northampton (Mass.) State.	417	.....	.....	.....	200	
New Jersey State	500	45	52	23	120	25 acres woodland.
New York	618	60	140*	.....	200	30 do *pasture & arable.
Evreux, Département Eure.	500	60	90*	.....	150	30 do *do
Quatre Mares, Département Seine Inferieure.	700	.....	.....	.....	100	
St. Anne, Dépt. Seine	600	.....	.....	.....	14	* }
Ville Evrard, do.	600	.....	.....	.....	750	
Vauchuse, do.	600	.....	.....	.....	700	
Colony of Fitz James, at Clermont.	1,400	.....	.....	.....	1,000	
Meerenberg, Holland	600	20	.....	50	70	Lake, 1 acre.
Guislain's Asylum, Ghent.	468	15	.....	20	35	
Hamburg	350	20	.....	45	65	
Illenau	450	12	.....	30	42	5 acres woodland.
Frankfort	200	10	.....	30	40	
Göttingen	300	.....	.....	.....	20	

\* These figures have been calculated from the amounts given in French hectares: 1 French hectare = 2·471 acres.

The proportion of land per patient varies greatly; but the advantages attending the possession of a good asylum estate, are evidently becoming more appreciated, since the newer asylums have, as a rule, larger grounds than those founded during the last century, and there is an outcry from most of the older institutions for more land. In some cases, as at Stafford and Worcester, land for cultivation by the patients is rented. In some of the British asylums, as Northampton, Lincoln, Leicester, Elgin, and Haddington, cultivation is done entirely by the spade, and the results are gardens in which a large supply of vegetables is grown. In some cases the product is so large as to supply the institution completely; and at Leicester vegetables are sold to the amount of £300 annually. At other asylums, as at Montrose, and the Three Counties, horses are kept, cereal crops are grown, and all the ordinary agricultural operations are performed, sometimes by the aid of good machinery. At the Three Counties Asylum, onions (200 tons of which are sold) and other garden produce realize annually a sum of £1,000. The American State asylums have estates which are relatively larger than those of the British asylums. The comparatively small price of land has perhaps been an inducement to buy more. Agricultural operations are carried out with great completeness; but in several of the asylums patches of woodland have been left, which will eventually be cleared and cultivated, or cut into walks and ornamental grounds. At the Government institution at Washington, which is in every respect a model institution, the asylum estate now consists of 230 acres, and the governors are in treaty for a further tract of 150 acres.

The

The importance of a large estate is fully appreciated in France. In the Department of the Seine, in which three new asylums, calculated to contain 1,800 patients, have recently been erected, the attached estates are 1,450 acres in extent; and at Ville Evrard the large farm of 750 acres is worked entirely by the patients. Twenty horses and twelve working bullocks are kept; and a large number of agricultural operations are performed with excellent implements, chiefly of English make. Fifty cows are kept, besides sheep, pigs, fowls, &c. Large quantities of butter and cheese are made.

It is admitted on all hands, and the evidence to be obtained on the subject is convincing, that gardens and farms may be and are in most cases cultivated, not only with vast benefit to the patients, but with considerable profit to the asylum. Were it worth while to enter into calculations on this subject, statistics could be given which would undoubtedly prove this position. But the Colony of Fitz James, a large lunatic establishment conducted by private enterprise, is the best proof on this subject.

From an examination into the amount of land possessed by the German institutions in the above table, it would appear that in this country the value of land in connection with asylums is not fully appreciated; but it must be remembered that in two of the German institutions, Frankfort and Hamburg, the population is almost exclusively derived from towns, and consists of people unused to agricultural pursuits. At Göttingen, earnest application has been made by the Superintendent for a larger extent of land. At Guislain's Asylum, Ghent, the population is chiefly a manufacturing one, and a large number of the inmates are employed in weaving, so that land is not so necessary.

Before proceeding to the question of asylum construction, two points are to be considered,—1st, the separation of the acute and chronic cases; and, 2nd, the size of asylums.

#### SEPARATION OF THE ACUTE AND CHRONIC CASES.

In Germany, for many years past, the insane have been divided into acute and chronic—curable and incurable.

"In the mode of providing for the treatment of the two classes apart, two plans are pursued,—one termed that of 'absolute separation', and the other of 'relative connection'—the former consists of placing recent and chronic cases in buildings completely detached, each one having its own staff, organization and management; the latter, whilst keeping the chronic and recent cases apart, possesses a common medical and general administration, in a building composed of two principal sections, either forming part of the same structure (as at Illenau, in Baden), or detached but within the same area (as at Halle, in Saxon Prussia)." \*

The system of "relative connection":—The separation of the hospital from the asylum—has always been more fanciful than real, and may now be regarded as abandoned. In the more lately built asylums of Germany, the system of mingling curable and incurable cases has again been adopted; and at the same time considerable doubts seem to have arisen in the minds of German psychologists as to the advantages of the "absolute separation" system—the formation of separate asylums for acute and chronic cases.

In Great Britain, France, and America, until recently, no division of cases founded on curability has been adopted; and every asylum has contained acute and chronic, curable and incurable, cases in varying proportions. The large accumulation of chronic insanity, and the urgent need of increased provision for the more acute cases, have, however, directed the minds of those interested in these matters to the German system of separate asylums for acute and chronic cases; and in several instances such separate asylums have been erected.

In the Department of the Seine, where three new asylums have been recently erected; one of these is set apart for the more curable cases in their recent stage; two for the same class in their more chronic condition; whilst the old asylums of Bicêtre and Salpêtrière are appropriated to the incurable patients.

In the United States, the Tewksbury Asylum in Massachusetts has been specially provided for the chronic and harmless insane; and in the state of New York, a new asylum called after the late Dr. Willard, in recognition of his labours on behalf of the great class of incurably insane, is intended entirely for cases of this kind.

The Justices of the Peace for the County of Stafford, have recently erected a new asylum at Lichfield, to which the chronic and incurable cases from the old asylum at Stafford, are being drafted; and the Justices of the Peace for the Metropolitan Asylum District, have decided upon erecting asylums for the chronic insane of that district, near Watford and Croydon—each asylum to be built on the pavilion plan, and to contain 1,500 patients.

In

---

\* The State of Lunacy: Dr. Arlidge, p. 141.

In Great Britain and America the liveliest discussion has arisen on this subject; and in both countries the majority of those interested in asylum management are decidedly averse to the separation of the curable and incurable insane.

The English Commissioners in Lunacy, (who condemn the use of the terms curable and incurable), consider that a general asylum to contain both acute and chronic cases, is on the whole best, and have until lately,—except in the cases of the more populous counties, such as Middlesex and Lancashire, where the erection of distinct asylums for the more chronic cases was sanctioned,—confined themselves to suggestions for the erection of buildings of an inexpensive and homely character, in connection with existing asylums for the accomodation of this class. In their annual report for 1867, page 72, however, the Commissioners thus state their more recent views on this subject:—

“In view of the evident tendency there is to convert workhouses into asylums, we think that the question of relieving the asylums in many counties of the harmless idiots, imbeciles, and epileptics, by the erection of establishments for these classes of a less expensive character than heretofore, and thus rendering the present asylums effective for the reception of curable cases, and such as require special care, can no longer be avoided.”

“We are of opinion that for the classes above alluded to, buildings of a simple style, intermediate in character between the workhouse and the asylum, and consisting chiefly of cheerful, spacious, and well-ventilated day rooms and dormitories, might be constructed at a comparatively moderate cost. Without, also, any diminution in the substantial comfort and well-being of the patients as respects clothing, diet, or care, we believe that the cost of maintenance would be less than in the county asylum, and need be little more than in the lunatic wards of the best regulated workhouses.”

It will be seen that this recommendation is only “in view of the evident tendency there is to convert workhouses into asylums”—it is distinctly to meet an evil; it is an expedient mode of provision for the insane, and not an altogether satisfactory and good one.

The chief arguments for the maintenance of acute and chronic cases in one asylum, are,—

1. That when two asylums exist, although they may be designated Asylums for “Acute” and “Chronic” Cases—“Primary” and “Secondary” Asylums—the words “acute” and “chronic,” and “primary” and “secondary,” will never be used by the masses, who will at once recognize the true character of the institutions, and apply the terms “curable” and “incurable” to them.
2. That great pain may be given to the patients by their removal to an asylum for incurables; the greater part being quite sensible to the change. That they will feel doomed to utter hopelessness; and will lose, with hope, self-respect, and so sink into irretrievable degeneration, all the little chances of cure that still remain, vanishing.
3. That pain will be inflicted in many cases on relatives and friends, to whom the consignment to an “incurable” institution leaves no more to hope for; whilst, on the other hand, it will serve as an excuse for neglect by such relatives as are glad to find a pretext for it.
4. That all institutions in which chronic or incurable cases alone are maintained are liable to degenerate in their character. The very nature of the cases tends to exert an unfavourable influence on the minds of all officers and attendants. The office of physician is a peculiarly ungrateful one, since he can have no recompense for his trouble in the recovery of his patients. Interest is thus gradually lost in all treatment, and the institution is conducted by mere routine. The safe and economical keeping of the patients soon becomes the ruling idea; and under this the patients will sink mentally and physically, and those in whom some chances of recovery still remained on admission, (and cases have been known to recover in asylums after a residence of fifteen or twenty years) will become utterly hopeless.
5. That the admixture of acute and chronic cases in an asylum, and the classification which such admixture allows, is useful as a part of moral treatment. That the quiet and chronic cases are often useful as companions for the more recent ones, while the change of patients, the going and coming of the curable cases, is useful to the so-called incurables, by keeping up hope, which should never be allowed to die, and affording change of companionship.
6. That when two asylums, one for acute and one for chronic cases, are placed in one district, the district is necessarily larger in area, and consequently the asylum for the acute is less easily accessible to the population generally, and so less useful; the usefulness of an asylum for the insane being greatly dependent upon its proximity to those who require its care.

In addition to these reasons, the extreme difficulty of classification in many instances, the impossibility of pronouncing any patient incurable, and the constant possibility of acute paroxysms in chronic cases are pointed out; and it is argued that, as far as cost goes, the chronic insane may be maintained in buildings of a simple character in connection with ordinary asylums, quite as cheaply as in distinct asylums; that good diet is as necessary for the chronic as the acute cases; and that the number of nurses and the amount of medical supervision may be regulated according to their needs.

Resting upon these arguments, the Scottish Commissioners in Lunacy, and the vast majority of the superintendents of asylums both in Great Britain, France, and America, consider that the separation of the insane into two classes, and their maintenance in distinct establishments, is wrong in principle, and calculated to be strongly prejudicial to their best interests; and this is also the opinion of the English Commissioners, though, yielding to the force of circumstances, they have given a general sanction to the establishment of asylums for chronic cases.

The arguments which are used by those who consider separation justifiable—arguments entitled to attentive consideration, since they are used by men who, though a minority in point of number, occupy a prominent position among those who have attentively considered the requirements of the insane,—are based rather upon considerations of expediency than upon the absolute right or wrong of the question.

These arguments are—

- 1st.—That the structural adaptations and the general organization of an ordinary asylum are unnecessary for a large number of the more chronic cases, and that they can be provided for, more economically in an asylum of simple construction, with a smaller proportionate staff of officers and attendants than are employed in ordinary asylums.
- 2nd.—That by separating the very chronic cases, greater opportunities are afforded for the proper treatment of the more curable, especially in the now crowded condition of the asylums of almost all countries.
- 3rd.—That provision in asylums, even with an incomplete organization, is preferable to such provision as is generally afforded in workhouse.

It is pointed out also that, as a rule, the patients feel little depression or despair when removed to asylums for chronic cases, and that not unfrequently the older patients, instead of acting beneficially on the new comers, stand to them in somewhat the position of Job's comforters, and are eloquent on the injustice of their own detention, and upon the miseries which are likely to befall their new acquaintances.

Among those who favour the general scheme of separating the acute and chronic cases, few are found to recommend their absolute division into two distinct classes. Even Dr. Arlidge, one of the most prominent supporters of the idea of the two classes of asylums, does not contemplate "the existence of a primary asylum without the presence of more or fewer chronic cases retained in it for the best medical or moral reasons," or a secondary asylum "exclusively the abode of incurables." And, upon the whole, it must be considered that the balance of argument is strongly in favour of one asylum, to contain both classes in such proportion as they occur in each district.

#### SIZE OF LUNATIC ASYLUMS.

In Great Britain the size of asylums varies immensely. In the City of Norwich, and the Caermarthen, Haddington, and Elgin Asylums, the number of patients is under 100, whilst the large asylums for the County of Middlesex—Hanwell and Colney Hatch—contain, respectively, 1,693 and 2,026 patients. The Lancashire Asylums are large also. The one at Lancaster contains 836, and the one at Prestwich 962 patients. The Asylum for the West Riding of Yorkshire contains 1,124, and the Old Surrey Asylum 914 patients. But by far the large majority of English asylums contain between 400 and 600 patients. The new institutions for the counties of Surrey, Stafford and Cheshire have been planned to contain 500 patients each; and the new Scotch District Asylums for Perth and Cupar 250 only. In America the State Asylums, almost without exception, were built to contain originally 250 patients; but all those in the Eastern States have gradually been added to till the numbers range between 400 and 600,—only one institution, the New York State Asylum, containing over that number.

On the Continent, many of the older institutions have grown gradually to a large size. The asylum at St. Yon, near Rouen, contains 900 patients; and the older Paris asylums of Salpêtrière and Bicêtre considerably over that number.\* But for the new institutions on the Continent, wherever placed, the maximum number is fixed at 600; and in many cases a much smaller size is preferred.

In

\* The average population of the Departmental Asylums of France was, in 1860, 402.

In table No. 1, following, are shown the number of patients contained in the English county and borough asylums, and the weekly maintenance rate. In table No. 2 the number of patients contained in some of the best modern asylums in Scotland, America, France, Germany, &c., is given.

TABLE No. 1.

Showing NUMBER OF PATIENTS and MAINTENANCE RATE in English County and Borough Asylums, 1867.

Asylum.	Number of Inmates.	Weekly Maintenance Rate.	Asylum.	Number of Inmates.	Weekly Maintenance Rate.
		s. d.			s. d.
Caermarthen County ...	99	14 4	Oxford and Berks County	473	10 4
Hull ...	123	9 6	Cheshire " ...	474	9 1
Stafford (New) County ...	195	9 11	Somerset " ...	480	9 3
Bristol Borough ...	206	12 0	York—N. Riding " ...	490	10 6
Glamorgan County ...	227	11 5	Lincoln " ...	502	8 8
Cumberland " ...	239	10 0	Sussex " ...	510	9 4
Northumberland County...	275	10 2	Three Counties — Beds, Herts, and Hunts.	534	8 7
Cambridge " ...	299	9 2	Worcester County ...	540	8 0
Bucks " ...	301	9 6	Essex " ...	554	10 3
Denbigh " ...	311	8 6	Birmingham Borough ...	567	7 8
Nottingham " ...	338	8 8	Hants County ...	589	8 5
Derby " ...	342	9 11	Gloucester County ...	590	8 8
Suffolk " ...	373	8 8	Lancashire (Rainhill) County.	657	9 10
Norfolk " ...	382	8 8	Devon County ...	690	9 6
Durham " ...	383	9 8	Kent " ...	755	10 9
Leicester " ...	391	8 8	Lancaster (Moor) County	836	7 10
Cornwall " ...	400	8 9	Surrey (Old) " ...	914	9 4
Warwick " ...	401	8 10	Lancashire (Prestwich) County.	962	9 4
Dorset " ...	411	7 1	York (W. Riding) County	1,124	9 10
Wilts " ...	412	8 6	Hanwell ...	1,693	10 1
Salop " ...	422	9 7	Colney Hatch ...	2,026	10 2
Monmouth, Hereford, &c. County.	452	9 6			
Stafford (Old) County ...	469	8 11			

TABLE No. 2.

Asylum.	Number of Patients.	Asylum.	Number of Patients.
Perth District ...	220	Hamburg ...	350
Cupar do. ...	213	Frankfort ...	200
Montrose ...	380	Göttingen ...	300
Quatre Mares ...	715	Washington ...	380
St. Anne ...	600	New Jersey ...	500
Ville Evrard ...	600	Pennsylvania State ...	380
Evreux ...	500	Northampton ...	420
Guislain's Asylum, Ghent ...	450	New York State ...	608
Meerenberg ...	600		

## CONSTRUCTION.

Under this head are to be considered—

1. The form of building.
2. The number of stories.
3. The material.
4. The architecture; and subsequently matters of detail must be examined under various headings.

The main forms of building which are found to exist, on an examination of European and American Asylums, are—

1. The corridor or ward form.
2. The house form.
3. The block or pavilion form.
4. The cottage.

1. The Corridor Form.—This, under various modifications, is the most general form adopted in asylum construction. The insane in almost all countries were originally housed in dilapidated prisons or unused monasteries; and these buildings have left their image on, and given a style to, the structures which were subsequently erected for the special accommodation of the insane.

The first asylums which were erected consisted of a central corridor with small rooms opening from it along each side; the corridor itself serving as dining and day room, and the small cells on each side serving as sleeping rooms for the inmates. Each floor was thus a complete asylum, and a number of such floors placed end to end and story above story—either in a linear, in some modification of the H form, or as a □—constituted the asylum, which was always under one continuous roof. This form may still

still be seen at the Bootham Asylum, York, and at St. Luke's, two of the earliest English institutions specially built for the accommodation of the insane; and it is the one which—though almost extinct in England—with certain minor modifications, is still adhered to in the large majority of American institutions. The best modern examples of this, the corridor plan with rooms on each side, are the Government Asylum at Washington, the Hospital for the Insane at Philadelphia, and the State Asylums of Utica, Trenton, and others. In Appendix G, No. 1, will be found a plan of the Washington Asylum, and from an examination of this plan the peculiarities of this form will be understood. In England the asylums so constructed were found dark and gloomy, whilst the ventilation was extremely imperfect. The modifications introduced by American architects have served to overcome these difficulties. Instead of appropriating all the rooms leading from the corridor to sleeping accommodation, some of large size have been made into cheerful dining and day rooms, which command views of the surrounding country. By means of end windows, and by occasionally doing away with the dividing wall between room and corridor, and so making the former, lighted by a large window, a recess from the latter, the corridors have been made fairly light; and by the employment of an elaborate and expensive system of artificial ventilation, the whole buildings are, as a rule, well ventilated and healthy. But, even with all the improvements, the corridors used as places for promenade are less cheerful than the corridors with rooms only on one side, most frequently seen in English asylums; and the cost of the system of ventilation is sufficient to destroy the chief argument in favor of the plan—that of diminished cost of construction in comparison with those asylums in which the corridor has rooms on one side only. In England and on the Continent, in all modern asylums in which the corridor plan is adopted, the small rooms are placed on one side only, whilst on the other are large windows which make the corridor remarkably light and cheerful. Recesses with bay windows are sometimes formed, in which the patients can sit and work. The Essex County Asylum (see Appendix G, Nos. 2 and 3)—is a fair example of this plan, the essentials of which are that each ward is a complete asylum—the corridor serving as day and dining room, and the sleeping rooms opening from it. The objections to this system are, that the asylum is spread over an immense area, is costly in construction from the immense length of corridor and consequent roofing required, and that there is in it “an absence of all those domestic and social arrangements and provision which exist in the homes of English people. The peculiar combination of day and night accommodation is without analogy in any house; whilst the sitting, working, reading, and taking meals in a corridor—a place used also for exercise, and for the passage of persons from one part of the asylum to another—represent conditions of life without parallel among the domestic arrangements of any class of the community.”\*

2. The House Plan—Is more modern in its idea; and whilst the asylum is still continued under one unbroken roof, and presents the outline of an ordinary corridor or ward asylum, the day and night accommodation are as far as possible separated from each other, by devoting the greater part of the ground floor to the purpose of day rooms, and using the floor or floors above entirely as sleeping rooms; reserving only on the ground floor, accommodation for certain classes of patients, as the paralytic, aged, and infirm, who can with difficulty mount or descend stairs, and sometimes the violent and refractory, who, however, are frequently better accommodated in special buildings. In this plan, which has been adopted in several of the more recent British asylums,—at Murthly near Perth (for a plan of which see Appendix G, Nos. 4 and 5), at Cupar in Fifeshire, and in the modern Continental asylums at Evreux in France, Meerenberg in Holland, and the Hamburg City Asylum, (Appendix G, No. 15) the corridor becomes narrowed to a passage of communication only. The advantages of this plan are that the condition of the patient is assimilated to that of ordinary life, by the separation of the sleeping accommodation from that required for the duties and employments of the day—the supervision of the patients by the attendants is more complete—ventilation is more easy, since the windows and doors of the sleeping rooms from which the patients are removed can be kept fully open all day, and those of the day rooms all night; whilst the cleaning, always a matter of difficulty in the ward plan, is rendered easy from the fact that the floors are in use at different times.

3. The Block or Pavilion Plan—Of which the essential feature is “that of breaking up hospitals of any size into a number of separate detached parts, having a common administration but nothing else in common,”† is well known in its application to modern hospitals, of which the Herbert Hospital at Woolwich, the Lariboisière at Paris, and the Pauper Hospital at Chorlton, near Manchester, are the most conspicuous and well known examples. It is a still further development of the house plan. The asylum consists of a series of detached buildings or blocks, each of which resembles in construction a large house. The ground floor is used almost entirely for day accommodation, and the upper rooms are used solely as sleeping apartments. The general arrangement is more home-like—the separation of one class of insane from another is more complete—ventilation is rendered more perfect and easy—and should infectious disease make its appearance within an asylum, it is less likely to spread through the entire establishment than in the corridor or house plans.

This arrangement of asylum building is not uncommon in the form of addition to old asylums in England. It is to be seen at Prestwich and at the old Chester Asylum; but the new Asylum for the County of Cheshire at Macclesfield is the only complete asylum which has been built on this plan (see Appendix G, Nos. 6 and 7); and in this the blocks, instead of being completely isolated, are connected by means of passages, from one side of which open all the dormitories intended for occupation by one patient only.

The

\* *State of Lunacy*: Arlidge, p. 203.

† *Notes on Hospitals*: By Florence Nightingale.



The Pavilion or Block Plan for asylums, carried out in its entirety, has been advocated by Dr. Lockhart Robertson\*, and other distinguished alienist physicians; and the greater number of the new asylums of France are on this plan. At Auxerre, in the Department of the Yonne, a beautiful asylum has been in working order for five or six years; and the three magnificent asylums for the Department of the Seine—St. Anne at Paris (see Appendix G, No. 8), Ville Evrard (see Appendix G, No. 9) and Vaucluse—are on this plan.

4. The Cottage.—The Cottage System—in which a limited number, from twelve to twenty patients are accommodated in a building which is completely isolated, and which is in the cottage form—an aggregation of such buildings composing the asylum—has been ably advocated by several English alienist physicians. Mr. Toller, of the Gloucester County Asylum, has written an excellent paper on this subject†, but so far as has been ascertained, no asylum has as yet been erected entirely on this system.

At Yarra Bend, near Melbourne, some 500 patients out of a total population of 1,000 are accommodated in cottages; and at the Devon County Asylum, the Gloucester Asylum, and others, a certain number of the more quiet cases are so accommodated with great success, with increased comfort to the patients and relief to the asylum. At Montrose Asylum, a few quiet patients are accommodated with the workmen and artisans employed on the estate, and living in cottages near the asylum. Carried to this extent, and as supplementing an ordinary asylum, the cottage system has worked admirably, but when more fully employed, the system has not, on the whole, been found to answer. The inconveniences which have been felt in this arrangement have been chiefly from difficulties of supervision, owing to the large space over which the asylum extends.

The best form of cottages, whether for a complete asylum or as an adjunct to an existing institution, are the "conjoined cottages" designed by Mr. Stack and Dr. Campbell, at the Essex Asylum (see Appendix G, Nos. 10 and 11), which, though an addition to the existing institution, are in themselves a very beautiful and complete small asylum to contain seventy-five patients. There are three cottages joined together by a covered way; each is intended to hold twenty-five patients, and consists of two stories. On the ground floor are a day room, four single dormitories, a nurse's room, a scullery, water-closet, and bath; on the upper story is an associated dormitory for twenty-one patients, with nurse's room overlooking it, store-room, and closet. Provision is made for the erection of another cottage when necessary; the kitchen, dining-hall, and store-room, common to the three, being of larger size than at present needed.

This conjoined cottage plan, stands midway between the cottage plan pure and simple, and the block or pavilion plan, and is well worthy of imitation, whether for a complete asylum of small size, or as an addition to existing structures.

In this sketch have been mentioned the peculiarities of all the marked systems of asylum construction at present in use, so far as has been ascertained; but there remains to be noticed an English asylum in which the house, block, and cottage systems, are combined into a very satisfactory whole. The New Surrey Asylum at Brookwood (see Appendix G, Nos. 12, 13, and 14) was designed by Mr. C. H. Howell, after much study of English and Continental asylums. The main structure is chiefly on the house plan, and designed to contain rooms for administration, and divisions for the cases recently admitted, and the sick, which shall be near to and therefore more immediately under the superintendence of the resident physician. The convalescent and working patients are accommodated in four detached blocks,—the latter in connection with the workshops on the male, and the laundry on the female side; and the more quiet patients are accommodated in the houses of the gardener and farm bailiff, placed at some little distance from the asylum, each of which will contain about twenty patients, and be under the immediate supervision of those officials. In this plan some of the best points of each system are introduced, and the whole seems very complete and satisfactory.

The number of stories in asylums varies considerably. Some of the older institutions, as the old Stafford, have four stories. The modern French asylums, on the pavilion plan, have two only, but the majority of English and American institutions—and among these those working most satisfactorily and well—have three stories over part if not all the building. The more violent and refractory cases are usually accommodated in buildings of one story only, in British, French, German, and American asylums; and frequently, when the asylum is on the corridor or house plan, the buildings for the noisy are completely detached and isolated from the main building.

The material for asylum construction varies considerably, as might be expected. Out of nineteen English asylums visited, fifteen were of brick, some totally unornamented, some faced with white stone, and two or three of the more recent, as the New Surrey at Brookwood, and the New Stafford at Burntwood, of variously coloured brick. The former of these is roofed with blue tiles; but the large majority of English asylums have slate roofs.

The French asylums are more usually of stone, as St. Anne's, Ville Evrard, Evreux, and Charenton; some few, as Quatre Mares, are of brick. The American asylums are also more usually of stone, as are also the German, but the material which is most readily procurable, seems to have been usually selected.

The architectural style which prevails in asylums may be described as the "Old English" or Domestic Style. Occasionally in Great Britain we find a highly ornate structure, such

\* *Pavilion Asylums*.—A paper read before the annual meeting of the Psychological Association, held in Edinburgh, 1866.

† *The Advantages of the Cottage Plan for the Accommodation and Treatment of the Insane*: By E. Toller, M.R.C.S.

such as the Derby Asylum, which rejoices in tower and pinnacle, and is really a very handsome building, in the perpendicular style, but the majority of English asylums are striking rather from their size than their beauty. In America the asylums are frequently ornamented by handsome classic fronts, as at Utica, Trenton, and Philadelphia. On the Continent the asylums do not markedly differ in style from those in Great Britain.

#### WATER SUPPLY.

This inquiry will include—

1. The source and mode of supply.
2. Quantity.
3. Storage.
4. Precaution against fire.

And subsequently, the arrangements for, and fittings in bath rooms and lavatories.

The sources are—

- a. The ordinary town supply.
- b. Wells.
- c. Running streams.
- d. Springs.
- e. Surface drainage.

a. *Town Supply.*—The majority of asylums built near towns are supplied from the ordinary town water works, and the facility with which water is thus obtained, as well as the diminished cost, are strong arguments for placing an asylum as near a town as possible. Prestwich, Gloucester, Leicester, Montrose, St. Anne's Paris, Hamburg, Frankfort, and other asylums are thus supplied. With the supply from a town, either tanks may be entirely dispensed with, as at Hamburg and St. Anne's—or placed over the wards, as at Prestwich and Gloucester—or one large tank may be employed, as at Montrose, where the asylum is more than 2 miles from the town.

b. *From Wells.*—The majority of those asylums situated at a distance from town, and some of those, as Colney Hatch and Stafford, within the reach of town water, are supplied from wells, which are either artesian or of ordinary construction. Artesian wells are in use at Colney Hatch and the Sussex County. At the Three Counties there is a fine well with "headings," capable of containing a reserve supply of 60,000 gallons. The Cupar, Haddington, Derby, Ghent, Göttingen, Quatre Mares, and other asylums, also obtain their supplies from wells; and with two or three exceptions, to be presently mentioned, the supply is obtained by means of steam pumps. The water is raised to large tanks, placed either in towers distinct from or at the ends or over the centre of the building, and thus distributed by gravitation, either direct to pipes, as at Sussex, or through minor tanks placed over the wards, as at Colney Hatch. At Quatre Mares a windmill and hand pumps are used, and are far from effectual. At Guislain's Asylum there is a well in each court, and only small tanks; and pumping water is a constant, monotonous, and distasteful labour for the patients. At Haddington, a small asylum for 100 inmates, the pump is worked by a horse; and this method answers well.

c. *From Running Streams.*—This plan is adopted at the French asylums of Evreux and Ville Evrard; at the latter, the River Marne is the source. At Harrisburg, in the United States, and at Worcester, the water is in each case passed through filters, and raised to a general reservoir or water tower, and then distributed at once, or through minor tanks by gravitation. Steam power is used for raising the water, except at Evreux, where an extremely ingenious hydraulic pump, or "bélier hydraulique," is in use. The water is by this raised to a neighbouring hill, and passes through filters of sand, charcoal, and gravel, into a large tank, from which it flows to the house.

d. *Springs.*—This is the most usual source of supply in American institutions, and is the entire source also at the Essex and Bristol Asylums, and at Meerenberg in Holland, (where the water flows from the neighbouring sand hills), and it is the chief one at the New Surrey. Here, the water is first received into reservoirs, generally placed at some distance from the asylum, is pumped from them into tanks over or near the building, and so distributed by gravitation.

e. *Surface Drainage.*—This method is in use at Broadmoor, and for part of the supply at the New Surrey. The method of supply, and the appliances required, are the same as where the water is obtained from springs.

In the three methods last mentioned, it will be seen that the pump and steam-engine will, as a rule be placed at a distance from the asylum, and that thus the steam-engine will not be effective for turning washing or other machinery, or the boilers for the supply of steam to the kitchen, or for heating water for the laundry and bath rooms. But at the Worcester Asylum a deep tunnel has been cut, running with an incline from the stream to the asylum. The stream passes through filters and then along the tunnel to the asylum well, and is thence pumped up to the main tank. The steam-engine being near the main building, is thus available for other purposes beside pumping.

2. *Quantity.*—The quantity which can be obtained at by far the majority of asylums is unlimited. This is the case in most of the American, in many English, and some continental institutions. A few only, as Broadmoor, the New Surrey, Cupar, Bristol, &c., are straitened in this respect. The minimum amounts procurable are at Bristol and the New Surrey. At the former, about 25 gallons per head *per diem* are procurable; at the New Surrey, about 20; but every exertion is being made to increase the quantity.



At the French and German asylums, the amounts used are much smaller, since the closets have no water supply.

3. Storage.—The arrangement of tanks differs materially, and without obvious cause. At Hamburg and St. Anne's, supplied from the town, there are none. At Sussex and the Three Counties, supplied from a well—Montrose, supplied partly from town and partly from a well—and Evreux, supplied from a running stream—one large tank placed in the centre of the building supplies all needs. At Prestwich, Gloucester, and other asylums supplied from towns, small tanks over each ward are in use. But in many asylums, as Derby, Essex, and Worcester, there are both large or main, and smaller or ward, tanks. This is also the case at the New Surrey, where, however, the smaller tanks are placed over, and intended for the supply of each block.

4. Precautions against fire.—A few asylums, as Colney Hatch, Derby, and the Pennsylvania Hospital, have been made more or less fire-proof by the use of vaulted roofs of fire-proof brick to the corridors, iron doors, and other contrivances; but in the majority of asylums this has not been thought necessary, and reliance is usually placed, in case of fire, on hydrants, both in and around the building. At St. Anne's, Paris, and some other town asylums, the town fire-brigades are looked to for rescue; at Cupar, fire-buckets and the patent contrivance called "l'extincteur," are alone relied on; at the French and at some English institutions the ordinary fire-engines are kept; but at the vast mass of asylums a system of hydrants has been established in connection with the ordinary water supply. At Prestwich the supply from the town is sufficient to enable a hose to be played on or over the roof at all times; and the same is often the case from the tanks in other institutions; but in almost all the American, in the Bristol, Montrose, and other asylums, arrangements are made by which the pipes for the supply of the hydrants can be connected with the steam-engine. Generally the pipes for the hydrants are given off between the well or reservoir and the tanks, and are so worked by steam-power. At the New Jersey institution, in addition to hydrants inside and outside the building, three fire extinguishers are kept constantly charged with carbonic acid gas at a pressure of 75 lbs.

At several of the American, British, and Continental asylums, the patients and attendants are drilled at intervals of a fortnight, month, or longer, in the use of the hose, engines, or whatever apparatus against fire may be provided. At Prestwich the windows are sometimes cleaned outside by means of the hose.

At several asylums rain water is carefully collected from the buildings, stored in a tank over the laundry, and used for washing purposes with great saving to the institution.

As supplementary to the question of water supply, arrangements to promote the cleanliness of the patients may be considered under the heads of—

#### 1, Baths,—2, Lavatories,—3, Sinks.

1. Baths. The questions of interest as regards baths are—1, the situation in which they are placed,—2, their material and fittings,—3, their number.

In the British Asylums the baths are generally placed in small rooms opening from each corridor, in number sufficient to serve for the patients of the ward or division; and this is also the general custom in America. But it is found that a bath-room in each division entails an expensive arrangement of both serving and discharge pipes; and that, as the majority of asylum inmates are well able to be removed from their wards, general bath-rooms, one for each sex, are cheaper, and, on the whole, fully as convenient.

There are general bath-rooms at the Sussex, Colney Hatch, and Montrose Asylums, established subsequent to the erection of the institutions, in which baths were provided and still exist in each ward; and at Perth and Cupar, where the general bath-rooms formed part of the original plan. The system of general bath-rooms seems almost universal on the Continent: they are in use at Evreux, Ville Evrard, St. Yon, St. Anne's, among the French Asylums, at Ghent also, and in the newer German institutions; and, where they have not been adopted,—as at Quatre Mares, Meerenberg, and Illenau,—instead of baths for each ward or corridor, each section of the asylum has been supplied with a small room containing two or three baths.

In most institutions in which general baths have been established, it has been considered necessary to make special provision for certain classes of the inmates—the sick and violent. In the French and German Asylums, and at Ghent and Meerenberg, there is a movable bath on wheels for the infirmary, whilst a fixed bath is placed in the division for the excited, or for patients on admission; and at Perth and Cupar a fixed bath is placed in both the infirmary and the division for excited patients.

The proportion of baths appears to be, in the English and American Institutions, about one to twenty patients; and in the Continental Asylums it is somewhat less.

The material varies. In America enamelled or painted iron is chiefly used because it is difficult to procure slate or earthenware. On the Continent, tin or copper seems usually employed; and the latter is used in England at the Three Counties, Worcester, and Essex; enamelled iron is also used in some English asylums; but the baths most commonly in use are the Stourbridge fireclay, which are in every respect excellent.

In some asylums the baths are so fitted that the hot and cold water mix before entering; in others they enter separately; but in almost all, the taps are so placed as to be under the command of an attendant's key.

In

In the French and Belgian, and in some German asylums, the baths have lids of wood or brass made to bolt on to the bath, and fitted so as to keep the patient in the water, a small opening being allowed for the neck. This contrivance is also in use in the "separate building" of the Morningside Asylum. At St. Anne's, Paris, a canvas cover is used instead of a wooden or brass one. The baths are almost invariably placed at such a distance from the walls as will allow the attendants to pass all round. In some asylums, as at Washington, they are raised on a small platform, so as to allow the attendants to reach the patient without unpleasant stooping; whilst at others, at Ghent and Göttingen, they are sunk about a foot in the ground, so as to give the attendants more command over the patient.

Bath-room floors are usually of cement; and in most asylums removable wooden gratings are placed upon this, so as to raise the attendants, and the patient on leaving the bath, from the wet floor.

Shower-baths exist in all British asylums, but are seldom used. At Cupar, rain shower-baths are fitted over the ordinary baths, and are found useful as tonics, the shock from them being small. The douche is seldom seen in British institutions.

In America, not a single shower-bath is to be seen in any asylum. The advantages resulting from its use are considered to be more than counterbalanced by the abuses to which it is liable, and the accidents which result from it; so that it has been agreed to banish it altogether.

In France, and in the asylums of Southern Germany, the shower-bath is much used as treatment; and every bath-room is fitted with the douche. Both douche and shower are administered, at intervals, to patients confined in the warm-bath, by means of the covers mentioned above. Plunge-baths exist in a few asylums only. At Illenau, in Baden, there is a stream running through the grounds; and excellent bathing-places have been made for both men and women.

At several English asylums, Turkish baths have been erected. At Sussex, where the building is a lean-to against the laundry, and was erected at a cost of £50, there is a hot-room, douche-room, and dressing-room. The douche-room is fitted with mild and severe douches, and can be used as a vapour-bath. The building, though small, answers every purpose, and has been found extremely useful. At Colney Hatch, a more elaborate and costly Turkish bath has been erected, and is in constant use.

The bath-houses which have been fitted in some of the new French asylums, at St. Anne's and Ville Evrard, are wonderfully complete in their arrangements. They are centrally placed, and consist of separate rooms for foot-bath, ordinary bath, Roman bath, shower-bath, special showers for head, spine, loins, and other parts of the body; a vapour-bath, in which vapour alone, or mixed with aromatic or resinous substances, can be given, and a sulphur-bath. In addition, there is a special room for fumigation, dressing-rooms, &c.

At Evreux, where the system is not quite so elaborate, the bath-house (*vide* Appendix F, Fig. 1) consists of a central passage, with rooms on each side. On one side are the boiler-room, in which water is heated for all the baths, two dressing-rooms, a Roman bath-room, and a pulverizing bath, in which the patient sits in a box, with his head out, and by an ingenious contrivance, water is thrown over him, in a fine spray, either alone or mixed with medicinal substances in solution. On the other side are a foot-bath room, fitted with hot and cold water, and containing eight pans; a bath-room, in which are five ordinary baths, with arrangements for the douche and shower to each; and a shower-bath room, in which shower-baths of three various degrees of force for the head, one for the spine, a circular or barrel shower, and a lumbar shower, are fitted.

Bath rules, issued by the English Commissioners, as well as those in use at several English institutions, will be found in Appendix A, No. 4. Printed rules do not exist in American or Continental institutions. In the majority of British and American asylums, a warm bath is given once a week, in some, as at Montrose, Prestwich, New Surrey, &c., clean water is used for each. At Prestwich each patient is allowed a given quantity only, which is gauged by the attendants; but in many institutions two, three, or four are bathed in the same water. At the Sussex Asylum, in addition to the baths, the patients are placed on stools, are well soaped, and have water thrown over them by means of bowls. Strong round towels are generally used in the bath-rooms.

In the Continental institutions the patients are, as a rule, bathed about once a fortnight. At Evreux, notwithstanding the magnificently arranged bath-house, the patients get hot baths only once a month, and have their feet washed every five days.

The lavatories in asylums are generally fitted with about one basin to ten patients, in addition to the basins placed in the dormitories. At the Prestwich Asylum, counting the entire number in the asylum, there is a basin to every  $2\frac{1}{2}$  patients. The lavatories are usually placed in the corridor, or in a small room leading from it, and as near the dormitories as possible; and one is usually placed on the ground-floor, in those asylums which have only day-room accommodation therein, for day use. In the new French asylums the lavatories are in a small recess off each ward.

Sometimes the basins are fixtures—porcelain, set in slate or lead, as at the Essex Asylum, and the new asylums at Ville Evrard, St. Anne's, and Evreux; or they are set on a pivot, and empty by tilting into a sink below, as at Derby, Meerenberg, Hamburg, &c.; but usually ordinary earthenware basins are used, set in a shallow leaden or slate trough, or in a hole cut in wood or slate; the channel for drainage being underneath, and basins being emptied through the hole in which they ordinarily stand.

In

In some English asylums both hot and cold water is laid on ; but this is not, as a rule, considered necessary, cold water serving all purposes. At Quatre Mares and Ghent the water is not laid on, but small tanks, over each lavatory, are filled by hand every morning ; the consequence of which is, that the water supply at the lavatories is always extremely scanty.

Sometimes a tap is placed over each basin, at others one or two serve for all, the basins being filled at them. In some of the Scotch institutions, where the basins are fixed, they are filled and emptied by an opening at the bottom. This system is bad, since, on turning the tap to admit clean water, a small quantity of the dirty water last used re-enters. Plugs for basins are found either to stick or get lost, the chain attaching them invariably getting broken. At Evreux, Hamburg, Göttingen, and other institutions, the taps over the basins are quite simple ; and the entire water supply can be cut off from the entire lavatory range by an attendant's key. By this arrangement it is not necessary to lock the lavatory every time after using it, as is done in some English asylums.

Sinks are usually placed near the bath and lavatories, and are fitted with hot and cold water for cleaning purposes.

#### DRAINAGE.

This includes a consideration of—

1. The different systems of sewage which have been adopted in asylums.
2. The arrangement of pipes—(a) for lavatories, bath-room and kitchen, laundry and sinks ; (b) urinals and closets where these are in use.
3. The ultimate disposal of sewage matters carried by these pipes.

The different systems of disposal of feculent matter which have been adopted in asylums, may be arranged under the heads of—

1. The Water-closet System.
2. The French or "Tinette" System.
3. The Dry Earth System.

In this report it will only be possible to describe these systems and their various modifications with the utmost brevity.

The Water-closet System is in universal use in British and American asylums, and in some Continental ones. The water is so arranged as to flow either when a plug or handle is pulled, when the person using the closet sits down on or rises from the seat, or when the door is opened or shut. The latter arrangement is the most simple, and most generally effective.

A modification of the ordinary closet has been made by the Messrs. Macfarlane of Glasgow, and called a Closet Range\* ; it is to be found in use in the airing courts of several English asylums, as at the Sussex, and in the wards of the Perth Asylum and the Asylum for Idiots at Earlswood. It consists of a common trough of iron, divided by partitions and wooden seats, so as to accommodate from two to a dozen persons according to its size. Three or four inches of water are kept in the trough, and into this the excreta drop. At fixed times, by a simple contrivance, the whole contents of the trough are emptied into the sewer pipes, and the trough is charged with fresh water. The range is not altogether free from smell, and requires frequent emptying ; but the arrangement is perhaps the simplest and best for out door closets fitted with water, for public institutions of any kind.

In England, ordinary water-closets usually consist of a pan or bucket and a valve below, which opens by means of the same mechanical contrivance as controls the water supply, allows the excreta and water to escape, and afterwards closes more or less tightly, and acts in addition to the trap in preventing smell from the closet pipes and sewer. But in the majority of American asylums the closets consist of the pan only, the opening at the bottom of which is always patent to allow of the elaborate and excellent ventilating system which is in use in most of the best American asylums, and which, with a plentiful water supply, renders the American closet cleaner and sweeter than the vast majority which are to be found in English asylums. The system in use may be understood on reference to Appendix F, Fig. 2, copied from the Report of the Government Hospital for the insane at Washington.

Each closet has a free water supply, generally flowing on opening the door, is well trapped, and, in addition, has a special ventilating tube passing off between the pan and the trap. This tube is carried to a general shaft, which either communicates with the main chimney of the boiler furnace, near its base, or passes upward to the roof, and is warmed by means of a row of gas jets ; there is thus a strong upward current in the shaft, and consequently a downward current through the pan of the closet. On placing a piece of lighted paper in the closet-pan in some of the American asylums, the flame, and sometimes the paper, is drawn strongly downwards ; and the closet thus, instead of contaminating the atmosphere, acts as a ventilator and purifier of the part of the house in which it is placed.

In some institutions, as at Utica, the ventilating pipes, instead of being carried to the main chimney or a general shaft, pass at once separately to the roof ; in these the draft is not so strong, but the closets are perfectly sweet, without any warming apparatus.

At

\* This range is figured in the Report of the Commission on Barracks and Hospitals.

At New Jersey, the trapping of the closets has been abolished, and the main sewer itself communicates by means of a shaft with the common chimney stack. In this asylum there is also a strong downward draught in each closet and urinal; but should the system at any time get out of order, the smell from the sewer might penetrate by means of the closet to the entire asylum; this accident is to some extent provided against by two special ventilating shafts to the sewers, which are carried up above the roof, and, fitted at the top with Archimedean screw ventilators, which are so arranged as to revolve with the slightest breeze above, or the pressure of warm air from below, and lift or pump out the air from the shaft by means of a screw projecting into it.

Second, the French or "Tinette" System.—In this the closets and urinals are, as a rule, placed out of doors, either quite detached in the courts, or at the end of a block of building from which they can be entered. In each small building there are seats and urinals; and below there are placed small tins which receive the fæces and water. These closets are generally arranged to open from the back; and every morning or night the contents of the small tins are emptied into larger ones placed in a cart, and are then conveyed to some distance from the building, mixed with earth, and covered over for two, three, or four, years, when decomposition is more or less finished, and the mixture of earth and fæces, now solid, is used as a fertilizing compound for the land. There is no water supply to the closet. The advantages of this system are the ease with which the excreta unmixed with earth or water, and so, small in bulk, are removed; its subsequent utilization, the compound of earth and excreta being of the highest value; and the diminished cost of asylum construction, since the expensive arrangement of piping for water supply, and drains and sewers for subsequent removal, are not required. But these advantages are more than balanced by the constant stink which proceeds from all French closets so arranged. In most French asylums, closets with water supply are used in the houses for the officers, and in some of the rooms for better class patients; but sewers are not in use except at town asylums like St. Anne's, and there they are made to communicate with the town sewer. The usual arrangement, is that large tins are placed in the basement of the house, and form a very temporary cesspool, which receives excreta and water supply from the closet, and is removed every two or three days and replaced by others. At Guislain's Asylum, Ghent, a modification, and certainly an improvement on the French System is in use, but need not be described here.

In some of the German asylums, as Hamburg and Göttingen, a modification of the French system is employed. It is known as the "Systeme d'Arcet," and is in many respects similar to the Pneumatic System of Captain Liernur, which is now in use at the Hague and some other Continental cities.\* In the "Systeme d'Arcet," the closets are fitted in the building, but no water is employed; and ventilation by means of a system which is very like that used in America, *in petto*, is intended to serve instead of water in removing smell. The rough sketch Appendix F, Fig. 3, may assist in explaining the principle.

The excreta descend into a cloaca in the basement, from which a ventilating shaft passes to the ordinary chimney of the ward or section. Fires are kept constantly alight, summer and winter, in one grate, which is used for minor or ward cookery; and the draught in the chimney so caused serves to ventilate the cloaca and closet.

The cloaca is cleaned out every two or three months; and the major part of its contents are removed two or three times a week by a pneumatic process. A strong zinc or iron vessel, fixed on wheels, is filled with steam and allowed to cool; it is then attached by a connecting pipe to the cloaca, and on a cock being opened, the contents of the

\* In this system, "small iron reservoirs are placed under the pavement of all principal street crossings, each reservoir being connected by means of small iron pipes with the privies of the houses next to it, in such a manner that no offensive gases can escape; in other words, from every single privy a continuous air-tight passage leads into the next subterranean street reservoir, without the intervention of any cesspool. The pipes are provided each one with a valve, to be worked from the side walks of the street, so that the communication between each privy and a street reservoir can be established and cut off at will. These valves remain always hermetically closed, except during a short moment when the privy contents are to be discharged into the street reservoir connected with it, which occurs during the night in the following manner:—A locomobile steam-engine, working an air-pump, is drawn near the small subterranean street reservoir, to exhaust the air out of it and out of the entire system of main and branch pipes, up to the hermetically closed house valves, which are then, one after the other, opened and shut again, thus discharging the privy contents, including its gases, into the street reservoir. If the vacuum made in the reservoir and pipe system is complete or nearly so, the mechanical force of the atmospheric column rushing in, the moment a house valve is open, equals that of some 30 hurricanes. In order to maintain this vacuum, while a number of privy pipes are discharged one after another, the air-pump standing near the reservoir is kept continually in motion, creating a constant draught, which causes all discharges to fly just into the reservoir and nowhere else, like so many shots from air-guns. The urine, exceeding the solid fæces about eight or nine times in volume, affords sufficient moisture, not only to prevent the excrement from drying or caking, but also to keep the whole mass in so fluid a state that removal is easy, unfailling, and complete, especially under the abovementioned powerful blast operating upon it. All the privies and their pipes will thus be every day thoroughly cleaned of solids, fluids, and gases, and be filled with fresh air instead. After all the house valves have thus been successively opened and shut—an operation which practice has shown can hardly be done quick enough—the small reservoir itself is emptied by pneumatic pressure into a hermetically closed waggon reservoir attached as a sort of tender to the air-pump carriage. This done, the connecting pipes, by which the movable apparatus communicates with the stationary one under the pavement, are uncoupled, and the locomobile with its tender proceeds to the next reservoir, and then to another and another until the tender is filled. As the particular street where this will occur can by practice be pretty accurately known beforehand, arrangements are made that, when arriving there, the locomobile meets an empty tender drawn by two horses, which changes place with the full one, thus allowing the sewerage operation to go on without interruption, the filled tenders being always drawn away by the horses to a temporary dépôt, where they are decanted by direct hydraulic pressure into air and water tight barrels, which are then at once sent like any other goods, by rail or steamboat to the lands requiring the excellent fertilizer thus collected."—*On Sewage*: By C. Krepp.

the cloaca pass into the vacuum in the iron vessel, the cock is then again shut, and the iron vessel disconnected and drawn away into the fields, where its contents, mixed with earth, serve for agricultural purposes.

The system is condemned strongly by both Dr. Reye, at Hamburg, and Dr. Ludwig Meyer, at Göttingen. The constant fire is found to be expensive, and the closets as might be expected, are extremely offensive.

At Hildesheim the Systeme d'Arcet is in use with the addition of water supply, and is found to answer much better.

The third system of sewage—that known as the Dry Earth System—is in use in the airing courts and farm buildings of one or two English Asylums, and has lately been fitted at the Special Asylum Hospital, Prestwich, and in some of the wards of the Criminal Asylum, Broadmoor, and found, as far as experience at present goes, to work admirably. At this latter institution the closets are placed in buildings which jut from the corridors and admit of cross ventilation. The earth is thrown on the excreta by a mechanical arrangement working from the seat. The divisions between the closets are of enamelled slate, and the vessels to receive the excreta are of zinc on wheels.

We have next to consider the arrangement of pipes leading—(a) from sinks, lavatories, bath-rooms, kitchens, and laundries; and (b) from urinals and closets, when these are in use.

In some of the British Asylums the lavatory and bath-room pipes join at once with those from the closets and urinals, and pass to the sewers, the common pipe being trapped before entering. In others a much better arrangement exists, each set of pipes continuing separate and being trapped before entry; whilst in some, which have been more recently fitted, the closet-trap is placed close to it, and the pipes from bath-rooms, lavatories, and sinks are either trapped separately or after union, but before entering the sewer. At Meerenberg and Guislain's Asylum, Ghent, the closet and urinal, and the sink and lavatory, or lavatory and bath pipes are kept permanently distinct. The former are conducted to a tank, from which the sewage matters are pumped, and subsequently utilized; whilst the latter are allowed to empty themselves into neighbouring water-courses, and so drain away. Arrangements for ventilating either the closet or the lavatory and bath-room pipes do not appear to exist, and are not, as a rule, considered necessary.

In America, as has been seen above, the closets are almost all ventilated in front of the trap; and in some asylums great care is taken that the two sets of pipes should enter the sewer separately—those from the lavatories, sink, &c., being trapped before entry.

In the English and American asylums large sewers are required; and, as a rule, the asylums standing on high ground, the fall is great, and drainage rapid and complete.

In some asylums—as at Murthly and the Pennsylvania Hospital, to instance two among many—the rain-pipes from the roof pass into the drains, and serve to flush them; but at other institutions, as Lincoln and Broadmoor, arrangements have been made by which the whole quantity of water stored in the tanks over the asylum can be rapidly discharged through the sewers, and in this way they may be thoroughly cleansed. This is done at regular intervals. The sewers are ventilated at some institutions by openings communicating with the external air; but in one British institution, at Montrose, the main sewer is connected with the general boiler chimney by a shaft, and is so ventilated. In the majority of continental asylums, the sewers are very small. At Evreux the excreta from the officers' quarters, and the water from lavatories and sinks, are carried by a small sewer into the neighbouring river, and at Hamburg and St. Anne's into the town sewers. No arrangements appear to exist for flushing.

At Quatre Mares and Ville Evrard there are no sewers. The water from sinks, baths, lavatories, &c., is carried, in the former institution, by drain pipes, into small tanks in the garden, over which it is thrown to supply at once moisture and some fertilizing compound; and at the latter, the drains run into a long open trench at a little distance from the asylum, where the water evaporates or soaks away, and the salts and more solid matter left are dug out and applied to the land.

Under the third head is to be considered the ultimate disposal of the sewage matter.

In asylums situated in or near towns, the sewers from the building open at once into those of the town, and the sewage is lost; but the value of sewage matter is now generally understood, and some or all of it is in most asylums applied to the lands belonging to the institution with abundant results.

The methods employed vary somewhat, but the following are those most in vogue:—

1. Collection of the solids in tanks by deposition, whilst the fluids are allowed to escape.
2. Irrigation, with or without tanks.
3. Filtration.

Each of these will be shortly described.

By the first method, in use at Colney Hatch, the Bristol Asylum, the New Jersey State Asylum, and others, the entire sewage is received into two or more tanks, where it is, in some cases, mixed with carbolic acid. The solids are gradually deposited, and the fluids escape by overflow into neighbouring streams. At fixed periods the tanks are emptied, and the contents applied to the land. This, though a step in advance of that where the entire amount of sewage is wasted, is still a most imperfect system, since it is well known that the most valuable constituents of sewage are contained in solution, and these are the very parts which are allowed to escape to pollute streams into which they fall. This system is carried out in some asylums by choice, and defended

on



on hygienic grounds, on which something will be said further on; but in others it is more or less a matter of necessity, since the amount of land belonging to the institution is either too small to allow the entire amount of sewage to be used on it, or so situated as to make it extremely inconvenient to do so. At Colney Hatch the entire sewage from 2,500 people is collected in a multiple tank; and, after being mixed with carbolic acid and lime in small quantities, the solid part is all employed on the land belonging to the asylum, and a part of the fluid is also so utilized by a system of closed pipes: the remainder is allowed to escape into a small stream beneath the asylum.

Irrigation with tanks is the means most commonly employed, and may be seen at Worcester, Derby, Sussex, Broadmoor, the Government Asylum, Washington, and other institutions. It seems, on the whole, most simple, most effective, and most generally applicable. The tanks are generally placed at a distance of about a quarter of a mile from the house, and are constructed to hold only two or three days' supply. From them, either by overflow, or by means of pumping two or three times daily, the sewage, fluid and solid, is distributed over the land by gravitation, in trenches, or by open wooden troughs. The tanks are placed, if possible, sufficiently above the land to be irrigated to allow of ready fall; or, where this is impossible, the sewage is raised by hand or horse pump to troughs at a higher level, from which it can gradually be led on to the land, as at Montrose, Derby, and the Three Counties. In this system—unless in very close proximity to a town or the asylum itself—there seems to be no need of mixing disinfectants with the sewage; all experience proving that sewage matters are not obnoxious when used in their recent state, and before poisonous gases are disengaged by storing for a long time in tanks. The sewage is generally applied to a few acres of rye grass with such abundant results, that four or five crops are obtained in the course of a year; but there seems to be no good reason why arable land should not be treated in the same manner with an equally good result. At Leicester this is done; and the exact line at which irrigation commences is marked by the cabbages being at that spot almost twice as large as those on the ground immediately above it. The amount of solid matter deposited in the tanks is small, and they seldom need cleaning. Irrigation without tanks can be employed where the fall is good, and the land for irrigation of such an extent and so situated that the entire sewage may be applied to a part only, whilst the remainder is subjected to ordinary agricultural operations. Grazing land is peculiarly fitted for this; and, perhaps, the best example of the system to be found in British asylums is at the Old Stafford Asylum.

At this institution the sewage from the asylum itself and from the neighbouring prison—the two containing a population of about 1,400 people—is applied to a series of small meadows lying immediately beneath the asylum, and in close contiguity to the town of Stafford. Where the main sewer terminates is a small shed in which lime and carbolic acid are mixed with the sewage in the following simple way. Two casks are placed side by side; in the first, which stands some six inches above the other, is placed lime, and in the second carbolic acid. A small stream of water runs from a tap into the cask containing lime; the overflow from this runs into the carbolic acid cask: and this again overflowing drops immediately into the sewage flowing beneath. A little lime and carbolic acid are added to each cask daily; and two or three times a day the contents of each are well stirred. The total costs of disinfectants for the sewerage from 1,400 people is 1s. 3d. a day; and it appears to be quite sufficient, since no smell is perceptible in the asylum, or on the fields themselves under irrigation. No complaints have ever been made from the town since the above system has been in force; and no illness which could be in any way connected with the sewage has appeared in either the asylum or the neighbouring parts of the town. The sewage thus disinfected can be turned either to the right or left, and is distributed in open trenches and wooden troughs over the meadows, one-half being under irrigation at a time. Enormous crops of hay are grown, and abundant feed for cows obtained both in summer and winter. A honey-combed and blackened hay rick, which had taken fire in eight or ten places, and been a source of anxiety and trouble to all concerned for three or four weeks, whilst testifying to the firmness and strength of the grass grown in the meadows, suggested a caution in dealing with the hay obtained therefrom, which requires much more complete drying than when obtained from land less richly manured.

The third system is filtration—and this may be effected in two ways. In the first, ashes or earth are placed in a tank into which the sewage is admitted at the bottom—the filtration then takes place upwards, the more or less pure water running away by overflow from the top of the tank. This appears to be effective and simple, the only difficulty being the carting ashes and earth to the tank, and their subsequent removal, for application to the land, when saturated with sewage matter; and in this, it must be admitted, there is more trouble and expense than in the irrigation system. Its advocates consider the extra trouble and expense well compensated for by its superiority to the irrigation system in matters of hygiene—of this more presently. It is practised at Lincoln. The second method of filtration,—which is used at the Fife District Asylum, Cupar, and the Perth District Asylum at Murthly, and at the Northampton Asylum, Massachusetts, consists in collecting the sewage into a tank capable of holding two or three days' supply, and running it from this, either by natural fall or by means of a hand or horse pump, on to a mound of earth collected for the purpose, into which it is allowed slowly to filter. This earth is placed on a layer of large stones through which the water, clear and without smell, drains off; and the saturated earth is removed at intervals, to be replaced by a fresh supply. Both at  
Cupar

Cupar and Murthly the filtration method is supplemented by a sewage cart, in which liquid sewage is received from the tank and distributed over the land by means of small openings in the pipe running along the back of the cart.

The advantages and disadvantages of this system are exactly those of the system of upward filtration mentioned above.

It must be remarked that, wherever tanks are employed, two at least are necessary, so as to allow of cleaning at certain intervals. At the Fife District Asylum this difficulty is to some extent obviated by the employment of a large iron stirrer or agitator, which is used for some minutes twice daily before running the sewage on to the earth, for which the natural fall is sufficient.

Of these three systems, then, there appears to be no doubt that that by irrigation, with or without tanks, is the cheapest, simplest, and most generally applicable. The question remains, if its use is calculated to induce fever, diarrhœa, &c., or to be in any way prejudicial to the inmates of the asylum itself or others in its immediate neighbourhood.

The system is in full work at Northampton, Leicester, Montrose, and Stafford, &c., often in close proximity to the asylum, and sometimes very near to the town; and though careful inquiries were made, it was not found that any evil results directly attributable to it had been noticed. At Leicester, where it is used within 200 yards of the buildings, some attacks of low fever and diarrhœa have been experienced, but never to any great extent, or beyond what might be fairly attributable to matters of diet or weather. At Montrose, during and before two attacks of diarrhœa, the wind blew almost constantly from exactly the opposite direction to the fields under irrigation; and the experience at Stafford speaks volumes for the healthiness of irrigation when employed without tanks, and with a small amount of disinfectants.

A valuable letter on this subject, by Mr. Rawlinson, the eminent civil engineer, is contained in the Twenty-first Report of the English Commissioners of Lunacy; in which it is clearly pointed out that where sewage is not collected in cesspools, but is used immediately by irrigation, no stench is caused or disease induced. After a thorough examination of this subject, he arrives at the conclusion that "a daily application of sewage to land in a fresh state is the only way in which sewage ought to be used."

As an appendix to the subject of sewage, an examination of the use to which the kitchen and other refuse is put in asylums,—and, subsequently, an inquiry into the number, situation, and fittings of urinals and closets,—may be useful.

In asylums, public and private, in Britain, the Continent, and America, almost without exception, the refuse from the kitchen and sculleries, the parings of potatoes, the refuse of other vegetables, and the scraps left at meal-times by the patients, are all carefully collected, and are used for feeding pigs. The asylum piggery is, as at Broadmoor, Northampton, Gloucester and many other asylums, often excellently arranged, fitted with every new appliance in the shape of feeding troughs and kitchen for boiling and cooking the food, is carefully drained, and is not unfrequently a source of interest both to patients and officers. It is generally placed with the other farm buildings, and is often shown with pride. The number of pigs kept varies much with the size of the asylum, and with the provision which can be made for them from the asylum farm in addition to the refuse from the asylum itself. Sometimes from a dozen to twenty only are kept; but the number not unfrequently mounts much higher, even to sixty or seventy. There are in one American institution considerably upwards of a hundred, and it is considered profitable to buy and cart the refuse from a large city hotel to assist in feeding them. Pigs, when properly managed, are no doubt an important matter in asylum economy. The refuse, if sold, fetches a very small price, and yet alone will feed a fair number of pigs. At the Lincoln Lunatic Hospital—an institution chiefly for better-class patients, and with only a small amount of land and no farm—the refuse was for many years sold; when it was impossible to obtain for it the usual price, the administration decided on building piggeries; and the profits which accrued from buying, fattening and then selling the pigs—which is not so profitable as killing them and using them in the asylum—during one year were sufficient, after deducting the sum usually obtained by selling the refuse, and some other expenses, to pay entirely for the construction of the piggeries.

The refuse is generally supplemented largely by materials for food grown on the farm and garden. Sometimes the pigs are bought, fattened, and sold;—this is usually the case at private institutions receiving patients of a better social class, with whom pork is not a favourite food; but at other institutions the pigs are bred, fed, fattened, killed, and eaten in the asylum; and at several institutions, as at Stafford and Broadmoor, there are smoking houses for bacon. Pork forms an agreeable change of diet to the inmates, and, when thus home-fed, is usually much cheaper than other meat, and so an economy to the asylum.

To show how small economies are practised in some asylums, it may be well to mention that at the Pennsylvania Hospital for the Insane at Philadelphia, and at the State Asylum at Harrisburg, soap for the use of the laundry and for ordinary house cleaning, is made at the asylum from refuse fat obtained by skimming pots and pans and from the scraps left by the patients. At the former institution the entire amount of soft and hard soap required for washing, and for all except toilet purposes, is thus obtained. The apparatus is sufficiently simple.

*Closets*

*Closets and Urinals.*—The situation, number, and fittings of urinals and closets may be briefly noted here, although, as will be seen in a subsequent part of this Report, it is not proposed to adopt the usual water-closet system in almost universal use in English and American asylums.

In most asylums in which indoor closets are used, they open immediately from the corridor, generally at one end; but in several asylums a better arrangement has been adopted, and the closets are placed in buildings jutting and partially detached from the ward so as to afford better ventilation. In the new asylums at Murthly and Cupar, and the New Surrey, this arrangement has been adopted; but unfortunately the ventilation allowed is not a cross ventilation passing between the closets and the main building, which is the best form. (See Appendix F, Figs. 4 & 5.)

At the new building, and at the hospital for the Prestwich Asylum, (see Appendix F, Fig. 6), and at one or two other asylums, the buildings are partly detached, and free cross ventilation is allowed. In asylums where urinals are provided, they generally are made to adjoin the closets; but in several instances, instead of a special urinal, utensils of gutta-percha or other material are kept in the closets, and the contents after use emptied into the closet-pan.

At the New Stafford Asylum, a small passage running off at right angles from each ward, communicates with a semi-detached building in which are closets, urinal, bath-room, and a small scullery. At the Washington Asylum, each closet is contained in a fair-sized room opening from the ward; in this room are a closet, urinal, sink for washing utensils, and a cupboard in which the ventilating and discharge pipes and the opening to the trap are placed. In the cupboard are kept during the day, all the chamber utensils of the wards, which are emptied every morning, remain in the cupboard all day, and are replaced under the beds at night. In almost all indoor closets, wherever placed, there is a window exactly over the seat to serve for light and ventilation.

The number of closets necessary, seems to be usually fixed at the rate of one for every fifteen or twenty patients. In some asylums this number is exceeded, but it appears to be sufficient. At the Sussex Asylum, the number averages one to twenty, two are placed in each ward, and two in each bed-room flat. The number of urinals is in about the same proportion.

In the airing courts, the closets and urinals are generally placed as far away from the buildings as possible, and the water supply to them is usually scanty. In some asylums rain water is trusted to alone for flushing the closets and urinals; and where water is supplied to the former, it is generally wanting in the latter, which are generally more or less offensive.

The means of water supply for the closets have been already mentioned. In the urinals the supply is sometimes arranged so as to drip or trickle constantly; but more usually they are flushed at intervals by means of a tap accessible only to an attendant's key.

In English institutions, glazed earthenware pans for the closets, (the pan and pipes being all boarded in), with wooden seats, are almost universal. Earthenware urinals are also generally used; but in America the pans and urinals are almost universally of cast-iron, enamelled. The pans are fitted with small wooden rims for the patient to sit on; but in all water-closets, urinals, bath-rooms, and sinks, nothing is boxed up; everything is left open and exposed to view, so there is no harbour for vermin, no confined spot for foul air, and no wood or other material to absorb moisture, except the floors, which are usually polished or painted. The general shape of the American hopper or pan will be understood by reference to the plate (Appendix F, Fig. 2). In the few institutions on the Continent in which water-closets and urinals are used, the arrangements do not differ materially from those in use in English institutions. At St. Anne's, Paris, they are all by an English maker. In those institutions in which other modes of removing excreta than that by means of water supply are in use, the number of closets and urinals is in about the same proportion to the number of patients. In the French asylums the closets are placed either in semi-detached or totally detached buildings, and no indoor closet exists except in the infirmary ward or in the quarters of the officers.

#### WARMING.

The various modes of warming buildings are—

1. Open fires.
2. Hot air.
3. Hot water.
4. Steam.

Every one of these modes has been adopted in warming asylums, sometimes alone and sometimes in combination. In Great Britain the open fire-place prevails, but other methods are used as accessories.

At the Three Counties, Prestwich, Leicester, and Haddington Asylums, the warming is entirely by means of open fires without any accessories. At Murthly, the New Surrey, and the Sussex, air chambers are used in addition; and at Broadmoor, stoves are placed at the bottom of the staircases. In several asylums, Hayden's system of hot air is used, either alone, as at Bristol, where it is not a success, and where hot water has been fitted in the wards having an eastern aspect; or as an addition to, or in conjunction with open fires, as at the Old and New Stafford Asylums and Colney Hatch. At Derby the hot air is used on Sylvester's method, in addition to open fire-places.



places in the day rooms. At Cupar and Worcester the hot air system is fitted, but not used; and it also exists, and is used, in three or four wards at the Gloucester Asylum. At the Lincoln Asylum fires are used in the day rooms and dormitories, and hot water in single rooms and corridors. At the Sussex Asylum hot water is used in the infirmary and refractory wards. Hot water is used also in the new block at Broadmoor intended for violent women. Steam is not used in any English asylum visited.

It will be seen, then, that, with the exception of the Bristol Asylum, open fires, either alone or in combination with some other means, are used in all the English asylums mentioned above; and those asylums in which they exist either alone or with the addition of air chambers, the warming is every way satisfactory.

The hot air system, which is extremely expensive—the asylums of Colney Hatch, Bristol, and Derby, in which it is used throughout, being among the most expensive as regards construction among the English asylums,—is by no means always a success, and may be pronounced a decided failure as regards the Bristol Asylum.

Hot water seems a useful mode of warming for the rooms devoted to the sick, who are liable to feel changes of temperature with especial acuteness, and for whom, therefore, a more fixed and general warmth is necessary; and in the department for the violent class, where open fires are likely to lead to mischief, and their cheerful appearance is not appreciated by the patients.

Connected with the subject of open fire-places are the precautions which have been adopted to protect the inmates from fire. The heavy iron railing, completely covering the fire, and fastening by means of a lock, which is familiar to all who have visited Tarban Creek, has almost disappeared from English asylums. So far as has been ascertained, it is used only at the old and new Stafford Asylums, in the former of which some few years since a suicide from burning occurred, and induced the superintendent to replace the heavy locked guards which he had before removed. It is admitted by most English superintendents that open fire-places are chiefly dangerous, rather from accident than design; that guards are necessary rather to keep the clothes of careless patients from contact with the fire than to prevent their throwing themselves on it, or using it mischievously; and the light guards or railings which are now adopted in almost all English institutions, are quite sufficient to prevent accidents. They consist of either—(1) a high ordinary children's fender, made of wire, with strong upright pieces, on the top of which are brass knobs, such as are in use at the Three Counties, Gloucester, Worcester, and other asylums; (2) a light wire guard fitting exactly over and covering in the fire, and fastened with a catch, as at Cupar; or (3) a high iron rail, quite open, and either plain as at the New Surrey, or of a handsome gothic pattern as at Essex, Sussex, and Prestwich. At the latter, a small low fender is placed inside. At at least three asylums, Haddington, Montrose, and Murthly, simple ordinary fenders alone are used—there are no guards, and, as Dr. Howden of Montrose observes, no accidents.

In America there seems to be no diversity of opinion among those who have the charge of the hospitals for the insane, in reference to the proper mode of warming these institutions,—the Association of Medical Superintendents having unanimously resolved that "all hospitals should be warmed by passing abundance of fresh pure air from the external atmosphere over pipes or plates containing steam under low pressure, the temperature of which at the boiler, does not exceed 212 F., and placed in the basement or cellar of the building to be heated", whilst "the boiler for generating steam should be in a detached structure." The air is generally driven by a fan worked by a steam engine, over the steam pipes, and then through shafts in the basement which branch to the various wards and rooms. The hot air is made to enter the rooms in some cases near the floor, in others near the ceiling—the latter seeming to be the preferable method—and the whole building is kept thus at a sufficiently high temperature. This method, which is in common use in the United States in large hotels and other buildings—and in which either hot water as at Washington, or steam as at Northampton, New Jersey, New York State Asylum, and the Philadelphia Hospital, is used—has been almost universally adopted in the State asylums of America, and—considering the extreme cold of the American winter\*—is perhaps the best which could be adopted. It is so manifestly unnecessary and unfitted for the climate of New South Wales, that a lengthened description of its arrangements is not requisite. It may be mentioned, however, that the steam or hot water pipes in the basement are in three series, so that one, two, or three can be used at a time, according to external temperature. Every part of this system of heating and ventilation has been fully elaborated, and works excellently.

In French asylums the methods vary considerably. In some asylums, as at Evreux,—where there are open fires guarded closely by wire guards in the lower story, and, in addition, an elaboration of the air chamber,—the air is admitted to a box round the fire-place and so warmed, and is then conveyed by openings into the ward, and by shafts into the adjoining rooms, and also upwards in a shaft alongside or around the chimney into the dormitories above. The seclusion rooms are warmed by a small hot air apparatus in the basement.

At St. Anne's, each pavilion is warmed by a separate small hot water apparatus placed in the basement. The air passes over the pipes placed in the basement, and then by shafts to each ward. There is no direct radiation. The same furnace supplies hot water for the use of the building.

At

\* At the time several of the American asylums were visited, the thermometer stood at from 10 to 18 degrees below zero in the open air.

At Quatre Mares the warming is done by stoves and open fire places; at the Charenton by direct radiation from hot water pipes placed in a box in the centre of the larger rooms.

At Ville Evrard, under the centre of the basement of each block is a small furnace; the air is admitted through a wide opening, and having being warmed, is conveyed by tubes into each ward, the openings being wheel gratings in each floor. There is an ingenious arrangement near the furnace, by means of which the shafts leading to certain wards can be shut, and the wards left unwarmed. There are also fire-places in the day rooms.

At Guislain's Asylum, Ghent, the warming is entirely by stoves of a peculiar construction placed in the centre of each ward. The stove, in which coal is burnt, has an outer iron jacket with holes opening to the ward. The space between the stove and jacket communicates directly with the open air by means of a shaft in the floor leading to the side wall. The air enters at the wall, is warmed in the jacket, and escapes through openings in the jacket into the ward. Each stove has a small shelf for keeping warm, soup, &c.

At Meerenberg, the heating throughout is by means of steam, the pipes being laid in the floor of the lower wards, and the heat entering by direct radiation through gratings. The air warmed in the lower story is carried up through shafts in the walls into the upper ones.

In the German institutions the heating is chiefly by means of the German stove, placed in the corridors and rooms; but this is assisted in Göttingen by hot air, which is driven by a fan worked by a steam engine over iron plates, and carried by means of shafts to the small rooms—and at Frankfort the chapel, amusement room, and the rooms, both dining, day rooms, and cells, devoted to the excited class are warmed by means of air, which is driven by a fan over pipes filled with steam, and so through shafts into each room. In the rooms generally the German stove is in use. At Hamburg the German stove is in general use, but the corridors have steam pipes, with direct radiation in addition, and the block for the excited class is warmed by hot air.

#### LIGHTING.

Under this head must be considered—

1. Windows.
2. Gas and lamps.

In examining the Windows of Asylums, it will be necessary to note—

Their position and proportion to wall space,  
Material and method of opening,  
Size of panes,

Guards, and such accessories as shutters, blinds, and hangings.

1. Position and proportion to wall space.—In most asylums, both in Europe and America, the windows bear a proportion of about one-sixth to the wall space, but they vary in this respect considerably; almost all, however, are sufficient to make the room cheerful and light, and to assist materially in ventilation. In the vast majority of asylums, the windows are placed completely within reach of the patients, and they are usually so low in the day rooms as to enable the patients to see out of them when seated on a chair or form near. In some asylums, as at Derby, where a passage of communication for the service of the house is placed at the back of the ward, the windows of the dormitories are placed over it, and are thus high and out of reach of the patients, giving the rooms a very dismal appearance; this depends on structure,—but at Meerenberg nearly all the dormitory windows are purposely placed completely out of reach. In other asylums, as at Colney Hatch, the windows in the day rooms for the violent class of patients are placed high and out of reach; but this is not a common arrangement in day rooms, though common in the seclusion cells in both British and Continental asylums.

2. Material and mode of opening.—In the older British asylums the window frames are usually of iron, and open either by a sash (which, with iron frames, is singularly heavy and inconvenient), or on a pivot perpendicularly—the openings being merely narrow slits, as at Bethlehem, the form of which is well known; or wider, and less prison-like, as at Leicester (see Appendix F, Fig. 7), and in the violent wards of the Murthly Asylum,—or in sections outwards, either the upper third, or a portion of it, being usually made to open. In this form the iron frame is, almost always, continued over the opening, in the shape of bars. In all these forms the window can only be opened by an attendant's key. In the more recently built asylums, and in almost all the more recent additions to the older institutions, the windows for the ordinary wards are made either of wrought-iron cross pieces, set in wooden frames, or they are entirely of wood; and the mode of opening is usually by means of a double sash, chocked top and bottom to 4 inches, so as to prevent the windows being opened beyond that extent.

By some superintendents the iron cross pieces set in the wooden frame, are considered much the best form of window; but others object to it—first, on account of its expense; and, secondly, because of the breakage which is caused in all glass set in iron frames, through the shrinking of the metal in cold weather; and they consider the window frames entirely of wood—which have been fitted in several of the most recently built institutions, as the New Surrey, the New Stafford, and the Murthly and Cupar Asylums—as the best form. The advantages of the opening by means of the ordinary double hung sash, permanently chocked top and bottom, so as to prevent the window opening beyond the extent of 4 or 5 inches, are almost universally admitted in England; and this method is adopted in nearly all new institutions.

An

An improvement on the permanent chock has, however, been fitted to the windows in the additions to the Prestwich and old Chester Asylums, and in the New Surrey.

At the two former the upper sash is permanently chocked, so as to open to a distance of 5 inches only; but in the lower half there is no permanent wooden chock, but a strong lock is let into the window frame, and when the bolt is shot out it enters a slit in the window jamb, so that the window can be opened to 5½ inches, or closed at pleasure; but by shooting back the bolt, which is done by an attendant's key, the window can be opened to the full height. The slit in the jamb is guarded by a metal plate, like an ordinary bolt plate, except in being much longer. (See Appendix F, Fig. 9.) At the New Surrey both sashes are capable of being opened to the full extent, or chocked at a height of 5 inches, by means of locks fitted in the frames; but the superintendent, Dr. Brushfield, reports the arrangement of bolts as complicated, and liable to get out of order. He expresses his preference for the plan used at Chester, and invented by himself, which, he says, is simpler, cheaper, and more efficacious.

In the United States the double sash is in general use for asylum windows. The frames are sometimes entirely of wood, and open freely both at top and bottom, in which case there is a wrought iron grating (the bars of which correspond to the divisions of the windows, and are not seen when the window is shut) placed outside. Sometimes the upper half is of iron, and fixed, and the lower half of wood, opening freely. In this case the grating is placed outside the lower half only. In a few instances both parts of the sash are of iron, balanced, and opening top and bottom to the extent of 5 inches only.

The Continental asylums are usually fitted with some modification of the French *croisée* in either wood or iron frames. The lower two-thirds of these windows open down the centre, and are placed under the regulation of an attendant's key. There are seldom any arrangements to prevent them opening to their full extent when once unlocked, and the consequence is that they are less frequently opened than the windows in English asylums. At Evreux there is a chain to prevent the window opening beyond 4 or 5 inches. At Hamburg a small portion of the upper third of the windows is made to open, and some ventilation is thus secured. At the new asylum, Ghent, there is a peculiar arrangement, invented by, and called after, Guislain. As seen from the inside it presents the appearance shown in Appendix F, Fig. 10. Below the window, which is of the ordinary French type, is an opening, closed with shutters on the inside. On opening these an ornamental iron guard is seen. The window is made to open, but is usually kept closed, and the small shutters below are opened for ventilation. This window is in use at the new infirmary, Gheel.

3. Size of Panes.—The date of erection of an English asylum may almost be judged by the size of the panes in the windows. In the older asylums the panes are almost all small; but in some of the more recent examples of asylums, the windows are not to be distinguished by the size of their panes from those of ordinary houses. At the Cupar Asylum the panes are about 2 feet square, and are considered by the superintendent much too large. In the American asylums the panes are usually about 6 inches by 12, and in the Continental ones they are similar in size, and, in all respects, like those most usually seen in private houses.

4. Guards.—The iron bars and wire guards, which were formerly so common over asylum windows, have all but disappeared. In no public English asylum, so far as has been ascertained, are bars fitted to the windows, except at the Criminal Asylum, Broadmoor, and there, on the men's side, the form is as ornamental and unprisonlike as possible. Wire guards were in use in the violent wards at Colney Hatch, and in the women's side at Murthly only, out of all the asylums visited. At the latter institution the windows in the violent ward are only 2½ feet from the ground, and the guards are used because the breakage was found to be great in the windows thus placed so unnecessarily low.

In the modern Continental asylums, even with the large *croisées* opening to their full extent, iron bar guards are not used. A few exist at Quatre Mares, but there are none at St. Anne's, Ville Evrard, or Evreux, and there are none at Hamburg; but at Frankfort and Göttingen there is an outside frame of iron—at the former of an ornamental Gothic pattern. The windows in most of the seclusion rooms have wire guards. In the American asylums bar guards are more used, and are fitted to all the windows except those having iron frames, and balanced so as only to open to 5 inches top and bottom. At some institutions simple bars are used, corresponding in their crossings to the divisions of the window; but at others an ornamental wrought-iron guard is used to fill in the space to which the windows open, and when painted white is not unsightly. Wire guards are placed over the windows in the rooms for violent patients, in several American institutions.

5. Shutters and Hangings.—Shutters of various forms may be seen in the British asylums; but they appear to be considered necessary only for the rooms occupied by single patients, who are, as a rule, of the more violent class; and, for purposes of decency, in associated dormitories placed on the ground floor.

For the single rooms the shutters are made either to fold back, and lock against the wall by the attendant's key; to slide sideways, out and in, of the adjoining thickness of the wall; or, what appears to be the best form, to slide up from a locked receptacle beneath the window. All these forms, both when closed and open, are under lock and key. At Prestwich the shutters slide up from below the window, and can be fastened by an attendant's key, either when three parts, or fully up; so as, in the former position, to allow of some light in the room, and of fuller ventilation by means of the window open at the top.

When

When shutters are used for associated dormitories they are generally ordinary folding shutters, fastened by a bar, as in use at Cupar and Bristol.

Shutters appear to be seldom used in Continental or American institutions except for single rooms, and then they are similar in fitting to those in use in England. The form most generally adopted in America is the one sliding from within the adjoining wall. At the McLean Asylum each shutter has two small panes of plate-glass in it, so as to allow light to the room. The windows of single rooms used for seclusion at St. Anne's, Ville Évrard, and Evreux, are fitted with shutters, which can be closed or opened by means of cords pulled from outside the door of the room.

Upon the blinds and hangings with which asylum windows are furnished, no small part of the cheerfulness and homelike appearance of the rooms depend.

Almost all British asylums have window blinds in the corridors, day-room, and dormitories, most usually white; sometimes yellow, as at Bristol; sometimes green, as at the Sussex; or Venetian pattern, as at Gloucester: and, in addition to these, in some asylums, hangings are placed over the windows, and serve to abolish the bareness which is only too common. At Bristol the hangings are variously coloured; at Lincoln, red and white; and at Prestwich, a gay red. The material is usually cheap. At Prestwich it is a red twilled calico, and, in addition to the ordinary hangings, it is placed as a fixed blind over the lower part of many of the windows, in corridors, day rooms, and large dormitories; and in the larger day and dining rooms there are curtains of the same colour, which are exceedingly pretty and effective. The windows of corridors and day rooms occupied by female patients are, in several institutions—Worcester, the Three Counties, Derby, Gloucester, and others—ornamented with white net curtains, made by the patients.

The Continental asylums are but little behind the English ones in their blinds and hangings. Blinds are almost universal. White hangings are not uncommon, especially for dormitories; and at Hamburg the hangings of red and brown are particularly homely and nice.

In the American institutions yellow calico, or Venetian blinds, are generally in use. Sometimes hangings are seen, but less commonly than in England, in the rooms inhabited by indigent patients.

In some institutions the windows for special wards differ from those ordinarily in use. In the infirmary ward at the New Sussex, windows similar in construction to those at the Leicester Asylum (see Appendix F, Fig. 7), but with wooden frames, serve excellently for ventilation; but the wards for violent cases, and the seclusion room, are more generally those in which special provision is made, either by placing the windows high and out of reach, which is almost always objectionable, or by making the windows stronger than those in the other parts of the institution. At Murthly the windows in the violent ward are in iron frames, and open like those in the infirmary wards at the Sussex. This appears to be the best form. In the American and Continental institutions the windows in the rooms for excited patients differ little from those in other parts, except from being sometimes placed high, and out of reach, or else guarded with wire. In the seclusion rooms in the new French asylums, the windows, which are on the sash principle, in wooden frames, can be opened or shut by cords which are pulled in the corridor, outside the door.

*Gas.*—Nearly all public asylums are now lighted throughout with gas, the only exceptions coming under observation being Guislain's Asylum, Ghent, and the asylum at Evreux, which are lighted by means of paraffine lamps, and Quatre Mares, near Rouen, which is at present lighted with oil, but to which gas is soon to be fitted. When asylums are situated near town, the gas is supplied from the town works; but in those at a distance, gas is made on the asylum estate with apparatus belonging to and worked under the superintendence of the asylum authorities. This is done in many institutions in Great Britain, on the Continent, and in America; and, in most instances, it is found that gas can be made at a price which, counting the cost of apparatus, differs very little from that charged by the gas companies. It is found that arrangements can generally be made with gas companies, to supply gas to a large public institution situate at any distance within 3 miles of the outskirts of a town; and it is, as a rule, found desirable to obtain the supply in this way, if possible, so as to avoid multiplying the separate departments of an asylum, and so increasing the difficulties of management and superintendence, which, under any circumstances, must be great.

At the Sussex County, and at Stafford, the gas apparatus belonging to the asylum was disused as soon as gas could be obtained from local companies. At the former institution the cost is said to be somewhat increased, but the saving of trouble and responsibility to the management is very great; at Stafford it is obtained at a cheaper rate than it could be manufactured; and the same is the case at the New York State Asylum, where the manufacture was discontinued because it proved to be a nuisance to the institution.

At the State Asylum, Broadmoor, the gas works were erected and for some time worked under the asylum management; but it has been deemed advisable to deliver over the apparatus to a gas manufacturer, who keeps it in repair and, finding his own coals, supplies the asylum with gas at a fixed price per 1,000 feet.

The gas works at asylums are generally placed at some distance from the main building. In several asylums the site selected is near the farm buildings. One man is generally found able to manage the works and keep up a constant supply.

In some American institutions gas is made by very ingenious processes. At the Government Asylum, Washington, petroleum is used, and the apparatus is much smaller and more handy than usual.

At

At the New Jersey State Asylum, and at the New York Inebriate Asylum, gasoline or automatic gas is used, and is reported to answer well in every respect, and to be cheaper in its manufacture. The apparatus is described in the report of the asylum for 1866, as the "Solar Gas Machine," patented by O. P. Drake, of Boston, and furnished through the agency of Messrs. Ferris & Co., Philadelphia. By this arrangement the building has been successfully lighted at a considerably diminished cost as compared with the old system of lighting by gas made by the heat process. The fixtures consist of a wrought-iron tank for receiving the gasoline (which is a high proof naphtha), three close pans or vessels of cast-iron called evaporators, into which the liquid is drawn from the receiving tank, and a large meter wheel driven by weights which passes the air over the liquid. In its passage through the evaporators and over the naphtha the air becomes so charged with the vapour that it burns like gas. The only attention demanded by the apparatus is to supply the liquid and wind up the weights once in twenty-four hours, requiring from five to ten minutes time. These fixtures are placed in a room under the pavement outside of the foundation walls of the centre building, where they are considered quite as secure against accident as any form of gas works." The objections to the process are that it is liable to explosion. A fatal accident has occurred from the use of this form of gas at the Treasury Buildings, Washington; and a low temperature will cause the mixture of air and naphtha to separate, the naphtha being deposited in the gas pipes. It has, however, so far answered admirably at the New Jersey Asylum, and Dr. Buttolf, the superintendent, is enthusiastic in its praise.

Gas is used in most asylums for the chapels, amusement rooms, day rooms, corridors and associated dormitories, the burners being placed in the rooms. Where it is desirable to light single rooms, the burners are generally placed in the corridor outside, and made to light the room through a small pane of glass over the door. In some Continental asylums all the dormitories are lighted by burners placed in the corridors. The gas fittings which are in use in public asylums are usually of a simple kind, burners without glasses being used in many asylums for all the wards; whilst at others, in the rooms for quieter patients, glasses, simple or ornamental are used, and the result is a much steadier light and a more finished and homelike appearance. It has been the custom, and still is so in many asylums, to place all the gas burners out of reach of the patients; but in recently finished asylums the burners in the majority of the rooms are not placed higher than in private houses. In the American asylums, it is only in the wards for the most violent that the gas is placed out of reach; and in some wards for better class patients, chess and reading gas lamps are fitted to the burners by tubing, and allowed to stand on the tables.

At the Montrose Asylum the burners in the passages and staircases are fitted to short pipes about 6 inches long, placed high, and projecting from the wall at such a slope as to make it impossible for patients to hang anything, or themselves on them.

At the Murthly and other asylums, besides the ordinary tap, by means of which gas can be cut off from the entire establishment, separate taps, accessible only to the chief attendant of the ward by means of a key, exist in every ward and on each staircase; so that the gas is completely under command, and interference, either accidental or mischievous, with the ordinary tap near the burner will be almost powerless to cause accident.

At the New York State Asylum the gas supply of each division separately, can be cut off by a tap in the basement. At Ville Evrard no glasses are used; but every gas jet has a small metal cover so arranged as to throw down the rays of light, and is protected below by a gauze wire netting, so that it can only be lighted from above. No glasses are used, but the cover and net give the light a furnished effect. (See Appendix F, Fig. 8.)

In most asylums lights turned down to a candle size are kept burning in the corridors all night. It has been much debated whether similar lights should be kept burning in the associated dormitories also. It is considered essential for the preservation of good order by some superintendents, and is adopted throughout the asylum at Lincoln Hamburg and other institutions; but in the majority of asylums the dormitory lights are put out when the patients go to bed, except in the infirmary and the dormitories occupied by some of the noisier class. The lights in all the closets and urinals on the dormitory flats are usually kept in all night.

#### VENTILATION.

The methods by which asylums are ventilated may be divided into—

1. Artificial, including—
  - a. By propulsion.
  - b. By extraction.
2. Natural—
  - a. By means of doors, windows, and fire-places only.
  - b. By means of openings in addition to these:

and under this head will be considered, as accessory to the subject, the amount of cubic space provided for patients.

It will not be considered necessary to discuss the subject of ventilation as a science or in its bearing on health, or to describe at length any of the various systems of artificial ventilation in use; but simply to note the various methods, and to inquire how far they answer the end proposed.

Natural



**Natural Ventilation.**—In one or two British asylums, as at Cupar, and in several Continental institutions, as at Ville Evrard, Quatre Mares, and Frankfort,\* natural ventilation by means of open windows, doors, and fire-places is trusted to entirely, and seems completely to answer for the ordinary wards of asylums—but these are decidedly the minority; and in most instances some additional means of ventilation are in use, consisting of openings in the walls as accessories to the natural openings.

At the Essex and Three Counties Asylums, small openings are cut directly through the wall near the ceiling; these are grated, and serve for the exit of foul air. At Leicester, there are small openings for exit in communication with each chimney. At Sussex, there are openings both near the floor and near the ceiling of each room to serve for ingress and egress of air; these openings all communicate directly with the open air.

At Frankfort and Göttingen, there are small openings for exit in the walls of each room near the ceiling, which are carried up for a little distance in the wall, and then open to the air.

At Meerenberg, Murthly, and Lincoln,† in the wards for excited patients at Quatre Mares, and other institutions, shafts for the exit of foul air pass from each ward, and then, after uniting, to the roof; but no heat is applied to cause drafts in these, and no openings for the ingress of air except the natural ones exist.

At Evreux and the New Surrey there are similar shafts, and in addition special air chambers in connection with the grates serve for the entrance of fresh air; and at the latter, these are also grated openings, closable at will, near the floor of each room, for the same purpose.

All these asylums, then, and others which it is not necessary to mention, are ventilated by natural means—by windows or doors only, or by some openings for the ingress or egress of air, one or both, in addition to these; and in all, the ventilation is good and seems to serve every purpose. But it is noteworthy also that those with windows, doors, and fireplaces only, and those with the more simple accessories in addition to these, seem as well ventilated as those in which there is an elaborate arrangement of ventilating shafts.

**Artificial Ventilation.**—Artificial ventilation is never employed alone in British asylums, but only as an accessory to the natural method. The most usual mode of employing it is that by extraction, heat being generally the agent. The principle of this is well known, and the system is used at Pentonville Prison and many other public institutions. In most instances Hayden's system, or some modification of it, is employed, and, as an accessory, is reported to be successful at Bristol, Colney Hatch, Worcester, Gloucester, the M'Lean Asylum, Boston, and other institutions; but it has been tried and abandoned as useless at the Leicester and Essex Asylums, and wherever used, is more or less expensive. At Guislain's Asylum, Ghent, the exit shafts are heated by small paraffine lamps. At some institutions, as at Montrose, the main shaft is heated by placing the hot water tanks in or near it; and at St. Anne's, the chimney of the furnace used for warming the wards passes through it and serves to cause an up-current. The expense is in these cases less than when special fires are lighted for this purpose. At the Derby Asylum, Sylvester's method is in use. At the Prestwich Asylum, a simple process of ventilation by extraction is in operation. The fresh air is admitted from the basement through openings in the floors closable at will. The vitiated air passes through openings placed near the ceilings in the lower, and in them in the upper wards, into shafts leading to the roof. On the top of these is fitted a revolving fan, working by the wind and turning a pumping screw in the shaft, by means of which the air is extracted from the wards. The apparatus, called an Archimedean screw ventilator, is so fitted that the slightest breeze suffices to turn it; and in very calm weather, the heated air from below forcing its way up is sufficient to set it in motion. This process of ventilation by extraction is inexpensive, and is reported to answer very well.

In the large majority of American institutions artificial ventilation by propulsion is used, and in winter is trusted to almost entirely; the windows at the New York State Asylum at Utica, for instance, being fastened down during the winter months. In this system, the air is in the winter driven by a large fan worked by machinery over steam pipes, and thus, warmed, enters the wards by openings, near the ceiling at the Utica Asylum, and near the floor in the majority of the institutions. The vitiated air leaves by other openings, generally near the ceiling, but at the Utica and New Jersey institutions near the floor, which pass into shafts opening in the roof.

At the New Jersey Asylum, for some wards, a system of extraction by means of heat is in use in addition to the system of propulsion. In summer the windows are opened, and the fan becomes only an accessory to natural ventilation. At Washington Asylum, the fan is used only in summer—in winter the double system of shafts, and the difference in temperature between the atmosphere inside and out, serving for the purposes of ventilation. At the Frankfort Asylum, the system of propulsion by means of a fan is in use in the wards devoted to the more excited patients. Artificial ventilation by propulsion seems in America to have succeeded more thoroughly than the same system when employed in Europe. At the Lariboisière Hospital, Paris, those wards in which this system is employed are far from sweet, and the system has been a total failure in other

\* At Frankfort a somewhat elaborate system of ventilation by propulsion is in use in wards for the excited class; and at Quatre Mares there are in the wards for the same class special openings for exit leading to a shaft and so to the roof, but not artificially warmed.

† At Lincoln, an apparatus exists for warming these shafts, and so causing an upward current; but it is not found necessary, and is never used.

other institutions. In the cold weather of America, when it is difficult to open windows without lowering too much the temperature of the room—and with the form of building adopted for American asylums, with its enclosed corridor and large number of single rooms—the system is undoubtedly successful, and perhaps the best method that could be employed; but it is costly, and quite unnecessary in buildings constructed on the pavilion, or even the single corridor or ward plan, in milder climates.

*Cubic Space.*—In dealing with asylums, it will, as a rule, be sufficient to calculate the cubic space only, without taking note of the superficial area; since the rooms, whether in English or Foreign asylums, seldom, if ever, exceed a height of 12 or 14 feet, and the fallacy which arises from overlooking the fact that, to secure any given cubic space by simple loftiness of a room, does not imply that adequate superficial area is also given, is not here felt. With rooms under 15 feet high, if the cubic space is sufficient, the superficial area must be sufficient also. The English and Scotch Commissioners in their suggestions to architects (Appendix A, Nos. 1 and 2), direct that "the general height of each story should not be less than 11 feet," and proceed to fix, as the minimum dimensions—550 cubic feet for associated dormitories, 770 cubic feet for single dormitories, and 220 cubic feet for day-rooms; the latter exclusive of galleries or corridors. The dormitories appropriated to sick bed-ridden patients are to be of "somewhat larger dimensions."

The Association of Medical Superintendents of American Institutions for the Insane propose (Appendix A, No. 3) "that no chamber for the use of a single patient should ever be less than 8 by 10 feet, nor should the ceiling of any story occupied by patients be less than 12 feet in height"; dimensions which give 960 cubic feet for a single patient, or 260 in excess of that suggested by the English Commissioners.

The following table, in which the size of the rooms is given, as stated by the medical officers in charge of the various establishments, will show that the minimum given by the English and Scotch Commissioners, has, as a rule, been exceeded in Great Britain; whilst these dimensions are small, compared with those in some of the American and Continental institutions:—

Asylum.	Single Dormitories.	Associated Dormitories.	Day Rooms with Corridor.	Hospital.	Remarks.
Lancashire County Asylum, Prestwich.	900	650	{ 750 males 620 females }	2,000	Hospital consists of single and associated rooms, averaging about 800.
Surrey Asylum, Brookwood ...	800	600		800	
Worcester Asylum .....	900	500	.....	1,150	Associated rooms.
Sussex Asylum .....	800	500	.....	800	
Three Counties—Beds, Herts., and Hunts.	700	500	.....	.....	The dormitories average 600; in some there is smaller, in others much larger cubic space. *The smallest; some contain a larger space. *Extra ventilation by means of plates in floor.
Gloucester County Asylum.....	500	400	.....	.....	
Essex " " .....	750	570	570	.....	
Bristol Borough Asylum .....	500	500	.....	500	
Middlesex County Asylum—Colney Hatch.	800	600	.....	1,000	
Stafford County, Burntwood ...	550 } vary 1,700 }	580	360	.....	
Lincoln County .....	600	600	400	.....	} Rooms vary in size.
Leicester County .....	800	550*	.....	.....	
Perth District Asylum, Murthly	750	725	.....	.....	
Montrose Royal .....	800	550	.....	550*	
Fife and Kinross District Asylum, Cupar.	900	600	.....	.....	
New Jersey State Asylum .....	1,000	700	.....	.....	
Washington Government Asylum.	1,000	800	.....	.....	
New York State Asylum.....	1,200	1,000	.....	.....	
Pennsylvania State Asylum ...	900	700	.....	.....	
Pennsylvania Lunatic Hospital	1,000 to 3,000	1,000	.....	.....	
Guislain's Asylum, Ghent .....	1,000	.....	.....	.....	
Göttingen .....	1,500 to 2,000	600 to 800	.....	.....	
Hamburg .....	1,500 to 2,000	600 to 800	.....	.....	
Meerenberg .....	900 to 1,500	500 to 700	.....	.....	
Quatre Mares .....	1,000	.....	.....	.....	
Evreux .....	1,200	800	.....	.....	
St. Anne's.....	1,000	800	.....	.....	
Ville Evrard.....	1,000	800	.....	.....	

In the new lunatic asylum, Madras, 1,500 cubic feet is the space fixed for European patients.

In

In the Perth Asylum, and in several other institutions, the number of cubic feet contained in each room is painted on the door; it is therefore known to every officer and servant; and a visitor by counting the beds can ascertain at once if the space allowed for each patient is sufficient.

#### DAY AND NIGHT ACCOMMODATION.

Under this heading are to be considered—

1. Day or sitting rooms.
2. Dining-rooms.
3. Dormitories.
4. Airing grounds.

*Day and Dining Rooms.*—It need scarcely be said that in all modern asylums separate rooms are provided for the patients by day and night, and that they do not sleep in the rooms in which they live. In the corridor or ward system in its simplest form, as in some of the corridors at Colney Hatch, the corridor is used as sitting-room and dining-room; and in most of those asylums in which provision, other than the corridor, is made for sitting-room, the accommodation for dining and for sitting, is as much as possible separated, the patients dining in either the corridor or sitting-room, as may be most convenient. At the new asylum at Hamburg, the corridors, which are usually little more than passages of communication—the patients spending their time in the special day-rooms leading from them—are fitted with tables which fold flat against the wall, and at dinner time are pulled out and spread for use, and the corridor thus becomes a long dining-room. As asylum construction has advanced, there has been manifested—whatever the special form of the asylum—a desire to provide special dining-room accommodation. In the American asylums the day and dining rooms—both completely distinct, and used for the purposes indicated by their names—open from the corridor, a special dining-room being provided for each ward. At the new asylum at Ghent, at Frankfort, and at the new asylums for the Department of the Seine, the same plan of separating day and dining rooms has been followed; and so general has this become that it may be laid down as an established, and almost universally recognized principle of asylum construction. It is now the almost universal opinion in England, among those interested in asylum management, that a general dining-room, to which all the patients can go at meal hours, is much preferable to dining-rooms placed in connection with each ward; and both the English and Scotch Lunacy Boards have suggested this in their instructions to architects. (See Appendix A, Nos. 1 and 2, Sec. 9.)

Such dining-rooms are in use in several English and Scotch asylums,—having been added to asylums already in existence, as at the Sussex, Prestwich, Montrose, Stafford (for the male side), and part of Colney Hatch,—or having formed part of the original plan, as at Cupar, Fife, Murthly, Brentwood, Haddington, and Macclesfield. At the Sussex Asylum, Hayward Heath, the Prestwich Asylum, and Montrose, there are two dining-rooms, one for males and the other for females. At Lincoln 100 of each sex are accommodated in two large dining-rooms, but usually one room serves for both sexes, who use opposite sides. So far as has been ascertained, a common dining-hall for the patients does not exist in any asylum out of Great Britain, except the new asylum founded by Guislain at Ghent. It is entirely for males and receives 450 inmates; and of these upwards of 200 dine together in a common dining-hall. The violent, the dirty, and the idiots, of whom there is a large number, have each a dining-room.

*Dormitories.*—The dormitory accommodation provided in almost all asylums is both in single rooms and in associated dormitories; the proportion which the former bear to the latter varies considerably.

When asylums were first built, the large majority of the patients were accommodated in single rooms; the opinions then entertained as to the character and treatment of the insane, and the style of building of which the asylum was an elaboration—the monastery, or the prison—both tending to make the cellular system prevail. Whilst, however, all authorities on prison management, have, from year to year, advocated the more complete isolation of the prisoner from his fellows, the views of all the leading men on asylum construction, have gradually tended in an exactly opposite direction; and association is now almost as fully advocated for the insane, as isolation is for the criminal. Still, it is universally agreed, that certain classes of patients—the violent, the noisy, the dirty, and the demonstrative—should be accommodated in single rooms, for the benefit of themselves and the other inmates of the asylum; but it is by no means agreed what is the proportion which it is necessary to separate from the others, so that peace and quiet may reign throughout the asylum at night. The question is an important one, as influencing considerably the form of construction—it being much more expensive to build twelve single rooms, each to contain one patient, than one room to contain twelve; whilst the latter will be ventilated with much greater ease than the former.

The English and Scotch Boards in their instructions (see Appendix A, No. 1 and 2) state, that “the proportion of single rooms throughout the asylums need not exceed one-third”, and that the “single rooms should be chiefly in the wards appropriated to the excited and sick”, and “a few should be available for special cases in other wards”; but it is considered by most superintendents of English asylums, that the number here mentioned is unnecessarily large, and that an asylum may be conducted with quiet and order in which



the proportion of single rooms is much less. In no British asylum for pauper patients—so far as is known—is the number so large. The following table will show the proportions which exist in some of the more recent institutions:—

Derby.....	1 to 4	—or four patients accommodated in
Prestwich .....	1 to 6	associated rooms for every one in
Bristol .....	1 to 5	a single room.
Three Counties.....	1 to 12	
Sussex .....	1 to 7	
Worcester .....	1 to 6	
Colney Hatch .....	1 to 6	
Essex .....	1 to 4	
Leicester .....	1 to 4	
New Surrey .....	1 to 11½	
Montrose .....	1 to 7	
Cupar .....	1 to 5½	
Murthly .....	1 to 4	
Broadmoor (criminal) ...	{ 1 to 4 male.	
	{ 1 to 2 female.	

Dr. Robertson, of the Sussex Asylum, thinks 1 to 7—the proportion at the institution under his care—a little too small, but believes that 1 to 6 would work well. Dr. Howden also considers 1 to 7, in the institution under his care at Montrose, as too small. But Dr. Brushfield of the New Surrey believes that the comparatively small proportion which exists in the asylum under his care, 1 to 11½, will be quite sufficient, even when the asylum is full, which it is not at present. At the Fisherton House Asylum, which contains upwards of 450 pauper patients, 200 of whom are criminals, there are no single rooms of any kind.

It is somewhat curious that the proportions considered necessary in France and in America should differ from that existing in Great Britain in opposite directions. In the American asylums these are—

New York State.....	6 to 1	—or six patients accommodated
Northampton (Mass.) State.....	3 to 1	in single rooms to every one
New Jersey .....	3 to 1	accommodated in associated
Pennsylvania .....	3 to 1	rooms.
Washington .....	4 to 1	

whilst at the new French asylums they are—

At St. Anne's.....	16 to 600
Ville Evrard .....	6 to 600
Evreux .....	8 to 500
Quatre Mares .....	8 to 400
St. Yon .....	15 to 800

proportions even more strikingly small, as compared with the English, than the American are large. Dr. Morel, one of the most eminent French alienist physicians, considers that any asylum may be properly managed with one single room for 50 patients. And M. Parchappe, late Inspector of Asylums in France, in his *Treatise on Asylum Construction*, states, that 1 single room for every 12 males, and 1 for every 11 female patients is ample. At Guislain's Asylum, Ghent, the proportion is 24 to 480, or 1 to 20; whilst in the Dutch and the new German asylums the relative numbers are—

Hamburg .....	8 to 600
Göttingen .....	1 to 12
Frankfort .....	1 to 4

In these numbers the proportion is given for indigent patients only: in all countries the proportion of single rooms for paying patients is much larger.

A larger or smaller proportion of single dormitories will be necessary, according as the asylum is intended to contain acute or chronic cases; and cases of a special class, like those for which the Broadmoor Asylum was erected, require a proportionately large number of single rooms: but all the asylums mentioned above, with this exception, are general asylums to accommodate all classes of cases, and as such are on one level in their requirements. The cause for such a difference in the proportion cannot be found altogether in the difference in temperament and character of the insane, as was suggested frequently in America; for, though the American insane are undoubtedly, as a rule, irritable as compared with those in Great Britain, and may so require more separation, whilst the French and Germans are more quiet and manageable, and may do well with less,—still, the difference in the proportion of single and associated dormitories is too great to be accounted for on this ground only. The habits of the lower class of the population of the different countries must be taken into account in any attempt at an explanation of this great difference.

In France and Germany the lower classes are much accustomed in their ordinary life to sleeping in association. The entire male members of the family, or several of them, occupy one dormitory; and the liking for privacy in bed-room accommodation, which is felt among all classes except the very lowest in England, does not exist in France; consequently a patient in a French asylum would accept the fact of accommodation in an associated dormitory as natural and right. On the other hand, associated dormitories are exceedingly uncommon in America. The mass of the population are better off, and able to procure for themselves better houses than in England; a great privacy

in

in bed-room accommodation therefore exists; so that a bed in an associated dormitory would be considered in many cases as a degradation, and be the cause of irritability and perhaps violence. It must also be remembered that the American asylums contain many patients who, though paupers in reality, are by the kind laws of the States called by the name of indigent only, and are provided for with a liberality, even in the matter of bedroom accommodation, which is not accorded to the pauper class in England.

In some of the English asylums, as at Colney Hatch and Worcester, the associated dormitories, which are additions to the original building, are of large size. 86 patients are contained in one room at Colney Hatch, and 78 in two rooms at Worcester. At Prestwich 44 are accommodated in a single dormitory in the new block of buildings; but in the more recent asylums, as at Brookwood and Murthly, the number seldom exceeds 20, and from 8 to 12 appears to be the more usual number. In the new French and German asylums the dormitories are generally made to contain from 12 to 20; the small dormitories containing from 3 to 6 patients, which are frequently seen in English asylums, are not common abroad.

*Airing Grounds.*—In some of the older asylums the airing courts—small yards within high walls—were all the ground which it was thought necessary to possess for the exercise and amusement of the patients; and one small patch was allotted to the patients of every one, two, or three wards: but in later years, without discarding the courts, it has been thought necessary to modify greatly their character in many asylums, and to enclose an extensive amount of land as pleasure grounds and gardens for the patients, in which they may take walks accompanied by the attendants. In most English asylums the number of airing grounds is from two to four for each sex. In the large asylums only, as at Prestwich, four are found. At Colney Hatch the immense population renders a larger number absolutely necessary: there are seven on each side in this asylum. At the Sussex County Asylum there are three on each side,—one for the great mass of the patients, one for the more violent class, and one for the infirm and sick. The same arrangement exists at the Old Stafford Asylum, and at the Essex and Derby; and if the airing yards are sufficiently spacious, this number would appear to fulfil all requirements. In some recent asylums, as at Burntwood, Cupar, Murthly, and Montrose, a still smaller number—two only—have been provided on each side, one for the violent and one for the remaining population; but in the case of the two latter asylums extensive grounds for exercise have been also provided.

In the French asylums the patients are generally divided into six or seven classes, and for each of these an airing court is set apart. At Evreux there are seven for each sex, at Ville Evrard eight; and at the former, in addition, large general grounds exist. At Quatre Mares there are seven, at Frankfort and Hamburg four for each sex. At Meerenberg, in Holland, besides large general grounds, there are twelve airing courts for each sex, all beautifully planted and containing aviaries, &c., and what is very remarkable and, it is believed, unique, not one is walled: each has a wooden paling from 3 to 4 feet high separating it from the others and from the surrounding grounds. Dr. Everts reports that the escapes, and attempts to escape are not more frequent here, than in other institutions. It must be remembered that several of these courts are for paying patients. According to the experience of English asylum superintendents, such classification of the patients in airing courts is not necessary. The mixture of patients occupying different wards is found to act well, the change of face and companionship being beneficial to all classes; whilst the substitution of one large airing court for several small ones, affords room for exercise which was before impossible, and gives an idea of freedom which before was never felt. These reasons have led to the suggestion of the Commissioners for England and Scotland, that "the enclosed airing courts need not be more than two in number on each side, and should be of ample extent, so as to afford proper means for healthful exercise." (See Appendix A, Nos. 1 and 2.)

The airing grounds in most modern asylums are extremely cheerful, and are all planted with trees and laid out as gardens. In some cases gardens exist only in those devoted to the more quiet classes of patients; but in others, and especially on the Continent, even the courts set apart for the most violent are beautifully planted, as at Meerenberg and Quatre Mares. At Guislain's Asylum, Ghent, the airing yard for the most refractory class is perhaps the most beautiful and the best kept in the asylum. The borders, when this place was visited, were full of flowers, and these are seldom or never destroyed by the patients, who keep to the walks, and do not trample on the beds. At the Maison de Santé "Le Strop," near Ghent, the violent patients are kept from walking over the beautifully arranged flower beds by a piece of thin galvanized wire fixed at a height of about three feet to posts set at the corners of the beds. In some asylums, as at Broadmoor, small plots of ground are given to the patients, who cultivate them with interest and pleasure. The courts in many asylums, besides being well planted, and so furnishing gratification in themselves, afford, either from the slope on which they are placed, or by sinking the walls in a ha-ha, extensive views of the surrounding scenery. In almost all, either verandahs, summer-houses, or covered sheds are provided as a refuge from both sun and rain. At the Derby Asylum a tent is fixed in the large court, in the summer months; and at Sussex large canvas awnings are spread. There are fixed seats in plenty, pet animals and birds, and in many, skittle alleys, ball or racket courts, and croquet grounds.

In almost all English asylums, water-closets have been placed in the courts, with urinals for the men. These are generally in small buildings at the corner of the court furthest from the asylum, and are supplied with water from a separate tank placed over them. At the Gloucester Asylum, earth-closets are in use in the courts.

At

At the new asylums at Ville Evrard and Evreux, the tinette or French sewage tin is placed in small buildings at the extremities of the airing courts, and removed every morning through a hole in the wall of the court. A cart traverses a sunken road extending round the outer walls of the courts, and collects the tins from all the closets.

In America, the airing courts, as in English asylums, are only two or three in number on each side. At the Government asylum there are no special courts, but the general grounds are of large size and surrounded by a wall. They are very beautiful, and contain, besides deer, rabbits, &c., a menagerie in which there are bears, jaguars, raccoons, grey squirrels, &c.; there is also an apiary. The patients are never allowed in the grounds without attendants.

The general airing grounds which exist in all the American State asylums,—which are surrounded by only slight fences, often of wood, contain generally grass and woodland, and are frequently beautifully kept,—are becoming common now in Europe. They may be seen at Hamburg and Frankfort, and at Meerenberg, (where the wood is extensive and singularly beautiful, and where the grounds are ornamented by a lake in which swim numerous water fowl). Such grounds exist also in England, at the Sussex, Essex, Bootham Asylum York, Friends' Retreat, Colney Hatch, Leicester, Northampton, New Surrey, and several other asylums. They are found to be of especial benefit to convalescent and quiet patients. In the American institutions, special small buildings used as reading rooms, summer house, and museums of natural history and curiosities for the amusement of the patients, are placed in the grounds.\*

#### FLOORING, FITTINGS, AND FURNITURE OF ROOMS.

It is only possible in this report to note briefly the different particulars which come under this heading; and in doing so it will be best to mention such as are common to all the ordinary rooms of an asylum, and subsequently those which are to be found in dormitories, day, or dining rooms separately.

Wooden floors are almost universal in asylums, but at Quatre Mares and St. You the day and dining rooms are paved with brick, and are in consequence cheerless and cold. In the Derby Asylum, slate floors are used for the rooms for dirty patients; and for the same class, floors of cement are in use at Hamburg, but seem to possess no special advantages.

In a few of the older English asylums, as Stafford and Gloucester, the floors are of oak; but deal has been used in most modern English asylums, whilst pine is in common use in the American and in some Continental institutions. In almost all the American, in some of the French—Quatre Mares, St. You, and St. Anne's among the number—and in most of the more modern German institutions, the floors are waxed or oiled and subsequently polished. This is rare in English institutions, though it may be seen occasionally, as at Stafford, and seems to serve little purpose except in the rooms for the more dirty patients, where offensive matters are thus prevented from soaking into the wood, and the floors are more easily cleaned. The arguments which are used as to the advisability of polished floors in hospitals, have little application to asylums.

In many English institutions—among them Worcester, Sussex, Essex, Derby,—the walls are left unplastered; but in the newer Scotch asylums, some of the English, as Bristol, Prestwich, and the New Surrey, and the American and Continental asylums, the walls throughout are either plastered or cemented. The walls of almost every asylum, whether plastered or not, are coloured, painted, or papered. In Great Britain, the corridors and day rooms are generally painted over the lower third, and a coloured wash applied to the upper, a line of bright coloured paint dividing one from the other and serving for ornamentation. In some asylums the coloured wash is mixed with size before application, and is found to last much better; and in others it is thought better to paint the upper part as well as the lower, a different colour being generally chosen; this latter is the method most usually adopted in France. The colouring of the rooms in German asylums is generally very pretty and effective. In America, the walls are as a rule painted throughout of some light colour, a pale brown or drab. At Meerenberg the day rooms are painted and the dormitories washed white. The same mode of colouring is in some institutions used for dormitories as for day rooms; but in England it is not uncommon to see both single and associated dormitories papered with pretty neat patterns; and at the new asylums at Murthly, Cupar, and Montrose, every room is papered. At the two latter varnish is applied over the paper; it gives increased brightness to the pattern and allows of washing. At Cupar, for the closets, bath-rooms, corridors, and amusement rooms, a paper of a square encaustic tile pattern has been chosen, and is singularly ornamental. The general effect of the colouring is decidedly pleasing. It is usually considered advisable to use ordinary white limewash for the walls of rooms occupied by the dirty class of patients.

The mode of furnishing the day or sitting rooms of asylums varies very much in different countries and in different institutions. In most of the French institutions serviceable strong furniture—a fair supply of tables and chairs, the latter generally with rush seats, is placed in the rooms; and this is almost all. The same may be said to be the

\* In the Museum in the grounds of the New Jersey State Asylum at Trenton, is placed as a curiosity a specimen of the "English asylum knife." The peculiar shape of this well-known instrument—its utter dissimilarity to an ordinary table knife, and its sharp edge for about an inch contrasting strongly with the rounded bluntness of the remaining portion, are strongly likely to suggest self immolation to anyone sane or insane into whose hands it may fall.

the general character of the furniture in America and Germany; but in some institutions in both these countries, much more ornamentation and comfort are attempted. At Frankfort there is a plentiful supply of pictures for the walls, plants in the windows and in pendent baskets, and birds in ornamental cages, and the chairs and sofas are padded and made comfortable. At Göttingen, most of the seats, both chairs and sofas, are of cane, light and pretty, and the general furnishing is excellent. At Hamburg the walls are ornamented with pictures, the furniture is good and comfortable, and rush mats are placed along all the corridors. At each of these latter institutions there are clocks in the wards, which are much appreciated and seldom or never broken by the patients. At New Jersey and Utica, in the wards devoted to more quiet patients, there are comfortable chairs and sofas, and abundance of pictures, small statuary and plants; and considerable efforts are made to make the wards homely and cheerful. In most American asylums the rocking-chair is to be seen and is apparently liked. At Washington, especial care has been taken in furnishing the wards; each corridor is fitted and furnished with some special wood, cherry, oak, laurel, &c., and is named from this instead of being numbered as usual. The seats are handsome and good; there are many single and multiple arm-chairs; a plentiful supply of plants; well made book-cases for the ward libraries; aquaria; cages for birds, flying squirrels, and other pets; and, as at New Jersey, a little fountain constantly playing, in which swim gold and other fish. But it must be confessed that, on the whole, the sitting-rooms and corridors of English institutions have an air of homeliness and comfort which contrasts favourably with all, except such model asylums as that at Washington, and a few other American and Continental institutions.

The tables in English asylums are generally well polished, and sometimes, as at Leicester and Colney Hatch, covered with coloured cloths. The chairs are substantial and good, generally of the Windsor pattern, and with arms. There are sofas and chairs stuffed with hair, and covered with American cloth; multiple arm-chairs, or seats with divisions at intervals, which give to each patient his own place, and arms to support him, and prevent any one patient lying down and monopolizing the room of three or four; folding-chairs, fitted with sacking seats, as at Sussex; wicker-chairs, as at Leicester; and, in fact, every contrivance to make the patients comfortable. Along the centre of each corridor is a strip of matting or linoleum. In the windows there are a profusion of plants, either standing in smartly painted pots, or hanging in pendent flower-baskets, aquaria, fern cases, birds in aviaries or cages. Cases of stuffed birds, and cabinets for the ward-library, are placed in convenient places; and, in the majority of the women's wards are to be seen net or other covers for small tables, anti-macassars, and other knickknacks, worked by the female patients. To keep up, both in winter and summer, a supply of plants for the wards, handsome green-houses have been erected at several of the English pauper asylums.

The supply of pictures is almost invariably good; and in many institutions there are high class prints, and good photographs and etchings, all framed with taste. Plaster statuary is an effective and common ornament; and, occasionally, as at Colney Hatch, a little coloured glass in the windows adds an extra effect. Looking glasses are generally to be seen, and are much appreciated; and maps seem almost always to interest the patients. Occasionally a small drinking fountain is fitted to the day-room or corridor wall, as at Cupar, and serves to allay the thirst which is often a prominent symptom in some forms of insanity.\* In most asylums there are closets in the day-rooms, or one small store room is set apart for patients' extra clothes, men's caps and winter cloaks, and women's bonnets and shawls; and, in some asylums, a row of pegs for caps and bonnets is placed in each sitting-room or corridor, and found convenient and safe. By far the greater part of all asylum furniture is made, both in European and American institutions, in the asylum itself. The tables, sofas, and some forms of chairs,† as well as the stands for flowers, and the frames for pictures, are made in the carpenters' shops, frequently by the patients; and the sofas and chairs are stuffed and restuffed by the asylum upholsterer and his "patient" assistants.

The dormitory furniture is, in most English asylums, as good and well-fitted for its purpose as that placed in the day-rooms. In the best furnished asylum dormitories there is a bedstead with all its necessary belongings, a small box to serve as seat for the patient, and to contain his clothes at night; a washstand fitted with jug, basin, and pail; and a small slip of carpet by the bedside, to stand on when dressing. Sometimes chairs are placed both in the single and associated rooms. On the principle, which must be kept in mind in the furnishing as well as constructing an asylum, of making the patient as much at home and his surroundings as little exceptional as possible, simple washstands, fitted with ordinary crockery, are placed in all the single rooms occupied by patients to whom it would be safe to entrust them. In the associated dormitories, multiple washstands are generally placed in the centre of the room. In some asylums, as at Prestwich, Cupar, Murthly, special lavatories outside the rooms are provided. Brushes and combs, and looking-glasses are supplied, whether the patients wash in their rooms or in lavatories. In the majority of asylums the towels are used more or less in common; but in others, each patient is provided with a separate towel, which

\* In some French asylums, a tin of weak cocoa is placed at the entrance of each pavilion for the same purpose.

† Common wooden or Windsor chairs can, as a rule, be bought cheaper than they can be made in the institution.

which is hung by the side of his bed, as at the Parochial Asylum at Glasgow, or placed over the small box containing clothes as a cover, as at Meerenberg. Earthenware chamber utensils are generally used; the india-rubber and gutta-percha ones are found to wear out, and to be little necessary except for epileptics who drop those made of earthenware and break them by accident. The dormitories are seldom ornamented with pictures.

The dormitories in the American asylums have all the furniture which is considered necessary in the English institutions; and many are models of comfort and cleanliness. The washstand is almost always placed in the room, and this is thought preferable to separate lavatories. Earthenware utensils are almost universally used.

In France, the small boxes for clothes by the side of each bed are fitted also to contain the chamber utensil, which is often pewter, or some other metal. The dormitories in French asylums seldom have carpets by the side of the bed, and the patients in most of the newer asylums wash in special lavatories; and, instead of a small box placed by each bedside to contain the clothes of the patient, large boxes are placed in convenient positions in the dormitories, which serve as seats for, and contain the clothes of, from six to eight or ten patients.

The dormitories in German asylums, as a rule, have no furniture except the beds and tin or pewter chamber utensils, and look very bare. The washing is done in special lavatories, as at Hamburg and Frankfort; or in a row of basins standing on a wooden shelf, and supplied with water from a tap in the corner of the room, as at Göttingen. In some asylums, however, as at Frankfort and Illenau, the associated as well as the single dormitories have for each patient a small box for utensil and clothes, and a rush-bottomed chair.

The bedsteads and bedding in use in asylums may be discussed at greater length. In American institutions, almost without exception, the bedsteads are of polished wood, and fitted with removable wooden slabs or lath bottom pieces, which can be washed or scoured on becoming dirty.

In France and Belgium the bedsteads are almost invariably iron, and fitted with elaborate springs, made either of thin slips of wood strung by means of leather on galvanized iron wire, or of coils of wire of an hour-glass pattern.

In each country the form of bedstead in use is believed to be best fitted for its purpose.

In Germany the bedsteads are usually of painted wood, with removable slab bottoms; and the same form is in use at Meerenberg, in Holland, where all the bedsteads are painted white, the paint being thick and shining, and looking almost like white enamel.

In Great Britain several varieties of bedsteads are in use. At Derby, Bristol, Gloucester, the Three Counties, Cupar, Murthly, Colney Hatch, and other institutions, iron bedsteads are used; and at some institutions a decided preference is expressed for them as more cleanly; but in the majority of British asylums—Sussex, Essex, Worcester, Prestwich, Lincoln, Leicester, Stafford, and York Lunatic Hospital—wooden beds are to be seen, well and strongly made, and polished; and their appearance is decidedly in their favour. It is stated that if well made, they are more cleanly than those of iron; that no cracks and crannies exist in which vermin can harbour; that they are safer with violent patients than iron; that they require little repair or repolishing, whilst iron requires constant repainting; and, lastly, that they can be, as indeed they usually are, made in the asylum, and so new wards, or a new asylum, can be supplied from the asylum workshop.

The bedstead bottom is usually of sacking, occasionally laced, but more often fitted on iron bars, which are fixed to the bedstead by screws, and by means of which the sacking can be kept constantly tight. The sacking is easily removable for scrubbing, and can be fitted to either iron or wooden bedsteads. In some institutions webbing, crossed and screwed to a removable wooden frame, is used; in others removable wooden slabs only. The iron bedsteads have usually thin plates of iron at the bottom.

The bedsteads are in some wards in French and Belgian asylums fitted with curtains, and, in the female wards in some English asylums, have valances. For special cases, bedsteads of different patterns are made. For epileptics, low bedsteads, about a foot or less from the ground, are used, and seem to serve every purpose. Sometimes ordinary bedsteads are fitted with removable iron or wooden guards to the side, to prevent patients falling out during a fit; and in some institutions cribs, more or less padded, are used; but these do not, as a rule, seem to be considered necessary. At the Lincoln Asylum ordinary bedsteads, made low, are used for those whose fits generally take place during the day, and cribs for those who are attacked at night.

In English and American institutions, where the night attendants wake all wet and dirty cases at fixed times, and lead them to the closets, special bedsteads are seldom used for this class; but in French and Belgian asylums, the bedsteads for these patients are specially made with zinc or tin bottoms, sloping to a central hole, under which a pan is placed to receive the urine, which trickles through. This arrangement may occasionally be seen in British institutions; sometimes, as at Cupar, canvas, perforated with several holes, is nailed or otherwise fastened on to a removable wooden stretcher, and used instead of zinc.

It is rare to find beds fastened to the floor, even in the divisions for the most violent patients; but the practice is not altogether unknown in England. It is in use in some rooms at the New York State Asylum, Utica, and in the special seclusion rooms at Ville Evrard, and other French asylums. At Meerenberg, the beds for the dirty patients are fixtures.

The material for bedding is usually a hair mattress in British institutions,—alone when the bottom to the bedstead is of canvas, or on a straw palliase when it is iron or wood.



wood. In the American and German institutions, there are usually both hair mattress and straw palliasse; and in French and Belgian asylums, flock beds, over straw palliasses, are used. Very few institutions use straw alone, and coir is very rarely employed, except for special cases. At Hamburg the beds are straw entirely, stuffed in a peculiar way so as to be elastic. At Montrose chaff is used; and some of the beds at the Three Counties are of straw only. For dirty cases the provision varies very much. Sometimes hair alone is used. The mattress is made in three pieces, and the middle piece when wet or dirty, is removed, the hair being washed and dried. Coir is used at Prestwich; sea grass, which can be bought for about 1d. a lb., at Worcester, Lincoln, Evreux, and Ville Evrard; colza seed husk, at Ghent; and straw bags, in most American asylums, and at Cupar.

In some asylums mackintosh covers are placed over the mattresses; or the mattress is covered in mackintosh, and subsequently in ticking, and made with a hole in the centre, through which all fluid may escape.

In some French asylums deep cribs are filled with sea grass, and tightly stuffed. This is simply covered with a sheet; the portion found wet is removed every morning, and the remainder smoothed, and again covered with the sheet and used.

The pillows in asylums are usually made of the same materials as the beds. At the New Jersey State Asylum, those for destructive patients are of coarse sponge, which is first cut into small pieces, soaked in glycerine, and squeezed almost dry by passing it between rollers; it afterwards remains soft. It is about as cheap as horse hair, and does not mat; and if the pillows are torn by the patients, and the stuffing scattered, it is very easily collected.

At the Lincoln Asylum the pillows for the epileptics are covered with open cheese cloth, and are loosely stuffed with horsehair, so that the patient turning on his face in a fit may be able to breathe through it.

Especially care seems to be taken that the counterpanes or coverlets should be coloured, and as bright and cheerful as possible. Scarlet and white, scarlet and black, in distinct patterns, blue and yellow, may all be found; but in some asylums plain white is preferred.

In some few institutions the bedding is folded for the day, in the usual military style, but this is by no means common; in most, the bedding is left as much exposed as possible for an hour or so, and then made for the night. In a few asylums the lower sheet is placed on the bed in its ordinary position, the upper being folded around the blankets and counterpane at the bottom of the bed. At Meerenberg both palliasse and mattress are set up edgewise on the bedstead, and the bedding folded in the usual barrack style.

In those asylums in which there are special dining-rooms, the walls are painted or coloured after the same fashion as the sitting-rooms. Plain tables, with benches, are generally considered sufficient furniture. In the vast majority of asylums, white table cloths are laid at dinner-time; and at Montrose small jars, in which natural or artificial flowers and evergreens are placed, are used to ornament the centres of the tables during meal-times. Dining-rooms are, as a rule, fitted with cupboards, in which the forks and spoons, as well as plates, cups, tumblers, &c., are kept. The knives are in most institutions collected immediately after meals, counted, and placed in a special box, which is locked by an attendant's key.

Some of the American asylum dining-rooms are fitted with small closets, in which coils of steam-piping are placed; and the plates are warmed in these, whilst the joints stand on a dish at the top, and so are kept warm. The order and neatness with which the cupboards for crockery, glass, &c., are kept, is remarkable.

In British asylums the meals are usually served on neat crockery. Mugs are used at dinner, and ordinary cups at tea; and sometimes the salt-cellars and pepper-casters are of crockery also. Occasionally a few wooden plates, or tin drinking cups, are to be seen; but these are the exception. In many of the asylums—Worcester, Three Counties, Bristol, &c.—the crockery is made specially for the institution, and bears the initials of its name. At Cupar, and one or two other places, the crockery is all very thick and heavy, and made specially for asylum use by Donald and Co. of Edinburgh. The male and female departments have a different pattern.

The knives used in asylums in Great Britain are usually of a peculiar pattern, and sharp only for about one inch near, but not at, the point. Sometimes knives of some metal composition are used, which cannot be sharpened; but many asylum superintendents laugh at these precautions; and at the Sussex, New Surrey, and other institutions, steel knives, differing little or nothing from those in ordinary use, are given to the patients. The forks are generally three-pronged, and made of composition.

In America and France the crockery is almost always white. In the French institutions a few ordinary knives are used; but from the nature of French cookery, spoons and forks are generally all that is necessary.

In America the English "asylum knife" is laughed at, and the majority of the patients use ordinary table knives and forks. Common glass tumblers are used frequently, instead of mugs.

For those patients who cannot be trusted with knives, (generally a minority,) the food is cut by attendants, and spoons or forks are given to them.

In most asylums in which the dining-rooms are at a distance from the kitchen, care is taken to keep the food as hot as possible, whilst carrying it through the corridors and passages. In the American asylums there are steam-tables and closets in the kitchen, in which the food is placed and kept hot whilst being prepared for the wards.

It

It is carried in bright, tightly-closed tins, fitted with shelves, and placed on a waggon running on a tramway in the basement, and ultimately raised, by means of lifts, to the wards. In some of the French asylums the dishes are placed in tin closets, made to close tightly, and set on wheels, and so taken to the wards.

In England special tins are provided, which patients or attendants carry; sometimes these are fitted with false bottoms for hot water, as at the New Surrey. The refuse is sent back to the kitchen from each dining-room in the tins.

#### STAIRCASES AND STAIRS, BELLS.

*Stairs*—In almost all English asylums the stairs are of stone. In America iron is used. The form of construction is in both the same. The flights are all short and straight, and the well is built up. Wooden handrails let into a groove in the wall are fitted to most stairs. At the New Surrey the handrail is iron. In some English asylums the well in the centre of the staircase is made use of as a ventilating shaft; and at Washington it is pierced with dust-tubes reaching from each landing place to the basement. Closets for clothes are also placed in it.

*Passages*—The passages leading from one part of an asylum to another are, in America, generally of stone. In England and the Continent brick, red and black, is more used, laid in patterns. In some asylums Minton's Unglazed Tiles are used for passages; they look well and are not expensive.

*Bells*—In the greater number of asylums there is no arrangement of bells throughout the establishment, but at a few they are used. At the Glasgow Royal Infirmary a dial telegraph in the entrance hall near the superintendent's office summons attendants from any ward required; and there is a similar arrangement at Worcester, near the door of the board room. At Murthly a bell and a speaking-tube pass from every corridor to and from the house surgeon's room. At Evreux an elaborate system of electric bells connects the superintendent's office with every part of the house; and at the New Surrey, the superintendent's house, placed at a distance, is connected with the asylum by an electric bell, which is only used on an emergency.

THERE are three classes of the insane for whom provision of a special kind is made. These are:—

1. The convalescent and more quiet patients.
2. The sick and infirm; and
3. The violent and excited.

#### 1ST.—CONVALESCENTS AND MORE QUIET PATIENTS.

In some countries special asylums have been erected for the more quiet class of the insane. The advisability of separating the different classes, and their treatment in different asylums, has already been discussed, so that it will be only necessary to examine here what provision is usually made for them when they are retained in an ordinary asylum.

In very many cases but little difference in accommodation is made for the quiet and chronic patients, but at several English asylums, rooms have been built specially for them. At the Worcester Asylum, a special block to contain 100 quiet patients has been erected. It consists of two stories. On the ground floor is a corridor with six single dormitories; at one end a day-room, and at the other a dining-room, with a small attached kitchen, scullery, store-rooms, &c., opening from it; and on the upper floor two large associated dormitories and six single ones, so that the block forms almost a complete asylum. The main part of the cookery is, however, done in the ordinary hospital kitchen. The rooms are nicely furnished, and are in every way comfortable. Of the 100 patients, 50 work in the laundry, 35 sew, 12 work in the kitchen and scullery, and 3 clean the rooms.

At the Prestwich Asylum new buildings for 500 patients of the more quiet class were erected at a cost of £60 per patient, exclusive of furnishing. They are connected with the old buildings by long corridors from which open single dormitories, and consist of two blocks, each containing 250 patients. On the ground floor are four day-rooms, two large and two small, opening one into the other; the other two stories above these consist of dormitories only, all being associated, and the largest containing 44 beds. The closets, lavatories, urinals, and bath-rooms, are semi-detached and well ventilated.

At the Old Chester Asylum similar additional buildings for quiet cases have been constructed for 200 patients, at a cost of £39 per head; and, at Colney Hatch, about 100 women have been similarly provided for, of whom 86 sleep in one dormitory.

At the New Surrey, special blocks and cottages have been devoted to the convalescents, in which the number of single rooms is much smaller than in the other parts of the asylum.

At Leicester a new wooden structure has been recently erected for 100 patients, 50 of each sex. It consists of two day-rooms on the ground floor, and dormitories above, is warmed by hot water, has all the necessary fittings in the shape of attendant's rooms, closets, &c., and has cost only £12 a head.

At

At the Gloucester Asylum a few quiet cases are accommodated in detached cottages.

The general character of the accommodation which is provided for this class of cases is that of simplicity of construction—large day-rooms and associated dormitories, built at a cost considerably less than that of the remaining parts of the asylum.

#### 2ND.—THE SICK AND INFIRM.

At Derby and Gloucester among English asylums, at the New Jersey and New York State Asylums, at Göttingen, and at some few others, the sick are treated in the ordinary wards. The reasons given for the absence of special provision are that it is as undesirable to associate different classes of insane when sick as at other times, and that the sick are better treated in their own wards, and under the attendants who know their mental peculiarities, and to whom they are accustomed, than when removed to a special infirmary or hospital ward. But these reasons are allowed in the majority of asylums to have little weight, and there are few in which special provision is not made for the sick and infirm. The ward, or section set apart as an infirmary, consists, when complete, of an associated dormitory, some single rooms, and a day-room; but sometimes one associated dormitory is alone provided. In the new French asylums a special block is devoted to this class; but in British institutions one ward in the main building, on the ground or first floor, and as near to the administrative department as possible, is usually selected. The cubic space allowed is generally greater than in other parts of the building. At Worcester it is 1,100 cubic feet, at Colney Hatch 1,000; and in some institutions special contrivances for extra ventilation are adopted. At Montrose there are openings in the floor communicating with the basement and admitting a supply of fresh air; and at the Sussex a special form of window has been adopted. Usually additional fireplaces serve for warmth as well as ventilation; and occasionally the division for the sick is warmed by hot water, from which the heat is said to be more equable. In some cases, as at Cupar, all the floors are oiled or varnished and waxed. In many institutions a small kitchen is attached to the infirmary, or a gas stove, as at Washington and Meerenberg, serves to make or keep warm the small medical comforts necessary for the sick. A special closet is as a rule provided, and a bath, either fixed, as at Murthly and Cupar, or movable, as at Evreux and Ville Evrard. The furniture is of a more comfortable kind than that in the other rooms, arm-chairs and padded sofas and settees predominating.

The accommodation provided differs in amount, ranging from one-sixth at Cupar, the New Surrey, the Three Counties, and the modern French asylums, to one-fourteenth at Montrose, the Sussex County, and the Old Stafford; one-sixteenth at Colney Hatch; and one-twentieth at Prestwich. The more usual proportion is one-tenth of the whole, and this seems as a rule to be considered sufficient.

The cases treated in the infirmary are the sick, the paralytic, and extreme cases of epilepsy, and in many institutions a number of the old and infirm who require special attention.

At Evreux there are two divisions: in one, cases of bodily disease are treated; in the other, such of the patients whose mental peculiarities require special attention. At Guislain's Hospital, at Ghent, there are three rooms, in which the sick are divided into clean, dirty, and a middle class between the two.

In addition to ordinary infirmary wards, special hospitals for infectious diseases have been established at Colney Hatch and Prestwich; and there is also a cottage hospital at the Sussex Asylum. At Montrose, during an epidemic of cholera, a ward was built over an outhouse and fitted with closets and other conveniences; it is now used as an extra store-room, but is convertible into a hospital ward for infectious diseases at any moment. The hospitals at Colney Hatch and Prestwich, are, in times when no infectious disease exists in the asylum, used as rooms for quiet female patients; and the latter, which was erected for 50 patients at a cost of £60 per head, serves admirably for this purpose. (See Appendix G, Nos. 16 and 17.)

#### 3RD.—THE VIOLENT AND EXCITED.

The various provision which has been made in different asylums and in different countries for this class shows the diversity of opinion which exists as to what is necessary for their care and treatment.

In a few British asylums—notably at Lincoln and Montrose—no special provision for this class is made. The noisy and violent are associated with the ordinary patients, so that one or two are present in most wards, without special inconvenience or disturbance. At the former, no padded room has existed for ten years past; and at the latter, these rooms, as in other asylums, are used mainly for epileptics and general paralytics, who are likely to injure themselves by falling on the floor or against the wall. In the majority of British asylums a special ward in the main building is set apart for this class; and it differs little—except in the somewhat larger number of its single rooms, and in its ornamentation and the comfort of its furniture—from the other divisions. The windows are placed low; and guards are seldom used, except, as at Murthly, under special circumstances. The warming is generally by open fires, and for these small wire guards alone are used.

Certain special rooms are commonly provided. In many asylums one padded room for each sex is considered sufficient,—the padding being generally coir or horsehair, covered with painted canvas or strong mackintosh sheeting, fastened to the walls in distinct pieces, each about 18 in. or 2 ft. wide; whilst mattresses, similarly covered and



raised on gratings, are placed on the floor. In others, a larger number of padded rooms is provided, besides one or two panelled to a height of 8 feet from the floor by smooth boards. At Colney Hatch, in addition to three or four half-padded rooms for epileptics, there are eleven padded rooms for the males and six for the females. In most of these there is a padded seat in the corner next the corridor, under which a chamber utensil is placed and removed as necessary from the outside. In other asylums, besides padded rooms, special strong or seclusion rooms are provided,—the walls being cemented, the windows placed high, and capable of being covered with shutters, and the door strong. At Prestwich three such rooms are provided for each sex; at Bristol and other asylums, one. At Montrose and Cupar panelled rooms are used, in the former instead of, and in the latter in addition to, padded ones. In the American asylums, the division for the excited class is generally more markedly distinct in its character, than in the English institutions. The rooms are generally very unfurnished; the dormitories all single—a very large proportion fitted with wire or wooden gratings to the windows; and some of the beds and chairs are fixed by screws to the floor. Padded rooms are never used in the United States asylums; but there are usually two or three panelled-rooms, and special seclusion, or strong rooms. At Washington six, and at New Jersey and the Pennsylvania State Asylum four such rooms exist. The walls are cemented, the windows either placed high, or protected by strong guards or shutters, and the pan of a water-closet fixed in each room, the water supply of which is under lock and key from the corridor outside. At one or two of the American asylums the section for violent patients is in two or three divisions, in which they are classified,—the worst division consisting of rooms and a corridor for three or four patients only. At New York the patients are removed from one to the other, or from these to the other sections of the house, according to their conduct; and the classification is thus used, to some extent, as a disciplinary measure.

The Continental institutions make various kinds of provision for the violent class, which everywhere is distinguished, and more or less separated, from the rest. At Göttingen and Hamburg, there is a division, in which there are six seclusion rooms, cemented, and lighted by windows placed high up, and a panelled room. A similar arrangement exists at Illenau. At Hamburg there is a small special airing court for one violent patient at a time. Padded rooms are rarely seen in Continental asylums: there is one at Meerenberg, copied from those in England, the material being horsehair covered with leather.

At the Morningside Asylum, Edinburgh, the M'Lean Asylum, Boston, the new French asylums at St. Anne's, Ville Evrard, and Evreux, Guislain's Asylum, Ghent, and the Frankfort Asylum, the buildings for the violent class have certain marked characters, which it may be well briefly to note.

At Morningside a detached block of building for each sex contains the more excited of the patients. These, called the "separation buildings," are entirely of one story, and contain about 80 to 90 patients each. The accommodation consists of two corridors, two day-rooms, and dormitories. The corridor and day-rooms are panelled over the lower half, and painted or papered over the upper. The former are warmed with hot air; but the latter have open fires, which are without any protection, except an ordinary fender. All the bedsteads are iron, and fastened to the ground. There are two padded and four seclusion rooms for each sex; the seclusion rooms are panelled to a height of 8 feet, and, as well as the padded rooms, are very large, containing a cubic space of 1,800 to 2,000 feet. The windows are placed high, and are fitted with sliding shutters. The floors of the padded rooms are waxed and polished. On the male side there is a special strong room, which has cemented walls, and is lighted from the roof. There are two airing courts for each sex.

At the M'Lean Asylum, Boston, the blocks for noisy patients are also detached. Each will accommodate 17 patients; and is a small asylum complete in all except kitchen, and fitted with a somewhat elaborate warming and ventilating system. There are two stories corresponding in general arrangements; but the upper being for a somewhat less excited class of patients, the furniture is more comfortable, and some minor ornamentation exists. Each floor consists of a corridor, 93 feet by 14, with bay windows at each end, guarded by bars placed inside, and, at a distance from the windows of 2 or 3 feet, the space so cut off being used for flowers, &c.

The rooms, which are all single, open from each side. Each has a cubic space of 1,000 feet. The walls throughout are plastered with a mixture of mortar and sand, and are rubbed smooth, but not painted or coloured. The floors are laid in patterns, the woods being of different colours, are all oiled and polished, and before oiling were Burnetized (soaked in chloride of lime under hydraulic pressure). The room windows are ordinary double sashes in wooden frames, with bars outside.

Each window is fitted with a shutter, which slides out of the wall, can be locked when open or closed, and has in it plate glass panes, so as to prevent the rooms being extremely dark when the shutter is closed. The beds are all of wood, made very strong, have rounded tops, and are fixed in the centre of the room. In one corner of each room is a solid seat, and in another, one with a hole for use as a closet. Under this is introduced from the corridor an ordinary chamber utensil, which is emptied when necessary by an attendant. Each door has an inspection plate of plate glass in the form of a diamond; and there is an opening through the wall, so as to allow of food being passed from the corridor, if necessary, without opening the door. Two attendants for each floor have rooms opening from the corridor.

At Ville Evrard (see Appendix G, No. 9), and St. Anne's (see Appendix G, No. 8), the blocks for violent patients are completely detached, and are the same in general arrangement; three rooms for each sex being provided at the former asylum, which is intended for a more quiet class of cases than are admitted at St. Anne's. At the latter special

special rooms for nine are provided. These rooms open from a crescent shaped corridor; and immediately opposite the door is a second opening into a small airing court, which is planted, and has grass, turf, and a wall sunk in a ha-ha fence at the further extremity, so as to allow of view. The window of the room which looks out into the airing court is protected with wire netting. It is a double sash, and can be opened or shut by means of cords pulled from the corridor, and in the same way can be covered with a sliding shutter. Each room contains a strong fixed bedstead, and in the corner a self-acting water-closet, the zinc chamber utensil fitted to which, can be removed from the corridor. Between every two rooms, occupying the angle caused by their divergence, is a small court covered with glass, and having windows looking on to the airing court on each side. Here the patient is allowed to walk up and down while his room is being cleaned and aired, and when wet weather prevents his taking exercise in the court. One cell in each block has a panelled wall, the remainder are cemented.

At Evreux the same general arrangement, with a special airing court for each patient, exists; but there are two rooms for each patient, one for day and one for night use; and one extra room has no windows, and is kept permanently dark. The windows are high, and out of reach of the patients, and there are no closets in the corner. The doors at Evreux are all fitted with a little panel through which food can be given to the patient. In all three asylums the rooms contain from 1,000 to 1,200 cubic feet. They are warmed by means of hot water at Ville Evrard and St. Anne's, and ventilated by extraction by means of heat; and at Evreux warmed by hot air, and ventilated by shafts in the wall passing to the roof.

At Guislain's Asylum, Ghent, the quarter for violent patients is made to accommodate 46. It consists of a corridor and day-room for day use, two associated dormitories, each to hold 13 patients, and an attendant's, and 20 single rooms. These single rooms contain each 1,000 cubic feet, and are placed in the form of a crescent between two corridors, into one of which they have a door, and into the other a barred unglazed window. The windows in the two corridors are placed exactly opposite each other, and, by means of an opening over the door and the barred windows, admit of tolerably free ventilation. This plan of placing the rooms between two corridors is almost universal in Belgium, and has been adopted in the small new asylums at Gheel, but it is difficult to see its exact advantages.

The warming is by stoves in the corridor. There is one general airing court; and by means of doors the corridor can be divided into six portions, so as to give any one, two, or more patients a distinct piece, and allow of exercise without communication with other patients.

The special section for violent cases at Frankfort is on the double corridor system, and does not differ materially from that at Ghent, except that it is warmed by steam and ventilated by propulsion, and that each room has a closet, the pans in which are removable from one of the corridors.

The proportion of violent patients for whom provision is generally made, would appear to be about one-tenth. At Edinburgh the block for violent women will contain one-eighth of the entire number. At the McLean Asylum, Boston, and Guislain's Asylum, Ghent, about one-tenth are provided for; and this would appear to be about the usual number in the rooms for the violent class in British asylums. In the French asylums the number specially provided for is very much less.

#### KITCHENS.

The points for consideration concerning asylum kitchens are, their number, their position, the modes of cooking, and the accessory rooms.

In most asylums the entire cooking for patients, attendants, and officers is done in one kitchen; and in all cases except where the asylum buildings are much scattered, or a separate building for paying patients exists, as at Meerenberg, Glasgow Royal, and Morningside Asylums, one properly fitted kitchen appears to be all that is necessary. In most English asylums the kitchen is a one-storied building, with a high open roof, well ventilated, and with windows in the roof or near it, situated immediately behind the centre or administrative block of the building, and accessible by means of covered ways from every part of the institution. In the newer German asylums at Hamburg, Frankfort, Göttingen, &c., the room is of this character and in this position. In the older German asylums, of which Illenau may be taken as a type, the kitchen is on the lower floor of a two-storied building, and is grimy from smoke, and perpetually more or less full of steam when cooking operations are going on. In most French institutions the room is on the ground floor, large and well ventilated, but other rooms are placed over it. This is the case at St. Anne's, Quatre Mares, and Ville Evrard; but at Evreux the English plan has been followed, and the asylum kitchen is a one-storied building with open roof. The kitchens at Meerenberg are also of this kind. In the American asylums the kitchen is placed on the basement, and is generally fairly ventilated. From it tramways are laid all over the basement, and the food is conveyed to the upper story by lifts.

The major part of the cooking in all asylums is done by steam, the meat, pudding, &c., being boiled by steam in jacketed boilers, and the potatoes steamed in large square boxes made of iron. In addition to this there is generally an open fire-range for roasting, fitted with such apparatus as is necessary for the minor cooking, requisite for the tables of officers. This range is occasionally large enough for roasting for the entire establishment, but more usually is small and intended only for officers, in which latter case the patients' dinners are baked in the ovens used for baking the bread.

At

At the Meerenberg Asylum, the entire cooking, boiling, and roasting is done by gas. At Colney Hatch, the Three Counties, the Stafford Asylum, the Lunatic Hospital, York, and the French asylums of Ville Evrard and St. Anne's, all roasting and frying is done by gas, both for officers and patients; and in all cases it is found clean, handy, and economical.

Special care is taken in some asylums to carry off the steam. At the Leicester Asylum the boilers are placed in a glass case with sash windows, and so, shut out from the kitchen; and at Hamburg, a hood is placed over the entire boiler-range, to receive the steam, and conduct it by a tube immediately to the open air.

The modern French and German kitchens are excellently arranged. As at Colney Hatch and some other English asylums, the entire cooking apparatus is placed in the centre of the kitchen, and benches or dressers round the outside, serve for the preparation of the food. The steam-boilers in the French asylums are hung on pillars, through which the steam passes to the jacket. The vessels are slung on pivots (see Appendix F, Fig. 11), and can be tilted so as to be emptied or cleaned; the lid lifts by means of a weight, and over each boiler is a tap from which it is filled with cold water. The whole arrangement is simple and handy, and admits of being kept beautifully clean. The German asylums at Hamburg and Göttingen are fitted in much the same manner, but the boilers are built in, and so do not tilt on a pivot; and the front of the brickwork is faced with white glazed tiles.

In all asylums there is a scullery, opening from, or placed near, the kitchen; and in many, an additional room in which the vegetables are washed and prepared, sometimes by hand and sometimes by ingenious machinery. The boilers are frequently placed in the scullery, so that all steaming is done there, and the kitchen left free for roasting and the preparation of food.

In eight out of every ten English public asylums, and in the majority of the American ones, the whole of the bread for the consumption of the house is made. Sometimes the kneading is done by hand, at others, as at the Sussex County Asylum, by Stevens' Kneading Machine; and the baking done in ordinary brick, or specially fitted, iron ovens. At the New Jersey State Asylum, a very complete apparatus is employed for making aerated bread, which is used by the entire establishment. It is sweet and palatable, and the officers and attendants and the constant residents do not tire of it, as is generally found to be the case in British institutions in which it is used,—the secret apparently lying in the fact that sufficient only for the day's supply is made, and that it is always eaten fresh. Stale aerated bread is dry and insipid. It is stated that it is cheaper to make aerated than ordinary bread, both processes having been tried in the same institution. It is found as a rule more economical to make bread in an asylum than to buy it; but this is only in institutions of a certain size, where the baker is kept constantly employed. At the Cupar, Murthly, and some of the smaller institutions it is found cheaper to buy it; and this is also the case at the Lunatic Asylum, York, and the Gloucester Asylum, which are near, or rather almost in, large towns. At Stafford the bread is supplied from a prison near. For Continental institutions the bread is generally bought; but at Ville Evrard, a bakehouse is about to be erected, and bread is made at Ghent, Illenau, and one or two other asylums. In many English asylums all the beer required for the establishment is brewed; and at some it is found economical to buy coffee green, and roast it.

In most asylums either a sausage machine or a patent mincer is in use, to chop small, all food required for patients suffering from general paralysis, and for those accustomed to swallow their food without mastication.

At Cupar, Murthly, and Ghent, ingenious machines are in use for cutting bread, so as to give a certain weight in each slice without weighing; and at New Jersey State Asylum and the Glasgow Royal Asylum, biscuits are made for the patients—at the former, by machinery.

In most American asylums there is an ice-house; and the ice, gathered by the patients in winter, is stored for summer use. It is sometimes extremely useful in medical treatment.

Patients generally assist the cooks and bakers in the asylum kitchens and bakeries, and almost all the vegetables are washed and prepared by them. A few superintendents, as Dr. Nichols, of Washington, object to patients as assistants in the kitchen, because they are frequently not cleanly in their habits.

#### LAUNDRY.

Asylum laundries are, generally, either partially or wholly detached buildings. At Broadmoor, the New Jersey State Asylum, and the Pennsylvania Hospital for the Insane, they are at some distance from the asylum, and near the spring from which the water supply of the institution is derived. In most cases, the laundry consists of washing, drying, mangling and ironing rooms; but in addition to these there are at some asylums—as the Essex and Ville Evrard—a linen reception-room, (in which all linen is received from the wards as it becomes soiled), folding and mending-rooms. At some institutions there is either a separate laundry for the very dirty linen, as at Broadmoor and Sussex, or a room attached to the laundry, in which it is washed, as at Prestwich, Montrose and New Jersey.

The water in asylum laundries is almost universally warmed by steam. Sometimes the steam pipes are brought directly into the washing-trays, as at Murray's Asylum, Perth, and some of the American institutions; at others, hot water is laid on. The mode of washing differs materially in different countries. In the majority of American institutions machinery is used to a very great extent, whilst the patients either do not assist  
at

at all or only in a small degree. The machinery consists either of what is called the "shaker" machine (invented and patented by a member of that sect); or the hydraulic clothes washer, made by a company in Cincinnati, for washing; a centrifugal wringer; and mangles worked by steam. In some of the English asylums, machinery is also largely used; there are few institutions in which some one of the many forms of Stamper, Dashwheel, or Dolly, does not exist; and the centrifugal wringer is universal. Occasionally, the mangles are also worked by machinery; but in almost every institution a considerable number of female patients assist at washing. In some English asylums, as Essex and Gloucester, the washing is, almost entirely, done by hand, such small machinery as exists for washing, wringing, or mangling, being turned by hand. In the Scotch asylums, the washing is more frequently done by hand than in English institutions; and the only machinery in use in the Cupar, Murthly, and Montrose Asylums is a centrifugal wringer, turned by hand, the patients, with two or three paid laundresses, doing the entire washing of the asylum.

The amount of machinery in use in Continental asylums is, as a rule, small. At St. Anne's, the French system of filtering the hot lye through the clothes is in use. The linen is placed in large tubs, with a compartment at the bottom, from which the lye is pumped up by machinery and allowed to flow over the top, it filters into the compartment, and is again raised by the machinery. At Göttingen and Meerenberg, there is a washing machine worked by steam, and a centrifugal wringer; but at Ville Evrard, St. Yon—at which the entire washing for 900 patients within its own walls, and 700 at Quatre Mares, is done—and at Ghent no machinery exists. The clothes are first boiled in huge coppers and then washed by hand. At Ghent and one or two other Continental asylums, clumsy movable wooden tubs are provided; but in all the British institutions, fixed square tubs, at which the women stand, are placed round the wash-house against the wall. These have a cold, and either a hot water or a steam supply. The boilers and machinery are placed in the centre. Drying is done mainly in closets warmed by steam, the clothes being placed either on wooden or zinc horses, or on wires fixed or made to revolve in the closet. A large drying and airing-ground is also attached to most institutions. At the Colony of Fitz James, at Meerenberg, and at the M'Lean Asylum, Boston, special arrangements are made for drying clothes in covered sheds, which are without artificial heat. These sheds are fitted with movable louvres, which exclude rain but admit air, such as may be seen in the drying-rooms of leather or paper manufactories. At Montrose, the drying-closet is used very little, the large open drying-yard serving all purposes, except in very bad weather.

The ironing, folding, mending, &c., are always done by patients. In the American asylums, and at Meerenberg, the irons are generally warmed at gas stoves. In several English and Scotch asylums, cap crimpers are fixed to a table and are heated by steam.

A special foul linen laundry is very useful in asylums. The linen of some patients is made so filthy that it is found desirable to wash it apart from the rest, and this is done either in a small detached laundry in which all the laundry operations are completed, or in a room for washing only; the remaining operations of drying, mangling, &c., being done in the ordinary laundry.

At the Worcester Asylum, instead of a room, the special foul linen laundry is a shed against the main building, quite open on both sides, so that all offensive smell at once escapes, and a similar building exists at the Jersey State Asylum. At this latter institution, all the dirty linen is placed first in a shallow tray with a hole in the centre, and well brushed while water is poured on to it; and at the Prestwich Asylum, a tank is constructed to hold the major part of the soap suds and dirty water which drain from the laundry in one day. In this the specially foul linen is placed every night. In the morning the tank is emptied, the water allowed to run into the ordinary drains, and the clothes taken out and washed in a special room by machinery. At Cupar, a tank for foul linen is placed in a small offshoot from the laundry. In this it is soaked for twenty-four hours before being washed in the ordinary manner. The soiled linen is in some asylums kept in a box in the scullery, and sent to the laundry every morning. In others, a basket is placed in the lavatory or storeroom. In some one or two, as at Colney Hatch, boxes are placed in the airing courts, to which the linen is taken from the nearest wards during the day, and removed to the laundry every morning, or two or three times a week; but at the Essex and Derby, and the female side of the Sussex, it is sent to a special room in the laundry at once.

#### CHAPEL.

A large room, in which religious services can be conducted, has become an essential part of an asylum; and such a room exists in every well-ordered establishment in great Britain, on the Continent, and in America.

In some of the Scotch and American asylums, this large room, generally handsomely decorated, is used also as an amusement room. In the Scotch asylums, all the public amusements are held in it; but in the American institutions, it is used only for lectures and magic-lantern exhibitions, whilst a separate room is used for dancing.

In all English and Continental institutions it has been deemed advisable to have a separate room for amusement, and the chapel is fitted specially for religious services. In the English and German asylums, the chapel is sometimes a room in the main building, but usually it is semi or totally detached. In all instances it is thoroughly ecclesiastical in its fittings and ornaments; and in not a few English asylums, is one of the prettiest churches in the district. At the Prestwich, Sussex, Worcester, and New Surrey Asylums, and at the Northampton and York Lunatic Hospitals it is a totally detached handsome gothic

gothic structure, fitted with excellent taste; and at the Essex Asylum is semi-detached, and radiant with gilding and stained glass. In the French asylums the chapels are always detached buildings and remarkable for their beauty; and fine, detached, ecclesiastical looking edifices, have been erected at Ghent, Meerenberg, and other places.

As a rule the chapel is used by one denomination only, that of the majority, the other paid or unpaid chaplains of the institution, performing service in rooms temporarily devoted to the purpose; but in Germany it is used for both Protestant and Catholic worship; the special ornaments and accessories necessary for the service of each sect being kept in small locked closets in the vestry, or the chapel itself.

The following table will show in round numbers, the average attendance of asylum inmates at divine service, in seventeen British and American institutions. In the French and German asylums it is generally stated, that about a half or rather more attend the religious services.

	Inmates.	Attendance.
Prestwich .....	962	600
Sussex .....	506	380
Gloucester .....	586	270
Worcester .....	540	290
Three Counties .....	534	250
Essex .....	554	270
Colney Hatch .....	2,026	700
Bristol .....	206	110
Derby .....	342	150
Stafford .....	469	320
Leicester .....	391	270
Murthly .....	220	180
Cupar .....	213	150
New Jersey State .....	500	260
New York State .....	608	300
Washington .....	380	240
Pennsylvania State .....	380	160

From this last it will be seen that the attendance is in only two cases less than half the entire asylum population (in these, the number is restricted by the small size of the chapel); whilst in several it is more than three-fourths of the entire number of inmates.

In some Asylums two services are held in the chapel on Sunday, and one or two week-day services in addition; in others, morning prayers are read daily, in addition to the Sunday services. The large majority of asylum chapels contain either harmoniums or organs, which are used in the services of the church. Choirs, composed of patients and attendants, have been formed; and the Protestant services in Great Britain and America, and those of the Catholic Church in France and Belgium, are performed with a reverence and decorum which are not surpassed in any of the ordinary churches.

#### DEAD-HOUSE AND CEMETERY.

The only asylums in which special detached buildings do not exist for the reception of the dead, are some of the American institutions. At New Jersey and Washington, the dead are placed in rooms in the building and removed as soon as possible. In British, French, and German asylums, a dead-house is considered absolutely necessary. It is, as a rule, placed at some little distance from the asylum, as much out of sight as possible, with a door opening at once upon the road to the cemetery or nearest town. In some institutions the dead-house consists of one room only; but in the majority of British, and in most of the modern French and German asylums, there are two rooms, one for *post mortem* examinations, and the other for a reception room in which friends can view the body. At the New Surrey Asylum two small reception rooms have been built, one for males and the other for females, each sex attending to its own dead; and between the two is the room for *post mortem* examinations. In most Continental asylums, and in one or two English institutions, there is a mortuary chapel in connection with the dead-house.

When asylums are situated at a distance from a town, a special cemetery for the institution is generally made, and it is often planted and kept with extreme care. The little cemetery at Illenau, in Baden, under the shadow of the Swartz Mountains, bright with flowers, and ornamented with monuments of exquisite taste—among which the venerable and eminent medical director points out those belonging to some members of his own family—is one of the most peaceful and beautiful spots to be imagined.

#### AMUSEMENT ROOM.

Almost all modern asylums possess a room in which the inmates can be collected for concerts, dances, lectures, theatrical exhibitions, and other amusements, at which it is desirable that as many as possible should be present.

In some asylums, as at St. Yon in France and the New Surrey, some of the work-rooms, at the former a large room generally used for sewing, and at the latter two workshops, separated ordinarily by a removable wooden partition, are used for this purpose. In the Scotch asylums the room in which religious service is held is used also for the associated amusements; but generally a special room is set apart for this purpose. This is frequently handsomely decorated, made brilliant with gilding and colour, and well lighted. A fixed stage or platform is usually placed at one end—sometimes there is a gallery for



for musicians or visitors; and, as a rule, a piano is a part of the furniture. At the Pennsylvania Hospital for the Insane the room is beautifully coloured, and lighted from the roof by gas, below which glass is placed, so that the warm air does not enter it. At the Hamburg Asylum there is a suite of three rooms, in one of which minor refreshments, beer, &c., are served during the evening. In some of the English asylums, where the patients dine in a general hall, as at the Bristol, the Three Counties, and the Old and New Stafford, this is used as an amusement room.

It is found that from one-half to three-fourths of all inmates are capable of enjoying or are likely to be benefited by the ordinary amusements provided.

#### LIBRARY.

In a few asylums, as at Worcester, Colney Hatch, Hamburg, Montrose, and others, a special room is set apart for a library; and this, used as reading room also, is not uncommon in institutions which contain patients of the better classes; but in the majority of asylums for pauper patients the main store of books is kept in cases, either in the room allotted to the chaplain, the Board Room, or the room in which the friends of patients are received. In the British asylums generally, book-cases made to contain a small library, are placed in each corridor or day room. The libraries of many asylums are large. At Prestwich and Colney Hatch there are 2,000 volumes, at the Three Counties 1,700. The supply of newspapers and periodicals is also liberal. At Prestwich 13 or 14 (six or eight copies of some), at Montrose 21, at Worcester 25, and at Morningside 30 cheap serials, besides ordinary newspapers, are taken. At the Sussex Asylum a subscription is paid to Mudie's Library, and a most liberal supply of newspapers is provided. The money for the supply of books and papers is either granted as an annual sum by the Governing Board, or given in small sums on application by the Superintendent or Chaplain, under whose direction the library is more usually placed. The American asylums possess, as a rule, excellent libraries, and, like the English institutions, are well supplied with newspapers and periodicals. At the New Jersey State Asylum the library is partly supported by fancy work made by the patients, and either sold at shops or kept in a case in the entrance hall and sold to visitors. At the New York State Asylum the exchange papers of several local journals are bought at small cost. The supply of newspapers and books is much smaller in the French than in the English and American institutions; and in none of the Continental asylums is it at all liberal.

At the Prestwich Asylum all the periodicals are bound by a bookbinder who is a patient, and who has a small room set apart for his work. At three asylums a small paper, written entirely by patients, men who are "mad, nor-nor-west" only, is published. These literary curiosities—*The Morningside Mirror*, *The York Star*, and *Murray's Royal Asylum Literary Gazette*—are sent forth to the world monthly or quarterly. *The Morningside Mirror* is printed in the asylum; and the profits derived from the sale of all go to the library funds of the asylums.

THERE remains to be considered the provision made for the accommodation of the officers, servants, and attendants; and in addition, the various rooms used for administration may be enumerated.

In the majority of asylums, both in Great Britain and on the Continent, the superintendent lives in a suite of rooms in the main building, and this is generally the case in America; but in several of the most recently established British and Continental institutions, as the New Surrey, the Montrose, Murthly, Cupar, Hamburg, Meerenberg, and others, the house for the superintendent is detached, and at a short distance from the asylum. At several of the older institutions, as Worcester, Gloucester, Morningside, &c., a new detached house has been built for the superintendent, and the rooms formerly occupied by him used for some other purpose. At the Pennsylvania Hospital for the Insane, the Bloomingdale Asylum at New York, the Retreat at Hartford, and other American institutions, the superintendent's residence is also detached. The chaplain, if resident, has usually either a detached house, or two rooms in the building. The remainder of the officers, the assistant physicians, the steward, the matron or housekeeper, the chief attendants or supervisors, and the attendants and servants, are as a rule accommodated in the building itself.

To each of the officers two rooms are usually allotted in the centre of the building, but in some of the newest British asylums, a sitting-room and two bed-rooms have been set apart for the assistant physician. The steward, when married, lives out of the asylum, a certain sum being allowed for rent, or a house built for him.

In the British asylums dinner is served for each of the officers in his own room. In America, the assistant physicians and chaplain (if resident) generally dine at the superintendent's table, and the matron and steward dine together; or some other arrangement is made, by means of which the number of separate meals provided is made as small as possible.

To the head attendants, two well-furnished rooms each are usually given—sometimes one room only with an additional room for a common dining-room.

The English system of asylum management gives special dormitories to all the attendants; sometimes two or three, but more usually one, being placed in a comfortable furnished room containing for each individual about 1,000 cubic feet. These rooms are distributed throughout the asylum, and are generally so placed as to overlook the associated dormitories and the day-rooms by means of windows.

In

In one or two English asylums, as at Gloucester and Lincoln, the junior attendants sleep in the associated dormitories with the patients, generally in a corner bed, the seniors having each a room; and this, though objected to by the attendants at first, is found to work well. In the Scottish System no special dormitories are set apart for the attendants. In each ward is a room in which the attendants keep their clothes, and in some cases dine; but every attendant sleeps in associated rooms with the patients. This arrangement is supposed to prevent accidents. It is, however, to some extent, difficult to carry out, since the attendants very much prefer rooms to themselves. At the Gartnavel Asylum, Glasgow, especial difficulty has been found in inducing attendants to sleep in the dormitories with the patients—sometimes £2 a year has been given in addition to the ordinary wages to compensate for the want of privacy, but even this has not been found sufficient inducement, and good attendants have left when it has been insisted on; so that at that institution the attendants have now, as a rule, separate dormitories.

In America the attendants have invariably special sleeping rooms so placed as to overlook the few associated dormitories which exist in American asylums; and the same is the rule in French asylums.

At Quatre Mares, Meerenberg, Hamburg, Göttingen, and in most of the Belgian asylums, the attendants all sleep with the patients in the wards; their beds have usually curtains, and sometimes a chest of drawers and a chair are placed by the side of each. At Frankfort and Illenau a few have special rooms, but the remainder sleep in the patients' dormitories.

The further arrangements made for the comfort of the attendants vary considerably. The most usual plan is to provide a special dining-room for the attendants and house servants of each sex, which is used also as a sitting-room in the evenings after the patients are in bed.

Sometimes one large dining-room only is provided. Occasionally the attendants dine in the ward or common dinin-grooms after the patients. In some of the Scotch asylums they dine in a small room opening from their ward, and in America generally with the patients, taking the head of the table. For the house, the kitchen, and laundry servants, and for such men as bakers, storekeepers, and others, who live in the asylum, dormitories are provided, either near the departments in which they work, or in a special part of the building. The third story in the centre of the building is not unfrequently used as dormitories for the house and other servants; and in the new French institutions sleeping accommodation is provided for the kitchen, laundry, and other servants in the block containing the kitchen and store rooms.

Besides rooms for officers, servants, and attendants, rooms are provided for administration and for stores. A room for the meetings of the governing body, a superintendent's office, dispensary, steward's office, chaplain's office; store rooms for clothing and utensils, for meat, bread, and groceries; a cutting out and sewing room, a schoolroom, and rooms in which the friends of patients can visit them, are among those most usual and necessary.

In the French asylums, the dispensaries take up a large space, and the *pharmacien* is almost always an important member of the asylum staff.

The visitor's rooms, one for each sex, are usually comfortably furnished, ornamented with pictures, and made as homely and attractive as possible. At Ville Evrard there are four for each sex, so as to allow as much privacy as possible to patients in their interviews with their friends. At the Sussex Asylum, the visitor's room is used also as schoolroom and library, and there being fixed times for both school and visiting, serves all purposes admirably.

The farm buildings, piggeries, and stables at many asylums are excellently arranged. They are, as a rule, situate at a short distance from the asylum, and every improvement in structure and fittings has been adopted.

#### ORGANIZATION.

*Asylum Government and Inspection.*—Asylum government is even of greater importance than asylum construction, and a consideration of the various forms which exist in older countries will, no doubt, be useful as a guide to that which is most fitted for a young and growing colony.

The public institutions for the insane in England are County and Borough Asylums, the State Asylum for Criminally at Broadmoor, and the Lunatic Hospitals, which, although in the hands of more or less close corporations, are not conducted for the profit of the corporation or of any individual.

The government of the county and borough asylums is in the hands of the Justices of the Peace of the county or borough, and that of the lunatic hospitals in the hands of a body composed of *ex officio* governors or subscribers, and by them is delegated under Act of Parliament to a committee of visitors, numbering not less than seven, elected annually, and entrusted with the entire government of the asylum, the making of all rules, the appointment, dismissal, and superannuation of all officers, and servants, and the general and financial management, so long as the additions, alterations, and improvements do not cost more than £400 in one year, in excess of the ordinary repairs.

This committee of visitors exercise a general control over the affairs of the institution, meet once a month, or as often as may seem fit, and delegate to the superintendent, the resident representative of the committee, such authority as they please, looking to him for the good government of the institution and estate. The committee make annually a financial and general report to the whole body of Justices, and improvements suggested by them are sanctioned at a general meeting, and provision made for extraordinary payments.

It

It is ordered by the Act of Parliament regulating the government of asylums, that not less than two members of each committee of visitors shall, together, once at least in every two months, inspect every part of the asylum of which they are visitors; see and examine every lunatic therein, and the order and certificate for the admission of every lunatic admitted since the last visitation, entering in a book kept for the purpose any remarks they may deem proper to make as to its condition and management; and any three visitors may order the discharge of any person, conditionally on trial, or absolutely.

The State Asylum at Broadmoor has been placed under the management of a council of supervision appointed by the Secretary of State for Home Affairs, with powers similar to those exercised by the committee of visitors of county asylums, some provisions being made for the discharge of special cases or their transfer to ordinary asylums, under the warrant of the Secretary of State. The general rules for the government of all public asylums, made by the committee of visitors, must be submitted to, and approved by, the Secretary of State, and when approved by him are printed and abided by, being only altered after like approbation; but regulations and orders for the management and conduct of the asylum, not inconsistent with such general rules, may be made or altered at any time without such approbation being necessary.

The Commissioners in Lunacy, a body specially appointed by the Crown, consisting of five honorary and six paid members,—three of whom are physicians and three barristers-at-law,—are charged with the visitation and inspection of all public asylums, once or oftener in every year. One physician and one barrister at least are charged with the visitation of every asylum—to inquire whether the provisions of the law have been carried out as to construction, visitation, and management, and also as to the regularity of the admissions and discharges of patients therein and therefrom—whether Divine service is performed, or coercion practised—as to the classification of patients, number of attendants, dietary, occupations, and amusements, and such other inquiries as shall seem to them meet. The general condition of all asylums is set forth in the annual report of the board to the Lord Chancellor. All plans for building, enlarging, or improving asylums, are to be submitted to the Commissioners in Lunacy, reported on by them to the Secretary of State, and approved by him before adoption.

The district asylums of Scotland are almost identical with the English county asylums, and the Royal asylums do not differ materially from the English lunatic hospitals.

Their general mode of government is also almost identical; the district asylums being governed by a district board selected from the commissioners of supply and the magistrates of boroughs in the district, and the Royal asylums by a board of governors consisting of subscribers and others.

The Commissioners in Lunacy for Scotland, two paid officers appointed by the Crown, who are assisted by two Deputy Commissioners, are charged with the inspection of all asylums, their duties being similar to those of the English Commissioners. All rules and regulations for the government of asylums are made by them, and submitted to the Secretary of State for Home Affairs for approval before being carried into effect. They make an annual report on the condition of all asylums to the Secretary of State.

The parochial asylums of Scotland are merely developments of the lunatic wards which exist in almost all poorhouses. They are under the immediate government of the guardians or other parochial authorities, and subject to the inspection of the Commissioners in Lunacy.

In Ireland, the governors of all district or public asylums are appointed by the Lord-Lieutenant in Council, the number for each asylum not exceeding eight, and they are unpaid. They are charged with the erection, establishment, and regulation of asylums, and with the appointment, dismissal, and superannuation of all officers and servants; but the appointment of the superintendent is left in the hands of the Lord Lieutenant, who determines also the staff of officers, defines their duties and salaries, and makes all rules and regulations for their guidance.

The Inspectors of Lunatic Asylums in Ireland, two in number, appointed by the Crown, are charged with duties of inspection and report, similar to those of the English and Scottish boards, and are, in addition, members of the boards of governors of all asylums.

The Central Criminal Asylum at Dundrum is placed immediately under the supervision and control of the Inspectors of Lunatic Asylums, who are at once the governing and inspecting body of the institution.

In the United States of America, the public asylums consist of Town and State Asylums; the Central Government Institution for Soldiers and Sailors, and for the District of Columbia, at Washington; and lunatic hospitals similar in character to those existing in England. The town asylums which exist at Boston, New York, and Philadelphia, are in connection with the poorhouses of those places, and correspond to the parochial asylums of Scotland in character. The governing body are either the city authorities, or commissioners appointed by them.

The State asylums are the property of the whole State, erected and maintained at the State expense by sums voted in Parliament, and, therefore, corresponding closely to the asylums in this Colony. The State Executive does not govern these institutions, but appoints a board of management for each asylum. The exact mode of appointment and the powers delegated to these boards vary somewhat in the different States, but they are universally unpaid, except as regards expenses. In the State of New Jersey, the managers are ten in number; they hold office for five years, two retiring each year, and being eligible for re-appointment; they have the entire control of all the property and concerns of the institution, appoint superintendents and determine the salaries of all officers, make all rules and regulations for the management of the asylum, visit and inspect it weekly,

manage



manage the general and financial affairs of the institution, and regulate the discharges of patients. An annual report of the general and financial condition of the asylums is made to the Governor, and by him presented to the Legislature with the estimates for the following year. Certain rules are laid down in the act regulating the asylum for the guidance of the superintendent, to whom is given the appointment of all officers subject to the approval of the managers.

In the State of Massachusetts, the government of each of the three State Lunatic Asylums is vested in a board of five managers or trustees, one of whom retires annually but is eligible for re-appointment; they manage the general and financial affairs of the institutions, make all laws, appoint officers, fix salaries, visit and inspect the asylums monthly, and present an annual report to the State Government. Two trustees can discharge a patient on the advice of the medical superintendent. In the other States the constitution and powers of the board of managers differ very little from those in New Jersey and Massachusetts. The Central Government Asylum at Washington is managed by a board with similar powers.

The lunatic hospitals of the United States, at Philadelphia, Boston, and New York, are governed by committees of the subscribers.

Except in the States of Massachusetts and Vermont, the lunatic asylums are under no inspecting board corresponding to the Commissioners in Lunacy; but in Massachusetts, the Board of State Charities, which consists of five unpaid members and a paid agent and secretary, are charged with duties of inspection of lunatic asylums among the other charities of the State, and include in their annual report a full account of the general condition of these institutions. And in Vermont there is a Commissioner in Lunacy charged with inspection. The appointment of a similar board to that of Massachusetts is contemplated in the State of New York.

In France the Departmental Asylums which correspond to the County Asylums of England,—the asylums belonging to the Hospices, similar in constitution to the Lunatic Hospitals of England—and the Charenton, which is a State institution—are the public institutions for the care and treatment of the insane.

The French Departmental Asylums are placed under the Minister of the Interior, and from his office, in accordance with that centralization which distinguishes all French Government institutions, are issued a dietary and general regulations for their management. The Minister also nominates all the directors, physicians, and assistant physicians, from a list of three furnished by the Prefect of the Department. The salaries of these officers are fixed according to length of service. There is however a general committee—"Commission de Surveillance"—consisting of five members, nominated by the Prefect of the Department, who meet once a month, are charged with the general and financial management of the institution, and the appointment of all officers except the director and medical staff.

There is a Board of Inspection for the French asylums consisting of three members, one of whom visits each asylum once a year. The inspectors are also charged with inquiry into the sanitary condition of prisons. Their reports are made to the Minister of the Interior but are not published. Once in about ten years an elaborate statistical report on lunacy is issued from the Bureau of the Minister of the Interior.

The asylums of the Department of the Seine are not under the inspection of the ordinary inspectors of asylums, but under a special inspector for the department. Charenton is under the management of a committee of five members appointed by the Minister of the Interior.

The Public asylums of Belgium are under the control of a committee of management for each province, nominated by Royal decree, composed of five, seven, or nine members, with the Commissioner of the District as president, who manage the general affairs of the institution, sign the certificates for the discharge of patients, appoint all officers, and control the finances of the institution. They direct their attention particularly to the circumstances of the patients on leaving the asylum, assist them in obtaining their livelihood, and report each year upon the general and financial condition of the institution under their charge, to the Minister of Justice, in whose department the asylums are placed.

There is also a board of inspectors appointed by the Minister; it consists of three members, one of whom is a physician. Every asylum in the kingdom is visited annually, and a report made to the Minister and subsequently published.

The public asylums of Holland are chiefly, if not entirely, provincial, and under nearly the same system of government as those of Belgium—a Provincial Board of Control and a Government Board of Inspection.

In Germany the public asylums are under very various forms of government. In the, till lately, free cities of Hamburg and Frankfort, the governing body, exercising all the ordinary functions of a board of control, are committees appointed by and from the members of the city council. In Baden there is no board of control. The Government appoint the superintendent, and exercise a direct control over the affairs of the institution, one of the Ministers visiting it himself or sending a special commissioner occasionally; and this would appear to be the more usual mode of government in the smaller German States. In Hanover, the asylums were formerly under the Minister of Education and Public Charity, who appointed all officers and exercised general financial control over the institutions, paying them an occasional visit. The Government is now in a transition stage.

*Superintendent.*

*Superintendent.*—In all British asylums, and in the vast majority of American and Continental institutions, the superintendent of the asylum is the medical chief. In a few French asylums the physician is charged with the merely medical duties of the institution, and the general management is in the hands of a director; but this system has been found to work badly, and in all the newly organized French asylums, the duties of general superintendence are placed in the hands of the chief physician. In the city asylums of the United States, the authority is divided, and the ill effects of divided responsibility are plainly visible in the condition of the institutions. In the City Asylum at Philadelphia, where the physician is that, and nothing more, and the warder is responsible to the governors for the general management of the institution, the wards are dirty, there is a marked absence of personal cleanliness [among the inmates, the use of restraint is excessive, and the general condition of the asylum most unsatisfactory. The New York City Asylum is, owing to the energy of its medical officers and its governing board (The Commissioners of Public Charities and Correction), a useful institution, doing its work fairly if not in the best manner; but the evils resulting from divided responsibility are sufficiently apparent.

In the asylums of Colney Hatch and Hanwell there are two medical officers with equal power, the one in charge of the male and the other of the female department of the asylum; whilst the general government is exercised by the committee of visitors and the steward. The faulty condition of these two institutions is well known; and though the enormous size of the establishments, and the paucity of medical officers, may account to some extent for this condition, it cannot be doubted that no small share of it is due to the divided authority which exists.

The duties with which the superintendent is charged vary somewhat in different institutions. In the vast majority of asylums he is supreme, governing the asylum and estate, directing every department, and responsible for the condition of the asylum and all its belongings to the governing body; whilst in a few instances, as at the Three Counties Asylum, he is held responsible for the asylum only, and the management of the farm is undertaken by the committee of visitors themselves. The patronage entrusted to him also varies. In the American asylums, he, as a rule, nominates to the board of managers all the officers, and appoints and discharges all attendants and servants; but in the English, Scotch, and Irish Asylums, the appointment of officers and servants rests entirely with the committee of visitors, who, however, generally delegate their authority to him so far as attendants and servants are concerned, reserving to themselves the right, which is given them by act of Parliament, of the subsequent approval of the appointments or dismissals made by him. In the case of the officers he is generally consulted, though the Committee make the appointments.

On examining closely the general condition of asylums, those are almost always found to be best managed in which the physician is the superintendent, one, and supreme—in which the committee of visitors act only through him and with his advice—and in which the appointment and dismissal of all attendants are delegated to him: and those are found to be least satisfactory, in which the responsibility is divided—in which the committee of visitors or controlling board meddle in the internal management of the institution and direct, themselves or through other officers, any part of it, appoint and dismiss attendants, or clip in any way the authority of the medical superintendent.

The salaries attached to the office of superintendent in different British and Foreign asylums will be seen from the following tables and the appended remarks.

TABLE shewing the Salaries of eighteen Superintendents of British Asylums, with the number of Patients and the number of Assistant Medical Officers.

Asylum.	Number of Patients.	Number of Assistants.	Salary of Superintendent.	Remarks.
			£	
Bristol .....	206	.....	.....	In the majority of English asylums the superintendent is supplied with lodging, coals, candles, vegetables, and garden produce. Frequently washing for himself and family is done in the asylum laundry.
Derby .....	342	1	.....	
Leicester .....	391	1	500	
Stafford .....	469	1	.....	
Lincoln .....	502	1	650	
Sussex .....	510	1	550	
Three Counties .....	534	1	550	
Worcester .....	540	1	600	
Essex .....	554	1	800	
Gloucester .....	590	2	500	
New Surrey .....	650	1	600	At the Lincoln, Sussex, and Worcester Asylums, the superintendent's house is furnished throughout for his use.
Lancashire—Lancaster .....	836	2	600	
"    Prestwich .....	962	2	750	
York—West Riding .....	1,124	2	.....	
Colney Hatch .....	2,026	2	{ 600 600 }	At Colney Hatch there are two physicians, each with an assistant.
Perth District .....	220	1	350	
Cupar .....	213	1	300	
Montrose .....	380	1	400	

TABLE

TABLE showing the number of Patients and the number of Assistant Medical Officers in Foreign Asylums.

Asylum.	Number of Patients.	Number of Assistants.	Remarks.
Quatre Mares.....	715	1	At St. Anne's there are two physicians; every physician in the French and Belgian Asylums has, besides assistant medical officers, two pupils, or "internes," who have completed a part of their medical education, and are therefore useful to some extent as assistant medical officers.
St. Yon .....	950	2	
St. Anne .....	600	.....	
Ville Evrard .....	600	1	
Evreux .....	500	1	
Guislain's Asylum, Ghent .....	450	1	In the Dutch and German Asylums, the medical officers next in rank to the chief are usually distinguished as 2nd, 3rd, and 4th physicians; and the juniors are called assistants. The assistants, as in the English Asylums, all possess medical degrees, except at Göttingen, where the junior is a pupil only.
Meerenberg .....	600	4	
Hamburg .....	350	2	
Frankfort .....	200	1	
Göttingen .....	300	2	
Illenau .....	450	6	
Washington .....	380	3	
New Jersey State .....	500	2	
Pennsylvania State.....	380	2	
Northampton .....	420	1	
New York State.....	608	3	

In the French asylums there are five classes of physicians, receiving 3, 4, 5, 6, and 7 thousand francs a year respectively. The classification depends on length of service. When the physician is also director, he receives an additional salary, which varies in the different departments. The highest rate of pay, 7,000 francs, is equal to between £290 and £300 a year. In addition to this—house, coals, gas, vegetables, &c., are allowed; and in some cases a carriage and horses, which are bought and maintained for his special use.

In Germany, the salaries of superintendents range from about £160 to £350 a year; house, light, vegetables, &c., being also supplied. At Göttingen and Hamburg, the salary of the superintendent is £300, and at the latter place, a carriage and pair of horses are also kept for his use.

At Meerenberg, the salary of the superintendent is £450 a year, with house and board for himself and family.

In the American asylums, the salary paid ranges from about £300 to £600 a year, but house and board for both the superintendent and his family are also found, and carriage and horses are kept for his use. In the larger of the American asylums, the superintendents consider their appointments to be worth from 5,000 to 6,000 dollars, or £1,000 to £1,200 a year.

In almost all asylums, rules are drawn up by the Government for the general guidance of the superintendent.

*Assistant Medical Officers.*—The assistance which is given to the superintendents of asylums in the performance of their duties, by the appointment of junior medical officers, is less in England than in any other country. No English asylum containing less than 200 patients has an assistant medical officer, and none with less than 500 have two; whilst the enormous establishment at Colney Hatch has only two physicians and two assistants for a population of upwards of 2,000 patients.

In America the number of assistant medical officers is usually larger, in proportion to the number of patients, than in England; and the Pennsylvanian State Hospital for the Insane, and the Washington Asylum, each having 380 patients, have respectively two and three assistant medical officers.

The "internes" in the French asylums render efficient assistance to the superintendent; and yet without counting them the proportionate number of assistants is equal to that in English institutions.

In the German asylums, the number of medical officers is usually in the proportion of about 1 to every 100 patients; but at Illenau this number is even exceeded, and seven medical officers are occupied in the care and treatment of 450 patients, giving an average of between sixty and seventy to each—a proportion which is a striking contrast to Colney Hatch, where each medical officer has 500 patients under his care.

In the English and American asylums, the dispensing of medicines is, as a rule, the duty of the assistant medical officer; but in the Continental asylums, even at Illenau, there is a "pharmacien" specially charged with this duty.

The assistant medical officers invariably live in furnished rooms in the asylum, and receive board, and all necessary fires, lights, &c., in addition to their salaries.

The paucity of medical officers in such establishments as Colney Hatch and Hanwell, renders individual treatment absolutely impossible, since the superintendent must necessarily be much occupied in the non-medical duties of his office.

The

The multitude of medical officers at Illenau, where there is one to every sixty or seventy patients, is to some degree objectionable. The expenditure for medicines—surgical appliances, wine, beer, &c., not being included—in that institution, for three successive years, is—

1865.	1866.	1867.
6,113	5,578	5,762 florins,

an average of upwards of £480 a year, or more than £1 *per patient per annum*, which—considering that the cost for medicines in English asylums is, on an average, about 4s. 2d. per inmate—needs no comment.

*Consulting Medical Officers.*—In Ireland one or more consulting physicians, receiving generally an annual payment of from £100 to £150 a year, are attached to every asylum, and are charged with the duties of occasional visitation, and the treatment, in consultation with the medical superintendent, of all cases in which their opinion and advice may be deemed necessary. The same system exists in a few Scotch asylums—Aberdeen, Dumfries, Dundee, and Glasgow. To many of the French asylums there is attached a consulting surgeon, who receives about £50 a year; his duties being to visit the asylum weekly, and give his advice concerning the treatment of all surgical cases upon which the medical superintendent may think it desirable to consult him. But such consulting medical officers are not attached to any of the English or American institutions, and their appointment is generally regarded as not only unnecessary, but objectionable. In the English asylums the medical superintendent is allowed to call in a physician or surgeon, when his opinion or advice is deemed necessary in any difficult medical or surgical case; and such physician or surgeon is paid his ordinary fees for his visits to the asylum inmates. In one or two cases, as at Gloucester and Leicester, the committee of visitors nominate the physician or surgeon whose assistance and advice shall be obtained, and he bears the title of Consulting Medical Officer to the Institution; but usually the selection is left entirely to the medical superintendent, and with him rests also the decision as to the cases, and the number of visits which shall be paid.

*Chaplain.*—In the asylums of almost all countries it is thought necessary to provide for the spiritual needs of the inmates. In all French asylums the chaplains are resident officers, and the same is the case in the majority of Belgian and German institutions. In British institutions a resident chaplain is the exception. In some few asylums, however, the chaplain is resident, a detached house being provided for him, as at Colney Hatch, Prestwich, and Essex. In other cases, though non-resident, as at Sussex and Worcester, he holds no other appointment, and devotes himself entirely to the duties of his office; but in the remaining instances, he is the vicar or incumbent of a neighbouring church.

The number of services, and the salary attached to the office, vary as the chaplain has other duties or not.

In those asylums in which the chaplain holds no other appointment, the salary attached to the office ranges from £200 to £250 a year. Two services are performed on Sunday, and morning prayer is read daily either in the chapel or the rooms of the asylum.

In one or two English asylums, and in the Pennsylvania Hospital for the Insane, sittings are taken in the district church, and some few of the patients, whose behaviour is not likely to attract attention, are permitted to attend.

At the Colony of Fitz James at Clermont in France, a large part of the church is appropriated to the insane, who form the majority of the population of the village.

In most asylums, the paid chaplain belongs to the same religious denomination as the majority of the inmates; but every facility is given for the ministrations of clergy of other sects. In some of the German asylums, and at Meerenberg in Holland, there are two paid chaplains to the institution; and at Illenau both are resident officers, and officiate in the same chapel at different times.

In the United States, where no large majority of the inmates belong to any one religious denomination, the arrangements are somewhat peculiar. In the New York State Asylum the chaplain “happens” to be an Episcopalian, but his predecessor was a Presbyterian; and Wesleyan and Baptist ministers frequently officiate for him. At the Government Asylum, Washington, six chaplains are appointed, of the leading denominations of the district—Episcopalian, Methodist, Roman Catholic, Baptist, Lutheran, and one other; each is paid 100 dollars, or something over £20 annually, and performs the service for two months in the year in the asylum chapel, visiting all the sick, and burying all the dead, of his own denomination. The patients are curiously enough expected to attend the ministration of all the chaplains in succession.

At Northampton, Massachusetts, and other asylums, the religious services are provided for by the steward, clergy of different denominations being invited by him to come on Sundays in rotation, each being paid 5 dollars for the service.

*Officers.*—The staff of asylums varies much with the size of the institution; but in all certain heads of departments exist.

The commissariat and clothing department of an asylum, as well as the immediate management of the farm and garden, is usually placed under an officer, designated secretary, clerk, agent, steward, or storekeeper in English and American asylums, and *econome* in those of France and Belgium. To this officer are given such assistants as are

are necessary for the clerical or other duties of his office. In some institutions the steward is also treasurer, and receives and disburses large sums of money under the direction of the board of governors; but in the French asylums there is always a special officer for this duty, called a "receiver," and in English and American institutions a treasurer is generally specially appointed. In some places, the superintendent undertakes the immediate direction of the agricultural and horticultural operations, and gives all orders to the farm bailiff and gardener; and this appears to be in most respects preferable to placing this department under the direction of the steward. Occasionally, as at the Three Counties, the Sussex, Montrose, and other asylums, the committee of visitors undertake the immediate management of the farm. At the Criminal Asylum at Auburn, U. S., the superintendent also undertakes the duties of steward; and the experiment has been tried in the three State asylums of Massachusetts, the superintendent being steward, and having under him a staff of servants for the more menial duties of his office; this, however, was found not to work well. At the Worcester Asylum a steward has been appointed. At Taunton, the duties of steward are performed by the housekeeper, and at Northampton, by a man who is nominally cook, but really steward, with superintendence of the kitchen. In the Government Asylum at Washington, the commissariat and clothing departments are under the management of a woman, who performs all the duties to the satisfaction of the governors.

In some of the Belgian asylums, where the institutions are generally for one sex only, the commissariat, as well as the nursing and general attendance of the patients, is undertaken by the members of a religious order. At Guislain's Asylum, Ghent, every officer, except the medical staff and the chaplain, and every servant and attendant, are members of a lay-brotherhood. To the superior of this fraternity is paid by the governing body of the asylum a sum of 90 centimes a day for each inmate; and for this are furnished diet, according to a certain scale, clothes, approved by the governors, and attendants and servants in the proportion of one to every ten patients.

A similar system exists in the asylums for women, the Sisters of Charity undertaking the entire commissariat and nursing of the institutions.

In many ways this system is a success; but it is open to grave objections, the first and greatest of which is that it is a speculation, meant of course to conduce, as far as possible, to the pecuniary advantage of the religious corporation. It is thus liable to lead to a constant antagonism between the medical superintendent, whose duty and whose interest it is, to see that the dieting and clothing of his patients are such as will conduce best to their comfort and recovery; and the superior of the order, whose interest lies in providing only such food and clothing as will fulfil the conditions of his contract. Another objection is the *esprit de corps* which exists among the entire staff, and makes it difficult for the medical superintendent to detect abuses, or carry out such orders as seem to him fitting.

In the majority of British asylums, the superintendence of the kitchen and laundry, and that of the female attendants and domestic servants, with a general supervision of the entire female side of the institution, are entrusted to the matron, who has such assistants as are necessary in carrying out the duties of her office; but in several asylums in Great Britain, and in the majority of American institutions, although the title has been retained, the duties of the matron are those of "housekeeper" only, and consist of the superintendence of the kitchen and laundry and domestic servants; whilst the supervision of the wards on the female side, and of the attendants engaged therein, is entrusted to the chief attendant or supervisor of the division. In some British institutions, as at Sussex, Montrose, and others, the title of "housekeeper" has been adopted; and there can be little doubt but that the division of duties, which is almost universal in America and Germany, and which is advocated by many asylum superintendents in Great Britain, will eventually become general, and that the asylum matron, both in position and in name, will soon be extinct. In the French asylums the general direction of the laundry and kitchen, as well as the supervision of the female patients, their nursing and general attendance, is confided to the members of a religious sisterhood, the superior of which is at once housekeeper and chief attendant, having charge of the kitchen, laundry, and officers, and the supervision of attendants and patients.

*Attendants.*—The attendants may be divided into—1st, Chief attendants; 2nd, Day attendants; and 3rd, Night attendants.

Chief attendants, charged with the special duties of supervision of the patients, the attendants, and the wards, and acting as the medium of communication between the ordinary attendants, and the superintendent, exist in the vast majority of asylums, though under different names. In English asylums, they are called Head or Chief Attendants; in America, Supervisors; in France and Belgium, *Surveillants* or *Surveillantes en Chef*. In some few English asylums the matron and steward, either by themselves or by assistants, are charged with the duties of supervision; and in others, as the Three Counties and Derby, though the chief attendant on the male side bears his proper title, and is not under the direction of the steward, the assistant matron, who is responsible to her superior, performs the duties of supervision on the female side of the establishment. The *surveillante en chef* in the French and Belgian asylums, is always the local superior of the religious sisterhood, performing the duties of attendance. One chief attendant seems to be generally considered sufficient for each division of the establishment; but at New York State Asylum, at Meerenberg, Evreux, and Illenau, there are three for each sex. The greatest care is taken in many institutions to place the chief attendants or supervisors in what



is really their proper position, that of important officers of the institution. Good salaries are given; and in the Bristol, Worcester, Lincoln, Derby, and other asylums, two good rooms are set apart for each.

The Day attendants are employed in very varying numbers in different institutions. The following table will give their proportionate number to the inmates in some of the principal institutions, both in Europe and America.

Asylum.	Proportionate Number of Attendants to Patients.	Remarks.
Derby County .....	1 to 15	
Bristol Borough .....	1 „ 16	
Middlesex County, Colney Hatch .....	1 „ 12	
Essex do. ....	1 „ 12	
New Surrey do. ....	1 „ 14	
Gloucester do. ....	1 „ 16	
Sussex do. ....	1 „ 15	
Three Counties (Beds, Herts, and Hunts) ..	1 „ 13	
Stafford County .....	1 „ 14	
Leicester do. ....	1 „ 14	
Lincoln do. ....	1 „ 13	
Worcester do. ....	1 „ 15	
Lancashire do. (Prestwich) .....	1 „ 12	} The artisans, laundresses, &c., act as attendants, and are included in the number.
Murthly District .....	1 „ 10	
Edinburgh Royal .....	1 „ 10	
Cupar District .....	1 „ 13	
Montrose Royal .....	1 „ 16	
Glasgow Royal .....	1 „ 13	} For indigent patients only; the proportion for paying patients is greater. The majority of the patients in this institution are chronic cases.
Massachusetts State Asylum, Northampton	1 „ 20	
New Jersey Asylum .....	1 „ 11	
New York do. ....	1 „ 8	In the American asylums, a certain number of the patients are always of a better class, pay for their maintenance, and require a larger number of attendants.
Pennsylvania do. ....	1 „ 10	
Washington Government Asylum .....	1 „ 10	
St. Yon, France .....	1 „ 10	
Evreux .....	1 „ 12	
Quatre Mares .....	1 „ 20	
Ville Evrard .....	1 „ 20	This asylum is intended mainly for quiet cases.
St. Anne, Paris .....	1 „ 10	
Hamburg .....	1 „ 11	
Göttingen .....	1 „ 10	} This proportion is for the indigent patients only. The asylum is, however, chiefly for acute cases. This includes artisans.
Illenau, Baden .....	1 „ 7	
Ghent (Guislain's Asylum) .....	1 „ 10	
Meerenberg .....	1 „ 10	Proportion for indigent patients only.

In the English asylums reading and writing are considered indispensable qualifications for an attendant; and in some asylums a more general education is insisted on. The age at which attendants are taken ranges from 18 to 35; but in most asylums it is not deemed advisable that they should be younger than 21. In the French asylums the male attendants are much older than in the English institutions.

There is great difference of opinion among superintendents as to the desirability of placing the attendants in uniform. It is objected that it is expensive, especially when there is frequent change of attendants—a new comer can with difficulty be induced to wear an old uniform;—that it is apt to give a warder-like appearance to the attendants; that it leads to offensive nicknames given by the patients; and that it prevents the attendants (women especially) indulging their own taste, and so does away with what is to many a great pleasure.

The objections are met by the suggestions, that the uniform selected should be as little costly as possible, and should not be worn by attendants until they have been in the asylum some months, and can be regarded as more or less permanent servants of the institution; that it should be as little like the uniforms worn by the police or prison warders as possible; and, that the dress for the women should be made attractive in colour, shape, and minor ornamentation. The great advantages of uniform, as leading to the immediate recognition of the attendant by official and other visitors to the institution, and the help it renders to the superintendent in regulating the dress of the attendants, which is apt to run into extravagant ornamentation on the one hand, or untidiness on the other, are fully pointed out by those who consider uniform desirable.

Out of thirteen English County Asylums visited, the whole of the attendants were in uniform in seven, and the men in two others; in the remainder no uniform was worn.

The Scotch and American attendants object as a rule to uniform, and it is not worn in any of the asylums.

In the French and Belgian asylums, the women are generally members of a sisterhood, and wear the dress of their order. The men in the Belgian asylums are also members of religious orders; but in France such is not the case. The men, however, almost invariably wear uniform. At Evreux the patients and attendants are all dressed in a suit of grey cloth, and the attendants are distinguished by green bands

to

to their caps. In the German asylums, uniform is not generally worn. At Meerenberg, a very becoming dress has been selected by the superintendent, and its adoption is left to the option of the attendants, the superintendent expressing his opinion in its favour. Partly in deference to his wish, partly because found to be becoming and not more expensive than ordinary dress, it has been, all but, universally adopted by the attendants. The keys are usually either worn on a band, strap, or ribbon at the waist, or carried in the pocket. In some of the English asylums the attendants are provided with whistles to summon assistance in case of need, but they are seldom used, and scarcely necessary. The payments made to attendants are regulated by the price of labour in the different countries, but it is almost universal to treat them with the utmost consideration.

In many institutions the supply of food is unstinted. At Prestwich, the joints are sent in, and the attendants help themselves; but there is a fixed allowance of 2 pints of beer; in others special dietaries are given, of which the following may stand as fair examples:—

*Worcester County and City Asylum.*

Male.		Female.	
3 oz. tea .....	} ... Weekly ...	3 oz. tea.	} ...
12 „ sugar .....		8 „ sugar.	
12 „ fresh butter		8 „ fresh butter.	
or,		or,	
1 lb. salt butter ...		12 „ salt butter.	
1½ „ cheese.....	} ... Daily ...	1 lb. cheese	} ...
or,		or,	
2 lbs. bacon.....		1½ „ bacon.	
½ pint milk .....		½ pint milk.	
1 lb. bread .....		1 lb. bread.	
8 oz. cooked meat,	} ... Daily ...	6 oz. cooked meat,	} ...
free from bone		free from bone.	
4 pints beer.....		2 pints beer.	
For night attendants. }		For night attendants. }	
12 oz. meat & 1 egg }		8 oz. meat & 1 egg }	

*Sussex County Asylum.*

Attendants' and Servants' Diet.—Men 1 lb. uncooked meat; women,  $\frac{3}{4}$  lb. meat; 1 lb. vegetables; 1 lb. bread; 2 pints beer, daily. 2 oz. tea;  $\frac{3}{4}$  lb. sugar;  $\frac{1}{4}$  lb. coffee;  $\frac{1}{4}$  lb. butter, 1 lb. Cheese, weekly.  $\frac{1}{4}$  lb. meat may be exchanged for pudding or pie, at the discretion of the housekeeper.

*Essex County Asylum.*

Weekly		Daily	
Pepper .....	1 oz.	Beef without bone	1 lb.
Sugar .....	$\frac{3}{4}$ lb.	Bread .....	1 „
Tea .....	2½ oz.	Milk .....	$\frac{1}{2}$ pint.
Cheese .....	1 lb.	Beer .....	2 pints.
Butter .....	$\frac{1}{2}$ „	Vegetables .....	<i>ad libitum.</i>

ROYAL ASYLUM, MONTROSE.

Male Attendants and Servants Diet-table.

	Barley Broth.	Poese Soup.	Roast Beef.	Hash or Boiled Meat.	Irish Stew.	Beef Pie.	Fish.	Suet Dumpling.	Potatoes.	Bread.	Beer.	Boiled Meat.
Sunday .....	pinta. 1½	pinta. ...	ozs. ...	ozs. ...	ozs. ...	ozs. ...	ozs. ...	ozs. ...	ozs. ...	ozs. 8	pinta. 1	ozs. 8
Monday .....	1½	...	...	8	...	...	...	...	...	8	1	...
Tuesday .....	1½	...	8	...	...	...	...	...	16	...	1	...
Wednesday .....	1½	...	...	...	...	...	6	6	...	8	1	...
Thursday .....	1½	...	...	...	8	...	...	...	16	...	1	...
Friday .....	1½	...	...	...	...	...	...	...	...	8	1	8
Saturday .....	...	1½	...	...	...	8	...	...	...	8	1	...
Female Attendants and Servants Diet-table.												
Sunday .....	1	...	...	...	...	...	...	...	...	6	...	6
Monday .....	1	...	...	6	...	...	...	...	...	6	...	...
Tuesday .....	1	...	6	...	...	...	...	...	16	...	...	...
Wednesday .....	1	...	...	...	...	...	5	5	...	6	...	...
Thursday .....	1	...	...	...	6	...	...	...	16	...	...	...
Friday .....	1	...	...	...	...	...	...	...	...	6	...	6
Saturday .....	1	1	...	...	...	6	...	...	...	6	...	...

A liberal allowance of leave is generally granted, the regulations differing in different asylums, but all being framed so as to allow the attendants recreation, and a change from the wearing duties of their position, at short intervals. The most usual arrangements for leave seem to be the following:—

One whole and two half days a month .....	Colney Hatch.
One day and two evenings every three weeks .....	Essex and Prestwich.
Three half days a fortnight .....	Gloucester.
Two evenings a week, and every third Sunday .....	Leicester.
One day a fortnight, and every third Sunday .....	Cupar.
Every second Sunday .....	Glasgow.
One day a month, and two evenings a week, one-third, one-half, and the whole of each Sunday, in rotation .....	New York State.

In most institutions arrangements are made for allowing seven, ten, or fourteen days absence to each attendant in the year, board wages usually being given during the time of absence.

Special arrangements are made in some asylums, to allow the attendants leave on Sundays. At the Glasgow Royal Asylum, at Montrose, and at Meerenberg, the artisans who are not attendants do duty as such on Sundays, in rotation, and receive extra pay, so as to allow the attendants to be absent.

Married attendants are, as a rule, allowed to sleep out of the asylum. At the Leicester Asylum, where all the male attendants are married, each sleeps out of the asylum on two nights a week.

It is not generally considered advisable to provide special amusements for the attendants, apart from the patients. At some institutions an attendants' and servants' party is given annually, to which they have the privilege of inviting friends. The system of punishment for neglect of duty, varies. It is an almost universal rule, that, whenever a patient escapes through the negligence of an attendant, the whole or part of the expenses of the recapture, are stopped from his wages. In some asylums a series of fines, ranging in amount from 6d. to 5s., are inflicted for breaches of discipline, and the sum thus collected, is added to the amusement fund of the institution; in others, leave of absence is stopped as a punishment; whilst in the majority, warning, and dismissal on repetition of the offence, seem to be all that is necessary for good discipline.

The female attendants in asylums are, almost invariably, unmarried. In some asylums married male attendants are preferred. At Leicester all the male attendants are married, and at the Sussex Asylum, a large proportion. Marriage seems to act well in attaching attendants to the institution; no male attendant has left the Leicester Asylum for five years. At the Worcester and Washington Asylums, married couples are placed in charge of the male wards, and the plan seems to answer. In the male infirmary ward at the New Surrey Asylum, the attendants are a married couple.

The Sisters of Charity, who undertake the nursing and attendance in French asylums, belong generally to an order specially founded to care for the sick and insane, and are, in most cases, favourably reported of by the superintendents of asylums. They are obeyed better by the patients than ordinary attendants would be, since their religious character gives them additional influence. They are under excellent discipline; and, spending their lives in asylums, gain a special knowledge, and are most efficient assistants in the treatment of the insane. The *esprit de corps*, however, which distinguishes them, makes the detection of abuses difficult, and the strong religious element which displays itself in all their surroundings, (and which, unless particular care is taken to prevent it, even extends to the ornamentation of the wards with pictures and images of a character far from cheerful), are objections to nursing by sisterhoods. At the Charenton at Paris, the nursing is superintended by sisters of a religious order, and the more menial duties performed by attendants under their direction.

Night attendants, to patrol the asylum during the night, attend to such patients as are sick or sleepless, and rouse those who are dirty and conduct them to the closets, are appointed in most asylums. In a few of the Scotch institutions, where the attendants sleep in the wards, there is no night watch; and in some of the French asylums there is a special attendant in the infirmary only. At Hamburg, Leicester, the male side of the Derby Asylum, and other institutions, the ordinary attendants do night duty in turn; but in the large majority of asylums the night attendants are specially appointed, and do no other duty. One for each sex is usually considered sufficient, but in large asylums, such as Colney Hatch and Prestwich, two or three are absolutely necessary. In some asylums, convalescent patients assist the night attendants. At the Glasgow Royal Asylum, three night attendants for each sex are on duty every night; every wet and dirty patient is raised; and so thoroughly is cleanliness enforced in this way, that on the occasion on which this asylum was visited, there had been but one wet bed among 563 patients for several nights previously. The Superintendent reports, that it is an advantage to employ a large staff of night attendants, if only to save labour in washing and cleaning.

Where one attendant only of each sex is employed, Dent's "tell-tale" Clock, placed in a ward as far distant as possible from the room set apart for the night attendant, is a useful mode of checking the rounds; but where more than one is employed, it is of little use, since it is possible for one to press in the small pegs around the dial, and so record the rounds hourly, whilst the other is asleep. This clock is used in several English and Scotch institutions; and a much more elaborate instrument is in use in some American ones—wires pass from every ward to the clock, and the exact time at which each wire is pulled is registered on a small circle of paper marked with the hours, and fitting on to the clock dial.



In the majority of the asylums, the attention of the night attendant is ensured by frequent and irregular visitation on the part of the medical officer or supervisor, and by selecting trustworthy attendants. At the New York State Asylum, it is part of the duty of the night attendants, to empty the straw or hair made wet or dirty from the beds, and replace it with clean material; this, being more troublesome than waking the patients at fixed times, ensures the due performance of this part of the night attendants' duties.

*Artisans and Servants.*—Attached to and forming part of the establishment of every asylum is a staff of domestic servants and artisans. Those found most generally necessary are—

Laundress,	Gardener,
Laundrymaid,	Farm labourer,
Cook,	Tailor,
Kitchenmaid,	Shoemaker,
Dairymaid,	Carpenter,
Housemaid,	Blacksmith,
Band instructor,	Painter and glazier,
Engineer,	Plumber,
Gasman,	Upholsterer,
House-porter,	Matmaker,
Butcher,	Basketmaker,
Baker,	Printer,
Brewer,	Brushmaker.

The domestic servants are usually engaged by the year, and are boarded and lodged in the asylum, whilst different arrangements are made as regards the other servants and artisans. At Prestwich, Worcester, Morningside, and other asylums, all the artisans are attendants living in the asylum, employed with the patients in the workshops during the day, and returning with them to the day rooms after working hours, their position being just the same as that of the other attendants; but, as a rule, they are employed at weekly wages, and either live in cottages on the asylum estate, or in the neighbouring towns or villages, their work ceasing at the ordinary working hours.

The engineer, gardener, and farm labourers, are almost always provided with cottages on the asylum grounds.

The following lists give the establishments in the Sussex, Lincoln, and Worcester County Asylums, which contain 510, 502, and 540 patients, respectively:—

#### SUSSEX COUNTY ASYLUM.

##### ESTABLISHMENT.

##### *Officers.*

Medical Superintendent .....	£550	{	Furnished apartments, coals, gas, vegetables, and washing.
Chaplain .....	200		
Clerk to Visitors .....	60		
Assistant medical officer .....	100	{	Furnished apartments, board, lodging, and attendance.
Clerk and steward .....	120		ditto.
Housekeeper .....	50		ditto.
Head attendant (Male Department) .....	60		ditto.
Ditto (Female ditto) .....	50		ditto.

##### *Attendants and Servants.*

Superintendent's clerk .....	£56	0	0	Without board or lodging.
1 Male attendant (Night) .....	57	0	0	ditto.
1 Male attendant .....	35	0	0	Board, lodging, and washing.
2 Ditto .....	33	0	0	ditto.
2 Ditto .....	32	0	0	ditto.
1 Ditto .....	31	0	0	ditto.
2 Ditto .....	30	0	0	ditto.
1 Ditto .....	27	0	0	ditto.
2 Ditto .....	25	0	0	ditto.
4 Ditto .....	24	0	0	ditto.
1 Ditto .....	18	0	0	ditto.
House-porter .....	22	0	0	ditto.
1 Female attendant (Night) .....	24	0	0	ditto.
2 Ditto .....	22	0	0	ditto.
1 Ditto .....	21	0	0	ditto.
4 Ditto .....	20	0	0	ditto.
2 Ditto .....	18	0	0	ditto.
1 Ditto .....	17	0	0	ditto.
2 Ditto .....	16	0	0	ditto.
6 Ditto .....	15	0	0	ditto.
1 Ditto .....	12	0	0	ditto.
Head Laundrymaid .....	24	0	0	ditto.
1 Laundrymaid .....	18	0	0	ditto.
1 Ditto .....	17	0	0	ditto.
Cook .....	24	0	0	ditto.
Dairymaid .....	17	0	0	ditto.
Kitchenmaid .....	12	0	0	ditto.
2 Housemaids .....	12	0	0	ditto.

Engineer

## LUNATIC ASYLUMS.

67

Engineer .....	£1 17 0	per week; house, coals, and gas.
Bailiff .....	1 5 0	" house, coals, vegetables, and milk.
Gardener .....	1 0 0	" ditto.
Assistant ditto .....	0 16 0	"
Farm attendant .....	26 0 0	per year; board, lodging, and washing.
Tailor .....	1 3 0	per week.
Shoemaker .....	1 3 0	"
Matmaker .....	1 1 0	"
Basketmaker .....	1 1 0	"
Upholsterer .....	1 7 0	"
Baker .....	1 5 0	"
Brewer .....	1 5 0	"
Store-porter .....	0 17 6	"
Carpenter .....	1 10 0	"
Bricklayer .....	1 7 0	"
Bricklayer's labourer .....	£0 15 0	per week.
Painter and Glazier .....	1 5 0	"
Blacksmith .....	1 5 0	"
Stoker .....	1 0 0	"
Ditto .....	0 16 0	"
Cowman .....	9 17 0	"
Cowboy .....	0 8 0	"
Carter .....	0 16 0	"
Carter's boy .....	0 8 0	"
Ditto .....	0 5 0	"

## LINCOLN COUNTY ASYLUM.

## ESTABLISHMENT.

## Salaries and Wages.

## Officers:—

Medical Superintendent .....	£650	Furnished house, coals, gas, vegetables, and washing.
Assistant medical officer .....	100	Furnished apartments, board, attendance, and washing.
Clerk and steward .....	100	Furnished cottage, board, and washing.
Housekeeper .....	35	Furnished apartments, board, attendance, and washing.
Head attendant (Male Department) .....	45	Furnished room, board, and washing.
Ditto (Female ditto) .....	35	ditto.
Chaplain .....	120	Without board and lodging.
Clerk to Visitors .....	80	ditto.

## Attendants, Servants, and Workmen:—

21 Attendants (Male Department) .....	£20 to £30	Board, lodging, and washing.
25 ditto (Female ditto) .....	£12 to £20	ditto, with livery.
House-porter .....	16	ditto, ditto.
Cook, kitchenmaids, and housemaid .....	52	Board, lodging, and washing.
Laundress and laundrymaids .....	56	ditto.
Engineer .....	52	Furnished lodge, board, and washing.
Carter and stockmen .....	25	ditto.
Band instructor .....	£8 8s.	Without board or lodging.

## Weekly wages:—

Carpenter, mason, blacksmith, painter, 2 shoemakers, tailor, upholsterer, bailiff, gardener, 3 stokers, and mason's labourer .....	£14 9s.	ditto.
Brewer .....	£1 2s. 6d.	Partial board; not lodging.

## WORCESTER COUNTY ASYLUM.

	Per Year.		Per Year.
*Medical Superintendent .....	£600	1 Gardener .....	£31 4s.
Assistant medical officer .....	100	1 Tailor .....	36 8s.
†Chaplain .....	200	1 Baker and brewer .....	36 8s.
†Clerk to the Committee of Visitors .....	80	1 Shoemaker .....	28
†Auditor .....	54	1 Female head attendant .....	25
†Clerk of Asylum .....	105	1 Ditto attendant .....	20
Matron .....	60	2 Female attendants .....	19 each
*Bailiff .....	52	3 ditto .....	18 "
Storekeeper .....	35	1 ditto .....	16 "
*Engineer and gatekeeper .....	72	1 ditto .....	15
Head attendant .....	40	3 ditto .....	14 each
3 Male attendants .....	30 each	4 ditto .....	13 "
1 Ditto .....	29	3 ditto .....	12 "
1 Ditto .....	28	1 Cook .....	20
1 Ditto .....	26	1 Night nurse .....	16
2 Ditto .....	25 each	1 Dressmaker .....	17
1 Night attendant .....	27	1 Housemaid .....	12
1 Farm servant .....	20	1 Laundress .....	20
1 Ditto .....	17	1 Laundrymaid .....	16
1 Ditto .....	15	2 Ditto .....	12 each
1 Groom .....	14	1 Kitchenmaid .....	10
1 Mason attendant .....	30		
1 Carpenter ditto .....	36 8s.		Per Week.
1 Band instructor .....	6	1 Cabinetmaker .....	15s.
1 Painter and plumber .....	29	1 Carpenter .....	15s.
1 Stoker .....	28	†1 Cowman .....	12s.
1 Porter .....	10	1 Shoemaker .....	14s.
		†2 Excavators .....	15s. each

(Those without a mark, have bed, board, and washing.)

\* Have furnished house, gas, fire, vegetables, and washing.

† Non-resident.

*Diet.*—The dietaries of twelve English County Asylums, the Borough Asylum of Bristol, the Northampton Lunatic Hospital, the Royal Asylums of Montrose and Edinburgh, and the District Asylums of Fife and Kinross, as well as the diet table issued by the Commissioners in Lunacy for Scotland for the lunatic wards of poorhouses, and that fixed by the Inspectors of Lunatics for the Criminal Asylum at Dundrum in Ireland, will be found in Appendix B.

In the majority of American asylums there is no published diet scale. A list similar to the one given below, chiefly intended for the guidance of the steward and cook, is to be found in most asylum kitchens; but it is not adhered to with any exactness, and no quantities are given. All the patients receive an unstinted allowance of food. This system appears to have originated when food was almost as cheap as air. With the present prices of all articles of diet in America, such free dieting is extravagant in the extreme.

#### PENNSYLVANIA STATE LUNATIC HOSPITAL DIETARY.

MONDAY.		
BREAKFAST.	DINNER.	SUPPER.
Tea and coffee, Bread and butter, Cold ham.	Vegetables, Soup, Rice.	Tea, Bread and butter.
TUESDAY.		
Tea and coffee, Bread and butter, Fried potatoes.	Vegetables, Roast meat, Bread.	Tea, Bread and butter, Mush.
WEDNESDAY.		
Tea and coffee, Bread and butter, Steak.	Vegetables, Fish, Bread.	Tea, Bread and butter, Gingerbread.
THURSDAY.		
Tea and coffee, Bread and butter, Fried mush.	Vegetables, Soup, Rice.	Tea, Bread and butter, Rusk or rolls.
FRIDAY.		
Tea and coffee, Bread and butter, Fish.	Vegetables, Fish, Bread.	Tea, Bread and butter, Mush.
SATURDAY.		
Tea and coffee, Bread and butter, Steak or hash.	Vegetables, Roast meat, Rice.	Tea, Bread and butter, Stewed peaches or apples.
SUNDAY.		
Tea and coffee, Bread and butter.	Vegetables, Ham, Pie.	Tea, Bread and butter, Gingerbread.

Poultry, toast, warm cakes and corn bread, sausage, fresh fish and fruit (in season), rice and bread puddings, may be given occasionally, in place of some of the others mentioned above.

Cocoa may be substituted occasionally for tea.

A dietary for the use of the pauper asylums in France is published by the Minister of the Interior, and to this all the asylums are expected to adhere more or less closely. This dietary, with one slightly modified from it in use in the asylums of Quatre Mares and St. Yon, will be found in Appendix B.

The dietary which is in use for pauper patients at the Hamburg Asylum, and which is a fair sample of the dietaries for patients of this class in German Asylums, will also be found in Appendix B.

At the Meerenberg Asylum meat is given five days a week, and fish once; on the remaining day the dinner consists of bread and vegetables.

From an examination of the different dietaries, it will be seen that beer is given in almost all the English and Scotch asylums. In the German, Dutch, and Belgian asylums beer is given, and in those of France either wine or cider. In the United States no form of alcoholic drink is given, except as part of the medical treatment and under the special orders of the physician.

*Clothing.*

*Clothing.*—It does not appear to be considered advisable to clothe the patients in asylums, in one uniform style or colour. In some few French asylums a semi-military uniform is worn by the male patients; and, considering the military character of the French people, and the curious uniformity which may be noticed in the colour and shape of the clothes ordinarily worn by the French peasantry, it is perhaps less objectionable there, than elsewhere. In Great Britain or America a uniform would at once suggest a prison.

The patients are almost invariably clothed comfortably and well, and changes are made to meet the different temperatures of winter and summer. In Great Britain the dress for men usually consists of cord or fustian trousers, and blue, gray, or brown cloth jackets and waistcoats, with felt wide-a-wake hats, or cloth caps, sometimes made like those usually worn by sailors, sometimes "glengarries."

In some asylums cord or fustian suits are given to the working patients. Special suits are almost invariably kept for Sunday, and these frequently differ in material from those ordinarily in use. In the summer months duck trousers and blouses and straw hats are worn. The women are generally clad in prints or ginghams in summer, and in linseys in winter, and when out of doors wear woollen plaid shawls and straw bonnets.

The cloth for the men's dress is usually chosen of several colours and patterns, so as to give as much diversity of appearance as possible. Grays and browns of a sort of blanket tweed are reported to be more economical than, and certainly are preferable in appearance to, a blue cloth. Different patterns are chosen for the prints and linseys worn by the women, and all possible variety secured in the colours of their shawls and bonnet ribbons. All necessary under-clothes are allowed; and all the minor articles, such as neck-ties and handkerchiefs, as well as caps for the more elderly women, are given, and the wearing of them enforced.

The greatest possible care is taken to keep the clothes clean, neat, and free from holes. The destructive patients are clad in ticken, strong linen, or canvas dresses; and no patient is allowed to be without boots and shoes. It is rare to find a patient with a torn dress, or shoeless. For those who undress themselves, the dresses and boots are fastened with small locks, or by means of patent buttons, which can be undone only by an attendant's key. In the German, Dutch, and Belgian asylums, the clothing is, as a rule, neat, and the same care is taken to enforce tidiness, and to prevent the patients divesting themselves of their clothes, or tearing them, as in Great Britain.

In the French asylums the patients, as a rule, wear sabots; and it is no uncommon thing to find the clothes of the men ragged and dirty. They contrast in this respect very unfavourably with the patients in English institutions; but it is in America that the greatest want of care as regards dress is found. Good serviceable clothes are provided, but it is no unusual thing to find a number of patients more or less in rags; and almost invariably a certain proportion are without boots and shoes. The natural irritability of the Yankee seems to vent itself in destroying his clothing. A large number of the shoeless patients are found on inquiry to be Irish; not being accustomed to wear shoes, they find them uncomfortable and take them off—at least, such is the explanation given by the American superintendents of asylums. Ticken and canvas dresses are employed in some American asylums, but others are entirely without them; and locks and patent buttons to prevent the patients undressing themselves, or taking off their boots, are never used.

The strong dresses used in English asylums are made usually of ticken, derry, strong linen, or canvas, and are lined inside with flannel, and made as comfortable as possible. With care on the part of the attendants, the number of such dresses found necessary, is, however, very few. In some English asylums containing 400 or 500 patients, one, two, or three only are to be found in strong dresses. Sometimes, however, the number is larger.

For destructive patients, quilted bed coverlets are employed. One or two blankets are quilted between canvas or the material called ticken; and these are found to be warm and not uncomfortable.

In most asylums almost the entire clothing of the patients, as well as their boots and shoes, are made in the institution. The materials are bought, and all the cutting out and sewing, done by hired labour, or by the patients themselves. Hats, caps, and bonnets are, as a rule, bought. In some few institutions, where the population is more exclusively an agricultural one, it is found profitable to buy some of the clothes ready made, and in others boots, or the tops of them, are bought. The average annual cost for clothing in English Pauper Asylums is about £2 per patient.

In the English asylums the most scrupulous attention is paid to the cleanliness of the body and bed linen of the patients: the former is, as a rule, changed twice weekly, and the latter once. At Colney Hatch, and one or two other institutions, it is however considered sufficient to change the body linen of all except the working patients once a week only. At the Worcester, Lincoln, and other asylums, one sheet and a pillow-case a week are allowed to each patient, the upper sheet of one week serving as the under one of the next. In the American institutions it is, as a rule, considered sufficient to change everything once a week. In the Continental and Scotch institutions a weekly change of body linen is generally considered sufficient, whilst the bed linen is allowed to remain for a fortnight. In one institution in Scotland the bed linen for women is changed once a month only, whilst the men are indulged with one sheet and a pillow-case a fortnight.

*Labour.*—The occupations pursued by asylum inmates, vary with the amount of land possessed by the institution, and with the capacities and former avocations of the inmates. In districts in which the population is largely agricultural, this form of employment is encouraged, because more suited to the capacities of the inmates; and where the asylum population is drawn more distinctly from the manufacturing or artisan class, the workshops contain a larger number of those fitted for employment than in purely agricultural districts. In some few instances only, has it been deemed advisable to introduce special manufactures, and these chiefly where the large number of the inmates are already practised in the manufacture of some one staple commodity. At the Dundee Asylum a certain number of the patients are employed in hand-weaving, by means of which all the sheeting and towelling used in the asylum are made. At Ghent, flax is grown on the asylum farm, and a large number of patients are employed in preparing it for the looms, which, to the number of seven or eight, are constantly worked by patients, and at which bed-ticking, towelling, and sheeting are made.

The employment of the patients is generally directed to the manufacture of articles which are intended for use in, as well as for the benefit of, the asylum; and this is found more generally profitable than the manufacture of goods for sale, or for other public institutions. At some few cases the amount of garden and agricultural produce is so large that it cannot be consumed in the asylum, and is therefore sold, the sums realized being occasionally very large. The sale of other articles is very small. A few mats and baskets are made for sale at the Sussex Asylum, fishing nets at Montrose, mats and brushes at Colney Hatch, and straw and wicker work at Ghent. At the Sussex County, clothes are also made for the Eastwood Idiot Asylum, and at Hamburg, mats for the hospital of the same place; but these are exceptions to the general rule.

The employments at which most patients are occupied are agriculture, which always heads the list, tailoring, bootmaking, carpentering and upholsterer's work for the men, and laundry work, sewing, and knitting for the women. A certain number of both sexes are employed in the service of the house; and a few men usually assist in the kitchen. Occasionally labour of a special kind is performed in the asylum. At the Morningside Asylum a hired printer, with the assistance of patients, prints all the reports and returns of the institution; and some printing is also done in the Gloucester Asylum.

In some institutions, employment which is not in itself profitable to the institution, is encouraged for the benefit of the patients, to distract their thoughts and prevent their brooding over the miseries, real or imaginary, of their life, as well as to afford exercise to their muscles. At Meerenberg, a number of the feeble and imbecile patients are employed frequently in sawing wood; and at the Gartnavel Asylum the same class pick cotton or oakum with little or no profit to the institution, but, it is hoped, with benefit to themselves.

From an examination of the returns furnished by English asylums, it may be stated that an average of from 50 to 70 per cent. of the entire number of inmates are employed in work calculated to benefit the institution; whilst in Scotland the proportion is even a larger one.

The following returns for six English and four Scotch asylums will show the numbers employed, and the special occupations in which they are engaged:—

#### LINCOLNSHIRE COUNTY ASYLUM.

##### Number of Male patients employed—

On the Farm .....	62
In the Kitchen .....	3
" Dispensary .....	1
" Shoemaker's shop .....	3
" Tailor's shop .....	5
" Painter's shop .....	3
" Engineer's department .....	2
" Steward's .....	6
Helping in the wards .....	58
Total .....	143

##### Number of Female patients employed—

Laundry .....	32
Kitchen .....	10
Linen-stores .....	1
Residences .....	2
Sewing-machine .....	1
Needlework, and helping in the wards .....	150
Total .....	196

Total number of patients in the asylum—Males .....	241
Females ...	280
	521

WORCESTERSHIRE

## LUNATIC ASYLUMS.

71

## WORCESTERSHIRE ASYLUM.

Return of Female patients employed during the year ending December 31st, 1866.

How employed.	No. of Days.
Sewing, &c.....	25,067
Washing, &c.....	18,840
Assisting the attendants .....	12,461
" Housemaids .....	521
" in the kitchen .....	4,311
Total number of days .....	61,200
Weekly average.....	1,177
Daily average.....	126
Employed 58 per cent. of the average number resident throughout the year.	

Return of Male patients employed during the year ending December 31st, 1866.

How employed.	No. of Days.
Tailors.....	2,603
Shoemakers .....	3,139
Carpenters .....	1,049
Smiths, &c.....	1,981
Painters .....	1,118
Masons .....	737
Bakers.....	1,288
Clerks.....	742
Upholsterers .....	1,165
Assisting attendants .....	11,717
" on farm .....	14,854
Total number of days .....	40,393
Weekly average.....	777
Daily average.....	130
Employed nearly 59 per cent. of the average number resident throughout the year.	

## LEICESTERSHIRE AND RUTLANDSHIRE COUNTY ASYLUMS.

DAILY return of the House on particular days,—the last Wednesday in each Quarter.

	March 28th.	June 27th.	September 26th.	December 26th.
<i>Male Department.</i>				
Total number of patients in the house .....	192	191	192	191
Sick and in bed .....	7	3	3	3
Employed in farm and garden .....	45	46	50	41
Employed in house and kitchen .....	24	28	24	23
Employed in workrooms .....	6	7	8	6
Assisting in wards .....	11	11	11	11
Total number employed.....	86	92	93	81
<i>Female Department.</i>				
Total number of patients in the house .....	197	206	209	206
Sick and in bed .....	3	4	0	4
Employed in workrooms, and in sewing and mending...	40	38	40	37
Employed in laundry and wash-house.....	37	39	38	39
Employed in housework and kitchen .....	4	15	9	19
Assisting in the wards .....	21	21	21	21
Total number employed.....	102	113	108	116

The patients in the Leicestershire Asylum include about 50 "paying patients," who do little or no work.

## SUSSEX COUNTY ASYLUM.

COMPILED from the Daily State Book, which is made up from the Ward Returns.

Occupation or Trade.	Daily average number of Patients.
<i>Male Patients.</i>	
Working party { With the gardener and outdoor attendant .....	27
{ With the farm attendant.....	9
{ With the cowman.....	3
With the carpenter .....	2
" upholsterer .....	1
" basketmaker.....	3
" tailor.....	11
" shoemaker.....	15
" matmaker .....	10
" painter .....	3
" engineer .....	0
" baker.....	3
" house attendant .....	5
In brewhouse and steward's stores .....	3
In the wards .....	46
In reading and writing, &c.....	46
<i>Female Patients.</i>	
In laundry and wash-house.....	36
In kitchen .....	7
Needlework in wards .....	102
Household work, &c. ....	40
Vegetable-room.....	7
Daily average number employed .....	379

Average number resident :—Males, 239 ; females, 296 : total (mean annual population), 535.

## PRESTWICH ASYLUM.

EXTRACT from the Daily Account of the State of the Patients.

Employed.	Tuesday, July 17.		Friday, July 20.		Sunday, July 22.	
	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.
<i>Men.</i>						
Working in lands and gardens.....	88	97	87	100	...	...
Assisting joiner .....	12	12	12	12	...	...
" engineer and smith .....	10	10	10	10	2	2
" plumber and painter.....	7	7	7	7	...	...
" upholsterer .....	17	30	16	28	...	...
" shoemaker .....	11	11	10	10	...	...
" tailor .....	8	8	8	8	...	...
" in kitchen .....	8	8	8	8	8	8
" baker .....	3	3	3	3	...	...
" stonemason.....	1	1	1	1	...	...
" bricksetter .....	2	2	2	2	...	...
" brewer.....	2	2	2	2	...	...
" laundry .....	9	9	7	7	...	...
" office .....	1	1	1	1	...	...
" carrying coals.....	...	...	11	...	...	...
" cleaning wards .....	75	57	75	57	75	57
Total employed .....	254	258	260	256	85	67
<i>Women.</i>						
Cleaning wards .....	90	85	98	80	54	20
Assisting in kitchen .....	16	18	16	18	5	5
" laundry .....	43	43	42	42	...	...
Making men's clothing .....	...	...	...	...	...	...
Binding boots and shoes .....	...	...	...	...	...	...
Making hats and bonnets .....	...	...	...	...	...	...
Mending stockings.....	3	3	11	11	...	...
Knitting and netting.....	9	9	9	9	...	...
Sewing and quilting .....	153	155	156	158	...	...
Picking flocks.....	37	37	37	37	...	...
Total employed .....	351	350	369	355	59	25

Total number of patients, 936 :—Males, 497 ; females, 499.

## LUNATIC ASYLUMS.

73

## BRISTOL BOROUGH ASYLUM.

EXTRACTS from the "Daily Reports" of the State and Occupations of the Patients, 18th, 19th, and 20th March, 1866.

Employed in	Sunday.	Monday.	Tuesday.
<i>Males.</i>			
Garden .....	0	2	2
Farm .....	0	17	17
Stone shed .....	0	1	1
Piggery .....	0	1	1
Stores and cellars .....	2	2	2
Kitchen .....	1	1	1
Bakehouse .....	0	1	1
Wash-house .....	0	1	1
Tailors .....	0	2	2
Shoemakers .....	0	1	1
Carpenter .....	0	2	2
Painter .....	0	2	2
Coir mat-making .....	0	36	36
Ward helpers .....	14	11	11
Total employed .....	17	80	80
<i>Females.</i>			
Laundry .....	0	11	11
Kitchen .....	3	3	3
Dwelling-house .....	0	1	1
Dressmaking .....	0	6	6
General needlework .....	0	7	8
Fancy work .....	0	4	4
Stocking mending .....	0	17	15
Shoe binding .....	0	1	1
Ward helpers .....	8	8	8
Total employed .....	11	58	57

Total number of patients, 226 :—Males, 115 ; females, 110.

## MONTROSE ROYAL ASYLUM.

Return showing the Number of Patients employed on 10th January, 1868.

<i>Males.</i>		<i>Females.</i>	
Assisting attendants .....	7	Sewing .....	46
In grounds .....	82	Knitting .....	9
Tailors .....	4	Darning .....	3
Shoemakers .....	6	In laundry .....	24
Weavers .....	—	In kitchen .....	7
Blacksmiths and plumbers .....	—	On farm or garden .....	—
Bakers .....	1	Assisting servants .....	—
Joiners and glaziers .....	3	Mattress making .....	25
Upholsterers and painters .....	—		
Bookbinders and clerks .....	1		
Kitchen and laundry .....	4		
Net and mat makers .....	4		
Hair and oakum pickers .....	—		
In stable, &c. ....	1		
Total employed ...	113	Total employed ...	114

Total number of patients, 376 :—Males, 174 ; females, 202.

## PERTH DISTRICT ASYLUM.

Return of Patients employed on 13th January, 1868.

<i>Males.</i>		<i>Females.</i>	
Garden and farm .....	40	Sewing .....	31
With plumber .....	3	Knitting .....	26
With joiner .....	3	Laundry .....	23
With shoemaker .....	3	Kitchen .....	6
Tailor .....	4		
Housework .....	18		
	71		86

Total number of patients, 220 :—Males, 103 ; females, 117.



## FIFE AND KINROSS DISTRICT ASYLUM.

Return of Male patients employed, 8th January, 1868.

In garden and farm .....	48
House .....	11
Shops .....	6
Messenger .....	1
Special servant .....	1
Stoker .....	1

68

Total number of Male patients, 110.

70 per cent. of the women were employed in sewing, and in laundry, kitchen, and housework.

## ROYAL ASYLUM, GARTNAVEL, GLASGOW.

Pauper patients employed, 10th February, 1868.

Gardening and field work.....	76
Housework.....	95
Trades.....	6
Cotton, woollen, and oakum picking .....	74
Assisting engineer, stoker, and coalman ...	18
Assisting in wash-house and laundry .....	18
Assisting in general kitchens .....	3
Sewing and knitting .....	57

347

Total number of pauper patients, 376.

At the Elgin District Asylum, 55 out of 75, and at the Haddington District Asylum, 50 out of 65, inmates are employed, chiefly in outdoor labour.

In the Annual Report of the Inspectors of Lunatics in Ireland for 1867, the daily average number of patients in the public asylums employed is stated, as 2,977, out of a population of 5,070; and the following return of the different kinds of employment, and the numbers employed at each is given.

Males.		Females.	
Basket making .....	5	Spinning and carding flax..	46
Pumping water .....	55	Needlework .....	438
Weaving .....	13	Knitting .....	262
Tailoring.....	36	Quilting .....	11
Shoemaking .....	31	Fancy needlework .....	29
Carpentry work.....	17	Assisting in laundry .....	270
Painting .....	6	Assisting in cleaning	
Assisting servants in clean-		house, &c.....	287
ing house, &c. ....	280	Miscellaneous .....	223
Miscellaneous .....	360		
Garden and farm labour ...	608		
	1,411		1,566

Total, 2,977.

In the German, Belgian, and Dutch asylums, the number of patients employed is fully as large as in the British institutions.

At Ghent, 50 per cent. work six or seven hours a day, largely to the profit of the institution, and 25 per cent. in addition, do something in the shape of work. At Meerenberg, 70 per cent. are employed; at Hamburg, 65 to 70 per cent.; and at Göttingen, 60 per cent.

The number employed in the French asylums visited was markedly less than in those above mentioned. At St. Yon, near Rouen, out of 950 patients, of whom about one-eighth are pensionnaires, 300 patients only are employed; and at Quatre Mares 250, from a population of 715. But in the Statistics of Insanity published by the French Government in 1861, it is stated that during the previous six years, the average proportion of workers in the departmental asylums was 63 per cent.

The work done by the patients in American asylums is, as a rule, considerably less than in those of Great Britain and Germany, and in some cases less than those in France. In the Asylum of the State of Massachusetts, the system of work appears to be better organized than in most of the asylums of the United States; and yet in the Fourth Report of the Board of State Charities of Massachusetts it is stated, that "It is certain that in none of our hospitals (for the insane) are the patients so generally or so usefully employed at real work as they are in some of the foreign establishments, especially in the English, even making allowance for the difference in their previous habits."

In the American asylums the washing is done chiefly by machinery; very few patients are employed in the wash-house and laundry; and the employment of the insane in the kitchens is also objected to by some American superintendents. The total number of those employed does not average more than 25 per cent.

In

In the Twenty-third Annual Report of the New York State Asylum, the result of five years observation and registration of the number of workers, and the amount of work accomplished in the institution is recorded; and it appears that 22 to 25 per cent. is the highest estimate of six hours workers who could be depended upon.

In the British asylums, extra diet and such small luxuries as tobacco and snuff, are usually given as a remuneration for work; and attached to most asylum dietaries are the fixed allowances given as extras to working patients. Special indulgences as regards clothes are also granted to some; a new bonnet or coat, or one of peculiar material, being the reward for diligent labour.

At the Broadmoor Criminal Asylum, and at Fisherton House Private Asylum, as well as some other English institutions, the patients receive fixed sums of money, for all work done after certain hours; and this money they are allowed to spend in minor luxuries through the attendants.

In some of the French asylums there is an elaborate system of remuneration for work. In 1860, the sum of £3,800 was expended in the departmental asylums of France, to recompense patients who worked. It is one of the rules of the institution at Quatre Mares, that every patient shall receive the sum of 15 francs on his discharge from the asylum; and this sum is made up by the work of the patient himself. To every patient who works, 10 centimes a day, 5 centimes for half a day, and 2½ centimes for a quarter, are accredited in the asylum accounts. These sums are allowed to accumulate till they reach the amount of 15 francs, which is reserved till the departure of the patient. All sums over this are either paid to the patients at fixed times, and spent by them through the attendants, or accumulate in the asylum treasury, to be paid to him on his discharge. All sums revert to the asylum in case of death, and some of the money is employed in making up deficiencies for those patients who obtain their discharge before their earnings amount to 15 francs. In addition to this system of remuneration, the workers are allowed better diet than the remainder of the patients.

At Ghent, small pecuniary payments are made for work; and both there and at Meerenberg small presents, such as pipes, snuff boxes, tobacco, &c., are given, as well as extra diet, to the industrious patients.

*Amusements.*—There is a more organized system of amusement, with greater variety in its form, in the asylums of Great Britain, than in those of any other country.

In the day-rooms, chess, draughts, bagatelle, cards, cardboard skittles, and other games are always accessible to the patients; and the bagatelle and chess boards, and other necessary implements, are at the same time plentiful in number, and excellent in construction and finish. Billiard tables are seldom to be found in British asylums devoted only to pauper patients.

The outdoor games most in vogue are croquet, for which excellent grounds have been made in several institutions, fives, bat and ball, and cricket, at which the asylum "eleven" are frequently sufficiently expert to play successfully, both on their own ground and elsewhere, the members of neighbouring clubs. Quoits are played at Prestwich, Worcester, and other asylums; athletics are practised at the Three Counties and at Murthly; and football and archery are both recognized amusements in British asylums. In Scotland several asylums possess "curling" ponds, which in summer serve the purpose of ornamental water, whilst in winter they afford the patients an opportunity of enjoying a national game.

In English asylums, the system of labour has been so developed, that but little time is left during the day for amusement, all the patients capable of playing at the various games, being usefully employed. In some institutions special times are allowed for amusement, and the Saturday half-holiday movement, has found its way into more than one asylum; but it is in the evening, after working hours, that the ordinary amusements are most practised, and that patients sit down to cards or chess. At this time, too, take place the specially organized associated entertainments. At fixed times, generally at intervals of a week or so, but sometimes much more frequently; the whole of the inmates capable of enjoying themselves, or of deriving benefit from the association, and the amusement provided; meet in the amusement room or dining-hall of the institution, for a dance, concert, lecture, or reading, a magic lantern exhibition, or a conjuring or theatrical performance. The arrangements vary in different asylums, but the dances, concerts, and lectures, are usually held weekly or oftener, and the theatrical performances are reserved for Christmas and other high festivals. Both sexes are allowed to associate at the dances.

These associated amusements are generally organized within the asylum. The listeners and performers at concerts, lectures, readings, or theatricals, are asylum inmates, patients, attendants, or officers; but in many cases extraneous assistance is obtained, and entertainments are given by either amateur or professional musicians, singers, lecturers, &c., sometimes entirely without remuneration, and at others on payment by the asylum authorities of all necessary expenses. Many asylums possess magic lanterns; at others they are hired for the evening.

The programmes selected from a large number of those obtained in British asylums, which are printed in Appendix C, will show some of the forms of amusement by means of which it is endeavoured to lessen the monotony of asylum life.

Music enters largely into asylum amusement. The large majority of asylums have bands formed by officers, attendants, and patients. In some (as the Three Counties, Lincoln, and Prestwich), the musicians play both string and wind instruments.

At

At the Prestwich Asylum the band is composed of forty performers, of whom the medical superintendent is one, and it is superior in all respects to the bands of many regiments. The band is always an important aid to asylum concerts, and other amusements, and frequently plays in the airing grounds on summer evenings. Pianos exist in most asylums, either in the wards, or the amusement room; and singing classes for the practice of both sacred and secular music are common, and render important aid in the service of the church and the evening entertainments.

In the American asylums dances are less practised than in the English ones. In some few, association of the sexes at this amusement is not allowed. The general character of the associated entertainments differs also somewhat from that of those in use in English institutions, and instruction rather than amusement is its leading feature. The American lecture system, wonderful in its organization and eminently characteristic of the people, has found its way into the asylums, and takes a prominent position among the "amusements" therein. The assistant medical officers, people of learning and position in the neighbourhood, and itinerant lecturers, take part in the courses of lectures which are given in every asylum, on subjects more or less scientific and abstruse. Almost every asylum possesses a collection of philosophical instruments, air-pumps, electrical machines, &c., to illustrate these lectures; and the patients seem to enjoy what would be but very dry bread indeed to any but an American lecture-loving audience. Magic lanterns form a standing amusement in American asylums; the slides are in most cases photographic, and are shown by the aid of the oxy-hydrogen light.

At the Pennsylvania Lunatic Hospital, Philadelphia, light gymnastics have been introduced for the female patients, and whilst serving as amusement, are an important aid in treatment. These gymnastics, which are now in use in many American schools, were introduced by Dr. Dio Lewis. They are performed in a light loose uniform, which permits great freedom of motion, and, when thoroughly carried out, seem to exercise almost every muscle in the body. With these exercises, and roll skates the patients pass two or three hours, on one or two evenings a week very pleasantly.

In the Continental asylums indoor amusements are similar in character to those in use in England and America; but, in addition, dominoes and billiards are to be found in every asylum. Billiards, being much more played among the lower classes on the Continent than in England, are a more necessary and fitting amusement than they would be in English institutions. There is, however, a marked want of outdoor games. In the majority of Continental asylums music serves as the chief mode of amusement. When dances are permitted, the sexes are not, as a rule, allowed to meet.

In some asylums a fixed sum is voted annually for the amusement of the patients. At Prestwich £50, and at Worcester, £10 are voted by the governing body for the support of the band. At Colney Hatch and other institutions, small sums are voted as needed. At the Essex Asylum the sums obtained by the sale of rags, bones, and old iron are devoted to purposes of amusement, and all fines incurred by attendants are generally devoted to the same purpose. At Montrose there is a special fund to which donations to the amount of £200 have been made. At Utica the patients make fancy work for sale, and occasionally a theatrical performance is given by the asylum dramatic company, to which the public are admitted at a charge of 50 cents. per head, the proceeds being handed over to the amusement fund of the institution.

The asylum library ranks high among the amusements of most institutions.

The amusements are not confined to the asylum boundaries; large numbers of the patients frequently go for picnics and tea parties in the neighbouring country. A favourite amusement at Quatre Mares, near Rouen, is a military march into the country, the column being headed by the asylum band. Visits to the public gardens, concerts, penny readings, and theatrical and other performances, are permitted to the quieter patients, under the charge of attendants; and it is no uncommon thing to see an omnibus or waggon load of the patients, on an English racecourse, amused spectators of all that is to be there seen.

*School.*—A school in which ordinary elementary education is given to asylum inmates—not only to the idiotic and feeble-minded children, but to all such as are without elementary education and considered capable of receiving it—has been organized at Sussex, Lincoln, Stafford, Montrose, Gloucester, Perth, Morningside, Illenau, Quatre Mares, and other institutions. The school is sometimes under the care of paid teachers, sometimes under the steward, matron, or chief attendants, and occasionally is more immediately the work of the chaplain.

By some superintendents it is spoken of as "a good moral and mental measure." The English Commissioners in Lunacy have more than once written in its favour, and visitors to asylums have grown eloquent in praise of "this noble and philosophical attempt to build the mind anew on the ruins of outraged feeling, or enfeebled judgment, or whatever may be the form of injury sustained, by conveying new ideas to the perceptive powers, and by calling up, by means of education, faculties which were previously unknown or dormant, or which may prove to be healthy or antagonistic to those diseased."\*

But some among the ablest of asylum superintendents state at once that it is useless, or "not much good;" whilst others speak of it rather as a pastime than as yielding any beneficial results. In some asylums the time spent in school is employed by the patients chiefly

\* Wendt's "Account of Asylums in the North of Europe," quoted by Pritchard in "Annales d'Hygiène, 1836," and by Dr. W. A. F. Brown, in "What Asylums were, are, and should be."

chiefly in writing letters to their friends, in which they are assisted by the teachers. At Stafford Asylum, when the school-room was visited, nearly half the patients were discovered sitting with their books wrong side up; and on making inquiry concerning the ability of the patients to read, it was found that all who possessed that accomplishment, owed it to other than asylum teaching.

*Classification of Patients.*—The insane are divided into two great classes, acute and chronic; and as has been already seen, these are in some places accommodated in separate asylums under totally distinct government; whilst in others, the plan known in Germany as that of "relative connection" (*relativ-verbundung*) is pursued,—the acute and chronic cases being kept apart, whilst the general and medical administration is one, and the same.

The blocks recently built in connection with some English asylums (as at Prestwich, Chester, Devon, and Wakefield)—and the "detached day-rooms and associated dormitories near the wash-houses on the women's side, and the workshops and farm buildings on the men's," recommended in the Tenth Report of the Commissioners in Lunacy, for the more quiet patients, and which are to be seen in the New Surrey Asylum—approach in principle to the "relative connection" system of Germany; but no absolute separation of the acute and chronic cases is made, and the exact character of the residents in these is a matter of medical classification. The acute and chronic cases are mixed, as in the distinct sections of the modern French asylums, or in the asylum wards of the English and American institutions; the quietness of behaviour, and the capacity for work—not the curable or incurable nature of the case—being considered in the classification made.

The principle which is adopted in classifying the inmates in the majority of asylums in Great Britain, America, France, and Belgium, (and in Germany also, subsequently to the division into curable and incurable,) is that of similarity in the more marked phases of their malady. The quiet, the violent, the epileptic, the dirty, the demented, are separated one from another for convenience of treatment on the one hand, and for their own comfort on the other.

The exact classification adopted differs in almost every asylum, partly owing to its structure, and partly to the peculiar views on this subject which are held by the superintendent; but that in use in some of the best managed institutions in Europe and America is as follows:—

Worcester:—In 7 wards for each sex—1, sick and infirm; 2, imbecile and idiotic; 3, convalescent; 4, excited and violent. The remaining 3 wards are occupied by patients varying between the convalescent and violent classes.

Sussex:—1, sick and infirm; 2, epileptic and idiotic; 3, recent cases; 4, convalescent; 5, violent. Further divisions by wards.

Three Counties:—1, sick and infirm; 2, epileptic; 3, imbecile and idiotic; 4, convalescent; 5, violent.

Derby:—1, old and infirm; 2, epileptic and paralytic; 3, workers; 4, quiet chronic cases; 5, convalescent; 6, violent.

Leicester:—1, old and infirm; 2, epileptic; 3, well-behaved; 4, excited.

Prestwich—in 4 blocks:—1, sick and infirm; 2, quiet and feeble; 3, convalescent and workers; 4, excited. Further divisions by wards.

Colney Hatch:—1, infirm and sick; 2, idiots and imbeciles; 3, convalescent; 4, quiet; 5, dirty; 6, refractory. There are various sub-divisions, as the males are in 24, and the females in 22 wards.

Bristol:—1, infirm; 2, epileptic; 3, convalescent; 4, violent.

New Surrey:—1, sick; 2, recent cases; 3, workers; 4, rough and noisy. Dr. Brushfield does not advocate elaborate classification, and thinks even noisy patients, when divided and placed one or two in each ward, are quieter and do better, without annoying hurtfully the quieter patients, than when placed with others of a similar class in a violent or excited ward.

Essex:—2 galleries on each side for more excited and noisy patients; beyond this no special classification.

Lincoln:—A separate class is made of epileptics; but for the remainder very little classification is attempted, or thought desirable. One ward may contain worse cases than another, but nothing like a violent or excited ward is made. The cases are associated so as to act beneficially on each other.

Cupar and Murthly:—1, sick and infirm; 2, ordinary cases; 3, violent.

Montrose:—Little or no classification is attempted. The cases are mixed as much as possible, so that bad cases are placed in each ward. There is a special infirmary ward.

New Jersey:—1, recent; 2, demented; 3, convalescent; 4, excited. The total number of wards is 16, and 9 are considered indispensable. The remaining classification is founded partly on mental and partly on social status, congenial people being placed together. No special epileptic ward or infirmary.

Washington:—10 wards:—3 chief divisions: quiet, somewhat violent, and violent. No epileptic or infirmary ward.

Pennsylvania State:—Quiet, somewhat violent, and violent. There are 10 wards for subdivision.

New

New York State Asylum:—There are 12 wards for each sex; and the classification is founded entirely upon the behaviour and self-control of the patients. Even social position is very little taken into account. The patients range from convalescence to violence, and removal from a ward to the one below it in class, is made to serve for purposes of discipline. There is a special ward for demented cases.

St. Anne:—In 7 sections: 1, sick; 2, quiet; 3, excited. The other 4 are occupied by those ranging between quietness and violence.

Ville Evrard:—In 7 sections: 1, infirm; 2, dirty; 3 and 4, tranquil; 5, excited. The other sections are occupied by patients varying between the more tranquil and excited classes.

Evreux:—1, idiots; 2, old and infirm; 3, sick; 4, dirty; 5, convalescent; 6, workers; 7, excited; 8, violent.

Charenton:—1, sick; 2, epileptic; 3, paralytic; 4, dirty; 5, chronic and tranquil; 6, violent.

Quatre Mares:—1, sick; 2, idiotic; 3, epileptic; 4, demented; 5, dirty; 6, convalescent; 7, working; 8, violent.

St. Yon:—1, sick; 2, idiotic; 3, dirty; 4, demented; 5, quiet and convalescent; 6, violent.

Guislain's Asylum, Ghent:—1, sick; 2, idiots; 3, dirty; 4, demented; 5, quiet and convalescent; 6, violent.

Meerenberg:—1, quiet; 2, infirm and old; 3, epileptic; 4, idiots; 5, quiet; 6, violent.

Göttingen:—1, recent; 2, epileptic and dirty; 3, quiet; 4, violent and noisy.

Hamburg:—1, recent; 2, dirty; 3, workers; 4, noisy; 5, violent.

In the majority of these asylums, the number of wards gives opportunities for minor subdivision.

It will be seen that the classification in the French asylums, is more elaborate than in those of Great Britain and the United States, in which there is a marked and increasing inclination to abolish minute classification, and to substitute for it an arrangement of cases, founded on individuality of character.

In the American and Continental asylums, as almost every institution contains accommodation for patients of different social grades, the classification is necessarily to some extent modified by this circumstance. In some English pauper asylums care is taken to separate those who have formerly moved in different social positions—and who, through adverse circumstances, (the chief of which has been in many cases the nature of their malady,) have been brought to poverty,—as far as possible from those who have always belonged to the indigent classes.

At the Essex County Asylum, a certain number of those of superior education are placed in a small separate cottage; and at Leicester, those of this class, though entering the asylum as paupers, and paid for by the parishes to which they belong, are placed in the division occupied by the paying patients, with whom their social position more accords.

*Animals.*—The animals kept in an asylum are of two kinds, those for the amusement of the patients, and those for the profit of the institution. The latter however may, and do often serve, as means both of employment for, and interest to, the patients.

The animals kept for amusement are, deer, goats, rabbits, guinea pigs, &c.; and to these may be added birds of many kinds, peacocks, pheasants, guinea fowl, pigeons, singing birds of almost all kinds, jays, magpies, ravens, jackdaws, starlings, parrots, ducks, fancy fowls, &c.

At the Washington Asylum a small menagerie is kept in the airing grounds, in which there are bears, jaguars, raccoons, grey squirrels, &c.

The animals kept for profit are pigs, cows, horses, sheep, &c. The profit to be derived from pigs has already been mentioned in treating of the disposal of refuse. Cows are generally found in both British and Foreign asylums to more than pay all expenses, and are kept in sufficient number to supply the entire institution with milk. In one or two English institutions (as at Essex) placed in grazing counties, a good supply of milk is obtained from farmers in the neighbourhood; and this is thought to be more economical than keeping cows, but is decidedly opposed to the general experience. At Murthly the quantity of land under cultivation is not yet sufficient to start a dairy, and milk is obtained by contract. In these cases the milk supplied is carefully tested by the lactometer, and the standard of purity rigidly enforced.

Cattle breeding at the Derby Asylum is a subject of much interest to both officers and patients. The asylum possesses a beautiful breed of Durham cattle, and more than once prizes have been carried off at the agricultural shows held in the district.

The number and character of the horses kept, depend on the wants of the establishment, and range from one small pony, employed to cart the refuse from the house to the farm and bring back vegetables, to a number of cart and carriage horses. Horses are required for pumping, carting, and for farm labour when anything more than spade husbandry is attempted.

Asylum farms being chiefly arable, sheep are not generally kept; but at Broadmoor there is always a small number, and at Prestwich, Sussex, and other asylums there are generally a few awaiting slaughter.

It is a moot question whether poultry farming is profitable in asylums, or not. Sometimes the poultry yard is said to pay well, whilst at others it has been entirely abolished.



abolished as asylum property, and the superintendent or farm bailiff keeps a few fowls for his own use. There seems to be no question that poultry farming is generally profitable, even without the important help of a farm yard, and that it is doubly so when so helped; under such circumstances it is difficult to understand why asylum poultry yards should be less profitable than others, if properly conducted. The secret would appear to lie in the honesty or dishonesty of those in charge of them.

*System of Supply.*—In the majority of asylums the commissariat is supplied almost entirely by contract; but at the criminal asylum, Broadmoor, the Prestwich and Sussex Asylums, the Pennsylvania Lunatic Hospital, the New York State Asylum, and the Government Asylum at Washington, different systems are pursued.

At the Criminal Asylum, Broadmoor, all the provisions and stores are bought in the market; and this is considered better, and less likely to place temptation in the way of officers having charge of the commissariat department, than the contract system. At Prestwich, Sussex, the New York State, and the Washington Asylums, cattle and sheep are bought in the market by the steward, kept on the asylum farm, and slaughtered as required; and the same system is pursued to a minor extent at the Northampton Lunatic Hospital. At Prestwich the saving by this method is said to be very large, amounting to £600 during the first year, after the system of contract was given up; and in other institutions this system of supply is most favourably reported of.

In the proprietary houses in England, from which public institutions may often take a lesson in household economy, the stores and food are usually bought in the market, and not contracted for.

*Provision for Relief of Patients on Discharge.*—At Hanwell, Colney Hatch, Gloucester, Leicester, and other asylums, special funds, called in memory of, and intended to serve as a monument to, the late Queen Dowager, exist, out of which the immediate necessities of patients on discharge from the asylum are defrayed. At the Three Counties Asylum a sum of money was left for a similar purpose by a Mr. Rowe. Dr. Campbell of the Essex Asylum some time since addressed a letter to the noblemen and gentlemen of the county, asking for contributions for the establishment of a special fund for this purpose; and the result was a sum sufficient for all the needs of the patients. These funds are all at the disposal of the managing committee of the institution. At Stafford, two legacies lately left to the asylum are about to be applied as the nucleus of a similar fund. So generally is the need of some such provision felt, that advantage is taken in many asylums of the 38th section, 25 and 26th Vict., c. III., which directs that any two of the Committee of Governors may permit a patient to be absent on trial, an allowance being made to him not exceeding his charge in the asylum. Almost all patients in indigent circumstances are thus discharged on trial, and receive an allowance from the asylum for certain fixed times after they have left its walls. At Prestwich, the offertory made by officers, attendants, and visitors, at the Communion in the asylum chapel, are devoted to the relief of necessitous patients on discharge. In some of the French asylums, as has been already mentioned, fixed sums accruing from the accumulations of remuneration for labour are paid to each patient on leaving the asylum; and the Committees of Management of the Belgian Asylums, are specially charged in their instructions with the placing of patients in situations after their discharge.

*Asylum Reports.*—Asylum reports are of three kinds:—

- 1st. Those made by attendants and chief attendants to the Medical Superintendent, showing the daily working of the asylum.
- 2nd. Those made at fixed times by the Board of Control, which include reports from the Medical Chief, Chaplain, and other officers, showing the financial and general working of the asylum.
- 3rd. Those made by the Inspectors on the condition and further requirements of the institutions.

In the Asylums of Great Britain these three kinds of reports are made with great regularity. The senior attendant of every ward makes a daily report, showing the total number of patients; the number admitted, discharged, or dead; employed, with the kind of employment; secluded; having fits; attending amusements; escaped, or attempting escape;—with various other particulars. Selections of the forms for these reports, in use in British asylums, will be found in Appendix D, Nos. 1, 2, 3, 4, 5. In some asylums these reports are summarized. The form for the weekly summary used at the Bootham Asylum, York, will be found in Appendix D, No. 6. The night attendant of each division of the house makes a morning report, showing the number of patients specially visited; and the number wet, dirty, noisy, having fits, or receiving medicine. Forms for these reports will be found in Appendix D, Nos. 7 and 8; and a form for a weekly summary of night attendants' reports which is in use at the Essex County Asylum, in the same Appendix, No. 9.

These reports of both the day and night attendants are placed in the hands of the chief attendant of each division, who draws up a summary of them and submits it to the medical superintendent either before or at his morning visit. Forms for these reports will be found in Appendix D, Nos. 10, 11, and 12; and for a weekly summary of them, see Appendix D, No. 13. In Appendix D, No. 14, is a form of weekly report by chief attendant, furnished by a Commissioner in Lunacy for the Report on Colonial Hospitals and Lunatic Asylums drawn up by the Colonial Office. In Appendix D, Nos. 15, 16,

17, 18, 19, and 20, will be found forms for the use of attendants, showing the number of articles made or repaired by patients; sent to, or received from the laundry; ward inventories; and stores and bedding requirement lists; which have been selected from those in use in British asylums.

All these various reports are kept for the examination of the Boards of Control and Inspection, and serve to assist the medical superintendent and other officers in their reports of the working of the institutions.

The Board of Control of almost every public asylum in Great Britain issues an annual report, which includes reports of the working of the institution by the medical superintendent, chaplain, and other officers, a financial statement, and such medical and other statistics as it may be deemed fit to publish. This report is printed, and more or less widely distributed.

Annual reports on the condition and requirements of all public and private asylums are made either to the Lord Chancellor or the Secretary of State for Home Affairs by the separate Boards of Commissioners or Inspectors of England and Wales, Scotland and Ireland. These reports comprise a general statement of the condition of the asylums, drawn from the observations of the Commissioners at their visits to the different institutions, and from the statistical and other returns furnished to them; and the requirements of the various institutions are more or less fully pointed out. In no other countries have such complete systems of asylum reports been established.

In the United States printed forms for chief attendants' reports are in use in a few institutions only; in the majority they are either written or made verbally. The ordinary attendants are not expected to make reports, and the night attendants' reports are either verbal ones, or made in such written form as may seem most convenient. At the Pennsylvania Hospital only is there a special form for night attendant's report. The Board of Control of all Asylums in the United States issues an annual report, which includes that of the superintendent, and is at once general, financial, and statistical. This report is made to the Governor of the State, and is printed for general distribution. The Board of State Charities of Massachusetts publishes a report of the condition of the establishments for the insane, in its annual volume of reports; and the Inspector of Asylums for the State of Vermont also publishes an annual report.

In the large majority of the Continental asylums no system of attendants' reports has been instituted, all communications between the chief attendant and medical superintendent being verbal, and made usually before the morning visit to the wards. At Meerenberg, however, the Superintendent, Dr. Ewerts, was so much struck, during a visit to England, with the excellence of the English system, that he established on his return a similar system of reports, which has ever since been continued; and at Hamburg the chief attendant of each division makes a written report.

The medical directors of the departmental asylums of France make annual reports to the members of the commission of superintendence or board of control, which include accounts of the financial, general, and medical service of the institutions, but these reports are not regularly published by the boards; and the reports of the Inspectors of Asylums, which are made annually to the Minister of the Interior, are never published by that officer. Once in six or eight years or so, an elaborate volume of statistics on lunacy matters, drawn up with extreme care, from returns made from the various asylums, is published by the French Government. The last volume comprises the period between 1854 and 1860, and is a work of unusual interest and value.

The Board of Control of the City Asylums of Germany publish annual financial statements, but general reports of the condition of these and other German asylums are only made at uncertain intervals, and none of the reports of the inspecting officers, where such exist, are ever published.

The Belgian inspectors report annually upon the condition of the asylums of the kingdom to the Minister of Justice; these reports are published, and are of considerable value.

#### STATISTICS.

In the Letter of Instructions, accompanying the Commission which this Report is intended to fulfil, is the following passage, which presents especial difficulties—"You will carefully observe different methods of treatment, and obtain statistical evidence of the results so far as is practicable."

The whole question of Asylum Statistics is in a most unsatisfactory state. The superintendents of asylums publish statistical tables more or less elaborate, and containing a large amount of valuable information. "While, however, the facts recorded may be identical in many, if not in most of the reports, the form in which they are recorded varies so greatly, that it becomes impossible to tabulate them for the purpose of showing general results."\* Calculations have been made on totally different bases, rendering a comparison of the results simply impossible; and evidence the most unsatisfactory and loose has been admitted. Even from Dr. Thurnam's book on this subject,† which shows abundant knowledge, and abounds in elaborate calculation, little having a practical value is to be gained, except on some special points.

The English Commissioners in Lunacy, having been pressed by the Home Secretary to examine some statistics referring to rates of mortality and proportions of alleged recovery, thus record the results of their examination:—"The result was, in all respects to confirm us in the distrust with which we have found reason always to regard such

\* *Twentieth Report of the Commissioners in Lunacy, 1866.*

† *The Statistics of Insanity.*

such returns as at the best of doubtful accuracy, and, even when reliable in that respect, very unsafe in determining practical questions. We pointed out to the Secretary of State that the observations on which calculations of that kind are necessarily founded, are, for the most part, too imperfect to justify general inferences; and that, when even the best observation has been employed as the basis of such statistics, there is no general conclusion to be drawn that the special circumstances in almost every case will not modify."

On the subject of the proportion of insane to population,—a point, it would be imagined, on which satisfactory data might be soon obtained,—little trustworthy evidence exists. It is only in Massachusetts, where a special commission of inquiry on this subject has presented to the Legislature a most painstaking report; in some of the smaller German States, where German perseverance has attained trustworthy results; in England, Scotland, and France, where special care is taken to work out statistics on almost every subject; and in the colonies, where the population is as yet comparatively small, and the entire number of insane, with few exceptions, come under the cognizance and care of the Government; that the proportion can be stated with anything like exactness.

Dr. Griesinger, in his treatise on insanity\*, quotes the following remark of his learned countryman, Dr. Fleming, on this subject:—"It is, at the present time, satisfactorily demonstrated that, with respect to mental diseases, no statistics exist whereon conclusions may be founded regarding the curability of these diseases, or the efficacy of the remedial means employed"; and adds, "I quite agree with him in the latter point; but I cannot at all endorse his statements regarding the curability of insanity"; and he subsequently points out the fact that the statistics furnished by various asylums, where the methods of treatment are essentially different, are almost precisely similar.

On this point there can be little or no doubt. At Illenau, where £480 worth of medicine is administered annually by seven physicians to 450 patients; and at Göttingen, where £50 worth of drugs serve for 240 patients, and reliance is placed mainly on good feeding, wine, &c., the percentage of recoveries is not markedly different. In English asylums, where the opiate, the stimulant, or the expective treatment is most in vogue, no marked difference in the percentage of recoveries can be discovered, beyond what may be traceable to other causes than treatment alone; and in France and Southern Germany, where the shower-bath is largely employed, and in America, where it is never used, the proportion of recoveries is almost the same. In the Bicêtre two directly opposite methods of treatment were at one time followed in different sections; and the results as to recovery were then exactly similar.

In fact in the best asylums of all countries, where order, system, and care are fully carried out, the average percentage of recoveries is almost identical, whatever may be the prevailing mode of medical treatment. Under these circumstances, it may be seen that statistical evidence as to the results of treatment is practically unattainable.

There are several points on which statistics of greater or less value have been obtained, and these, as being of interest to the Colony, will be briefly noted here.

They are—

- 1st. The proportion of insane to population.
- 2nd. The maintenance rate in different asylums.
- 3rd. The cost of asylum construction.
- 4th. The curability of patients sent at different periods.

1st.—The proportion of insane to population.—Of scarcely any country in the world do we possess quite trustworthy statistics. In some cases the number of those in public asylums have been given, whilst the large mass in private asylums and work-houses has been omitted. In others, insanity proper has been taken into account, whilst idiocy and cretinism have not been reckoned; whilst in a few cases only has care been taken to make a searching inquiry into the number of lunatics under all the different provisions made for them; and to estimate together the lunatic, the idiot, and the cretin in public and private asylums, in poorhouses, and in private families. It will be well, therefore, to accept almost all statements on this subject with some reservation. The statistics from Massachusetts, Scotland, England, and France, and from some of the smaller German States, are, however, among the most satisfactory, and approach nearest to the truth.

In Massachusetts, a special commission was appointed by the Legislature in 1854, to inquire into the number and condition of the lunatics within the state. The most searching inquiries were made, the entire number of physicians in the state being asked to assist in the investigation; and in 1855, a report was issued, in which the number of insane, including lunatics and idiots, was stated to be 1 in 302 of the population.

In Scotland, where the insane residing in private dwellings come under the immediate visitation of the Board of Lunacy, the number of insane is ascertained with tolerable though not absolute accuracy. In 1866, the number under official cognizance in asylums, poorhouses, and private houses, was 6,616; whilst about 1,900 were known to the Commissioners as resident in private dwellings, maintained from private resources, and not under statutory control, and 46 were in the Criminal Asylum, Perth,—making a total of 8,562. The estimated population† at that time was 3,153,413, giving a proportion of 1 in 368.

In

\* *Mental Pathology and Therapeutics*: By W. Griesinger, M.D.—p. 456.  
† *Twenty-ninth Annual Report of the Registrar General, 1866.*



In England, the double machinery of the Poor Law Board and the Board of Lunacy are employed to ascertain the number of insane; but still the returns are known to be more or less imperfect. In 1866, the total number known to the Commissioners in Lunacy was 49,082. The estimated population,\* 21,210,020, giving a ratio of 1 in 432.

In Ireland, the returns of the Inspectors of Lunacy, which do not include any patients living in private dwellings, give, for 1866, a total of 8,962 insane in asylums, gaols, poorhouses, &c.; the constabulary returns give a number of 8,200, with friends, or at large—making a total of 17,162. The estimated population\* was at that time 5,582,625; and the ratio therefore 1 in 325.

In France, the elaborate statistics published by the French Government show that the ratio of insane to total population was, in 1861, 1 in 444.

In some of the small States of Germany, (Brunswick, and Holstein,) accurate statistics have shown the ratio to vary from 1 in 300 or 350.

The only other European countries, in which anything approaching to accurate returns have been made, are Belgium and Norway.

The ratio of insane to population in the neighbouring colonies† at the present time, as kindly given by the superintendents of the asylums, is—

Tasmania: Estimated population, 98,455; number of insane 267, or 1 in 368.

South Australia: Estimated population, 172,860; number of insane 231, or 1 in 748.

In New South Wales, the estimated population is now 447,620; the number of insane, including idiots, 1,156, or 1 in 387 of population.

A full consideration of this subject must inevitably lead to the conclusion that the ratio of insane to population has been almost invariably understated. In Massachusetts alone has the proportion been ascertained with absolute accuracy, and there it is 1 in 302. In England and Scotland, the double machinery of the Boards of Lunacy and Poor Law, and, in the latter country the special visitations of the Deputy Commissioners in Lunacy, have avowedly failed to give more than an approach to accuracy; and these boards in their construction and powers, possess such means of obtaining information as is possessed by scarcely any public bodies in other countries. All foreign statistics, then, on these subjects must be received as guesses at truth rather than truth itself. It is the opinion of authorities, that, could accurate statistics be obtained, the ratio of insane to population would in all countries approach if not equal that in Massachusetts.

Dr. Nicholls and other American physicians express a decided opinion that accurate statistics in all the more eastern and settled states would show the proportion to be quite equal to that in Massachusetts.

Dr. Morel in France, and Dr. Ludwig Meyer in Germany, express the same opinion as regards the number in these two countries; and Dr. Tuke states that he has little doubt that the proportion in Scotland is still higher than that already given.

In the Australian Colonies, although the total number of insane in asylums come under the special cognizance of the Government, the returns do not show a correct ratio to population. A certain number both of lunatics and idiots reside with their friends; and in up-country districts are to be seen occasionally half-witted individuals, who would undoubtedly come under certificate of lunacy, and help to swell the number of insane provided for by Government, if kind-hearted men did not accept their fitful labour as equivalent to their board and lodging, and stand towards them in the relation of protectors and friends; but their numbers are on the whole small, and the statistics in the colonies present a nearer approach to truth on this point than those furnished by most older countries. The ratio in the older settled colonies of Tasmania and New South Wales differs very little. In the newer colonies, the mass of chronic insanity with which all older countries are burdened has not had time to accumulate. At least fifty years are necessary for such accumulation, and not until after that time can the number of insane in a country be looked upon as being of any value for purposes of comparison.

In the Colony of New South Wales there are causes of insanity, special and peculiar, beyond those operating in European countries, in America, or even in some of the other colonies:—

- 1st. A large number of the early population came under exceptional circumstances, and the relations of crime and insanity are very intimate. The number of insane in a criminal population is always large. In New South Wales, in 1846, according to statistics prepared by Dr. Campbell, there was 1 insane in 450 of the bond, and 1 in 1,780 of the free, population—a vast and striking difference.
- 2nd. The changes of early colonial life—its ups and downs—and the mental tension which accompany the excitement of soon-got wealth, and the depression caused by its frequent and rapid loss—cannot but be largely productive of insanity. Under this head may be reckoned the influences of the gold diggings in this and neighbouring colonies.
- 3rd. The lonely life of the shepherd, alternating with prolonged periods of debauchery.
- 4th. The abuse of ardent spirits in a warm climate.

On

\* *Twenty-ninth Annual Report of the Registrar General, 1866.*

† Returns asked for from Victoria have not been forwarded.

On the other hand, some causes potent in the production of insanity, exist here in much less force than in other countries. The grinding poverty—the struggle for existence, taxing both mind and body, and so acting as a predisposing and exciting cause of insanity, is here almost unknown; whilst a “pre-eminent salubrity” of climate and outdoor habits of life are strongly calculated to diminish the amount of mental disease.

The proportion of insane to population has undoubtedly increased during the last twenty years.

In 1846, according to tables prepared by Dr. Campbell, there was 1 insane person in 1,115. At the next census, the proportion had risen to 1 in 400. At the present time it is 1 in 387.

This increase is to a great extent accounted for by the growth of a large mass of chronic insanity; which perhaps even yet has scarcely reached its full limits. In the earlier emigrant days of the Colony, notwithstanding, as has been said by an authority on this subject, that every emigrant ship brought one or two either insane or soon to become so, the vast mass of the population came in the prime of mental and bodily health. Their insane had been left behind with their sick in their fatherland. It would necessarily take some years for those becoming insane and remaining incurable to grow old within the asylum walls, and reach by accumulation to that number of old, chronic, and incurable cases, with which all other countries are burdened. It may be fairly estimated that, if the full extent of increase from this cause has not already been reached, it must soon be so and that the number of removals by death will equal the proportionate number of yearly entries on this great chronic list, and so a balance will be effected.

Upon the whole, then, though the contemplation of this mass of suffering humanity must occasion deep sorrow; the Colony of New South Wales has cause for a feeling of satisfaction on estimating the number of its lunatic population. With some special causes in addition to those existing elsewhere, the ratio of its insane to population is not now markedly above that in most of those countries where the number has been ascertained with even tolerable exactness. These special causes will, it is to be expected, gradually disappear; the convict element will become fainter; the excitements of life will diminish; it may fairly be hoped that the use of poisonous alcoholic compounds will diminish, also, with the increase in quantity and the diminution in price of wholesome colonial wine and beer; as well as under the better moral feelings of the future. With the diminution of these; the special causes of insanity in older countries may make their appearance; but it can scarcely be supposed that the ratio of insanity will rise higher than at present. A ratio equal to this, though the burden is great, is borne cheerfully by states not more wealthy than New South Wales, both in the old world and the new.

2nd.—The maintenance rate in different asylums.—The maintenance rate in the entire number of English County and Borough Asylums is given in a former part of this report.

In the Scotch District and Royal Asylums the sums charged for maintenance by the governing boards are:—

	s.	d.
At Perth District Asylum .....	9	4
„ Fife and Kinross do. ....	9	4
„ Haddington do. ....	9	6
„ Montrose Royal Asylum .....	8	6

The average maintenance rate for pauper patients in the Public and District Asylums of Scotland for 1865 was 9s. 2d. a week, and in the Public Asylums of Ireland for 1866, 9s. a week.

In the French Departmental Asylums, the average weekly cost of patients for the seven years from 1854 to 1860 was 7s. 9d. In the asylums visited it was in 1866—

	s.	d.
At Quatre Mares .....	7	3
„ St. Yon ... ..	7	0
„ St. Anne's .....	12	0
„ Ville Evrard .....	7	6
„ Evreux .. ..	7	1

At St. Anne's the number of acute cases is large, and the cost of maintenance consequently greater.

In the American asylums the weekly maintenance rate is larger than in the European institutions:—

	s.	d.
At Washington .....	20	10
„ New Jersey State Asylum .....	16	8
„ Massachusetts do (Northampton) ..	15	0
„ New York State Asylum .....	18	8
„ Pennsylvania do .....	15	0

In the German asylums it is—

	s.	d.
At Hamburg .....	7	0
„ Frankfort .....	11	8
„ Göttingen .....	8	0

At

At Meerenberg it is 8s. 8d., and at Guislain's Asylum 5s. 3d., exclusive of the salaries of the medical officers and chaplain.

In the Australian Asylums the maintenance rate is—

	s.	d.
At Adelaide .....	15	3½
„ New Norfolk .....	11	8

The cost of maintenance in the Asylums of New South Wales:—

	s.	d.
Tarban .....	7	8
Parramatta.....	8	5

exclusive of clothing, which, according to calculations made by Mr. Statham, senr., some years since at Parramatta, may be reckoned at from 2s. 8d. to 3s. a head weekly.

3rd.—Cost of asylum construction.—The following table will show the cost of construction of thirty among the most modern of the British and Foreign asylums, intended mainly for indigent patients, and of three—Coton Hill, Cheadle, and the Pennsylvania Hospital—for patients of a better class. The cost per head, as will be seen, ranges from £88 to upwards of £400. The new French asylums for the Department of the Seine, St. Anne's, Ville Evrard, and Vacluse, will cost, when completed, £720,000 for 1,800 patients, or £400 a patient; their structure and fittings are all very extravagant. The more modern English asylums have cost about £150 a head, including furniture and land. The proposed new asylum for Victoria is estimated to cost £373 per patient. The architect, Mr. Vivian, considers it could be built in England for £188 per patient.

Asylum.	No. of Patients originally built for.	Total cost of Building.	Cost of Building per head.	Cost of Furniture per head.	Total cost of Land.	Remarks.
Derby .....	300	76,179	254	23	7,928	
Essex .....	450	65,855	146	.....	8,000	
Prestwich .....	514	69,531	135	14	11,412	
Lincolnshire .....	266	41,448	156	16	4,378	
Colney Hatch .....	1,258	193,286	154	59*	19,432	*Includes gas, water, warming, & ventilation, as well as clothing.
Worcester .....	200	44,829	224	26	6,152	
North and East Riding .....	318	34,786	109	17	10,070	
Cumberland .....	200	31,000*	155†	.....	8,000	*Includes fencing, &c. †Includes furniture.
Durham.....	312	27,480	88*	.....	4,000	* Do. do.
Caermarthen.....	270	42,000	159*	.....	3,835	* Do. do.
Sussex .....	400	44,923	112	.....	6,923	
Cambridge .....	250	45,000	140*	.....	4,670	* Do. do.
Three Counties—(Beds, Herts, Hunts). .....	504	79,920	158*	.....	15,080	* Do. do.
Northumberland .....	200	42,427	212*	.....	7,572	* Do. do.
New Surrey .....	650	78,000	120*	.....	.....	
Bristol Borough .....	200	37,440	188	19	3,538	
Fife and Kinross District ...	200	28,000	140*	.....	3,000	*Includes furniture.
Montrose Royal .....	380	36,000	94	.....	.....	
Perth District .....	220	24,200	110	20	3,880	
Haddington District .....	100	10,800	108	.....	.....	
Elgin District .....	.....	.....	136*	.....	.....	*Includes cost of land and furniture.
Pennsylvania State Hospital	350	.....	100*	.....	Land presented	*Includes furniture.
Massachusetts Do. (Northampton). ..	250	.....	200*	.....	.....	* Do. do.
Washington .....	380	.....	220	15	5,400	
Ville Evrard.....	600	.....	280*	.....	50,000	*Including furnishing.
Evreux .....	500	.....	300*	.....	.....	*Includes furniture and land.
St. Anne's.....	600	249,600	416*	.....	.....	*Includes furniture.
Quatre Mares .....	500	.....	120*	.....	.....	* Do. do. and land
Hamburg .....	350	.....	160	20	3,600	
Göttingen .....	300	.....	150*	.....	.....	* Do. do. do.
Coton Hill Lunatic Hospital	.....	.....	285*	.....	.....	*Includes 30 acres of land, and furniture.
Manchester Do. (Cheadle). ..	.....	.....	300*	.....	.....	*Includes 52 acres of land, and furniture.
Pennsylvania Hospital .....	250	.....	300*	20	.....	*Includes furniture.

4th.—The curability of patients sent at different periods.—The importance of the early treatment of lunacy can scarcely be over-estimated; and the following extracts from the published works of authorities on this subject may fairly find a place here:—

"TABLE showing the average proportion of recoveries in cases of recent and longer duration when admitted to the Friends' Retreat, York, from 1796 to 1867, inclusive.\*

Duration of Disorder when admitted.	Proportion of Recoveries per cent. of the Admissions.		
	Male.	Female.	Mean.
First Class.—First attack, and within 3 months .....	71.428	72.330	71.910
Second Class.—First attack, above 3 and within 12 months...	45.833	47.143	46.308
Third Class.—Not first attack, and within 12 months .....	58.484	68.055	64.000
Fourth Class.—First or not first attack, and more than 12 months .....	12.766	20.982	17.233
Average.....	41.740	48.772	45.601

From the above it will be seen that, when the disease was taken in time, and treated within 3 months, above 71 per cent. of the patients admitted into the Retreat, up to the present year, have been cured."

"At Winnenthal, the number discharged recovered—of those admitted within the first 6 months of the disease—amounted to 68 per cent.; after 2 years' illness, 18 per cent.; and after a duration of  $4\frac{1}{2}$  years, 11 per cent."†

"In cases which come under proper treatment within the earlier months of the disease, the proportion of recoveries may be estimated at 70 per cent."‡

"It is a well established fact that 70, if not 80, per cent. of cases of insanity admit of easy and speedy cure, if treated in the early stage, provided there be no strong constitutional predisposition to cerebral and mental affections; and even when an hereditary taint exists, derangement of mind generally yields to the steady and persevering administration of therapeutic agents, combined with judicious moral measures, provided the first scintillations of the malady are fully recognized, and without loss of time grappled with, by remedial treatment. A vast and frightful amount of chronic and incurable insanity exists at this moment within the precincts of our county and private asylums, which can be clearly traced to the criminal neglect of the disease in the first or incipient stage."§

"The evidence that comes from our own and from many other hospitals shows that the diseases classed under the general term insanity, are among the most curable of maladies of their severity, provided they are taken in season, and the proper remedies applied and continued. In recent cases the recoveries amount to the proportion of 75 to 90 per cent. of all that are submitted to the restorative process; yet, it is an equally well established fact that these disorders of the brain tend to fix themselves permanently in the organization, and that they become more and more difficult to be removed with the lapse of time. Although three-fourths to nine-tenths may be healed if taken within a year after the first manifestations of the disorder, yet, if this measure be delayed another year and the diseases are from one to two years standing, the cures would probably be less than one-half of that proportion."§

"Oneida County sends all her insane here *at once*, and the result is a large percentage of cures and a very slow increase of incurables. From January 1843, the opening of the asylum, to January 1865, Oneida County sent 796 patients—489 at public, and 307 at private charge. Of these 796 patients, there were, January 1st, 1865—

In this asylum at public charge .....	32
Do. at private charge .....	10
In Oneida County Asylum .....	50
	92
Since recovered, or now convalescent .....	7
	85

"Of the 85 who remained uncured, 9 were epileptic, 1 paralytic, 18 were chronic cases, and 12 were demented imbeciles when admitted, and were received only for custodial care."

"Thus

\* *The Seventy-first Report of the Friends' Retreat, near York.*

† *Mental Pathology and Therapeutics*: By W. Griesinger, M.D., 1867, p. 451.

‡ *Obscure Diseases of the Mind and Brain*: By Forbes Winslow, M.D., p. 9.

§ *Report on Insanity and Idiocy in Massachusetts*: By The Commission on Lunacy, 1855.

"Thus, it appears that of all the insane of this county during 23 years, but 10 per cent. remains to be permanently provided for. This exhibit fully justifies the opinion of Dr. Edward Jarvis, that, under favourable conditions of early treatment, but 10 per cent. will be left among the constant insane population."\*

All these extracts, which might be supplemented by many others, tend to show the vast importance of early treatment. No effort should be spared to place all patients under treatment as soon as possible. The English Lunacy Acts are framed to compel the early sending of all pauper lunatics, and provide that, after an asylum shall be established in any county or borough, "no pauper who shall have *lately* become lunatic, shall be received, or lodged, or detained in any house or place other than a county or borough asylum, or public hospital, or licensed house, for a longer period than shall be requisite for obtaining an order for his removal to such asylum", and "that every person wilfully detaining in any workhouse any such lunatic, insane person, or idiot, for more than fourteen days shall be deemed guilty of misdemeanour."

These enactments and others to the same effect, if fairly carried out, may accelerate the sending of insane paupers, and all others coming immediately under the charge of the authorities; but the majority of all insane patients are, primarily at least, under the charge and authority of their friends, and therefore not amenable to any laws to compel early sending. In some of the States of the American Union an inducement is offered to the friends of patients—a premium awarded to them for lodging their insane in the public hospitals during the early stages of their malady—by enactments which direct that when a person in indigent circumstances, not a pauper, becomes insane, and satisfactory proof is adduced that his estate is insufficient to support him and his family, or, if he has no family, himself under the visitation of insanity, he shall be admitted into the asylum and supported at the expense of the freeholders of his county, for one, two, or three years, without being placed on the list of paupers. Under this law, all artisans, small farmers, and other persons of small estate, seek at once a refuge in the asylum, where they are supported free of expense, and their property remains for the benefit of their families; instead of waiting, hoping for a cure, and trusting to treatment outside the asylum walls, whilst their estate is being gradually dissipated, and they are brought nearer, and nearer, and at last into, pauperism.

This enactment seems worthy of all imitation for its humanity and wisdom; and it is by such means—by excellently constructed and well managed institutions; by the employment of officers of high character; by the adoption of a proper nomenclature, in which the intents of the institutions are set forth; and by affording every facility for visitation and inspection—that the American state hospitals for the insane have obtained a high place in the estimation of the American people, and that the insane are committed to them much more readily, and at earlier stages of their malady, than is the case in England; whilst, at the same time, private asylums find little favour, and exist only in small numbers.

#### RESTRAINT AND SECLUSION.

No report on insanity can be considered satisfactory which does not include some consideration of the use of restraint in the treatment of the insane; and this subject, as well as the use made of shower and warm baths in the various countries visited, will be here considered.

No mechanical restraint was in use in any of the institutions visited in Great Britain; and, from an examination of the reports of the Commissioners in Lunacy for England and Scotland, it would appear that the "non-restraint system" is now in almost universal use in England, and that restraint is employed only in rare and exceptional cases in public and district asylums in Scotland. In the parochial and private institutions of that country recourse is more frequently had to it.

In 1853, the English Commissioners in Lunacy addressed a circular letter to the superintendents and medical proprietors of all the lunatic asylums, registered hospitals, and licensed houses in England and Wales, requesting a statement of their views on the subject of seclusion and restraint. The answers to this circular are published in the Eighth Report of the Commissioners; and the following, from Dr. Bucknill, at that time superintendent of the Devon County Asylum, and now Commissioner for the Visitation of Chancery Lunatics, is one of the fullest statements of opinion on the subject:—

"In the Devon County Asylum, restraint is never employed, except in surgical cases; in these, of course, the same principles must be adopted for the insane as are necessary for the sane, to insure that absolute quietude of parts which is essential for the advantageous conduct of the healing process. It is not denied that cases have occasionally arisen in which it has been difficult in the extreme to avoid the imposition of restraint; for instance, those of suicidal patients who have endeavoured to effect their purpose by thrusting articles of clothing and other substances down the throat, by beating the head against the wall, and by other means which are scarcely capable of being obviated by any watchfulness on the part of the attendants.

"A patient is still resident in this asylum, who endeavoured to commit suicide by lacerating the veins of the fore-arm with his teeth, and who bit out from his arm large pieces of flesh in the attempt. Had these efforts continued, it would not have been possible

\* *Annual Report of the New York State Asylum, Utica, 1866.*

possible to have avoided the imposition of restraint, except by defending the arm by hard leather sleeves—by restraining the teeth, in fact, instead of the limbs.

"The occurrence of such cases, however unfrequent they may be, renders it impossible to deny that the imposition of mechanical restraint may, in rare instances, be necessary for the safety of the patient.

"Mechanical restraint in the treatment of the insane is, like the actual cautery in the treatment of wounds, a barbarous remedy, which has become obsolete from the introduction of more skilful and humane methods, but which may still be called for in exceptional and desperate cases. It may be said, that as these cases are so rare—that as large asylums are conducted for many years without one of them being met with—that as they do not appear, they may be considered as if they did not exist.

"The abolition of restraint was an indispensable starting point for efficient reform, since its employment was combined with a multitude of evils which its removal rendered intolerable. Under restraint, the management of the insane could be conducted by a small number of attendants, without calling upon them to exercise either self-control, intelligence, or humanity; there was little need of medical skill, or employment, or recreation; it was found that the easiest plan of controlling the lunatic was by appeals to his lowest motives, especially to the most debasing of all motives, to fear.

"Without restraint, these conditions were reversed, and, above all, it became necessary to influence and control the insane by higher and better motives. In my opinion, the essential point of difference between the old and new systems consists in this, that under the old system the insane were controlled by appeals to the lowest and basest of the motives of human action, and under the new system they are controlled by the highest motive which in each individual case it is possible to evoke.

"The lunatic is unable, without assistance, to control his actions so that they may tend to his own well-being and to that of society. He is, therefore, placed under care and treatment, that he may be restored to the power of self-control; under care, that while this power remains impaired, he may be assisted in its exercise. This assistance may come in the shape of a strait waistcoat, or in the fear of one; or it may come in the sense of duty imposed in the operation of a gentle but effective discipline, of honest pride, desire of approbation or personal regard, or the still nobler sentiments of religion. The first motive, that of fear, belongs to man and the animals, and its exercise is degrading and brutalizing; the latter motives are human, and humanizing in their influence, and their development is the true touchstone of progress in the moral treatment of mental disease. It was the brutalizing influence of fear, and the degrading sense of shame, which constituted the true *virus* of mechanical restraints.

"In repudiating the use of mechanical restraints in the Devon Asylum, the above principle has been kept in view with a jealous anxiety, lest the moral effects of restraint should present themselves in some other form. It would seem that it is more easy, or at least more consistent with our nature, to rule by fear than by love. And the annoyances caused by the insane on their immediate attendants, are hard to be endured without exciting a spirit of retaliation. For this reason, the plan of manutention, or holding violent patients for a long time by the hands of attendants, scarcely deserved the name of a reform; and seclusion injudiciously and harshly employed is liable to the same objection. If a patient is to be ignominiously thrust into a dark and comfortless cell, and detained there for an indefinite period, on the occasion of any outburst of temper or irritability, it may well be doubted whether mechanical restraint does not possess some advantages over such a system; and the French physicians may be perfectly justified in preferring the *gilet* to their own *cellules de force*. But, in my opinion, seclusion differs widely from restraint in its capacity for beneficial employment. Restraint, except in cases so rare that they may be left out of consideration, is always an unmitigated evil. Seclusion, wisely employed, is frequently an important and valuable remedy. The character of seclusion as a remedy, has never recovered from the attacks made upon it by the advocates of mechanical restraint. They represented, truly enough, that a patient walking about pleasure-grounds with his arms tied to his sides, was capable of more enjoyment than he would be if shut up in a dark and narrow cell with all his limbs at liberty. In this objection, the fundamental principle of the new system was overlooked—that neither by restraint, seclusion, nor any other means, was it permissible to inflict upon the insane any unnecessary or avoidable suffering, or any indignity or degrading coercion, whether of a physical or moral kind. But the possible abuse of a thing is no valid argument against its use; otherwise there is no important remedy, medical or moral, which might not be equally objected to.

"That seclusion should not be resorted to merely as a punishment for improper conduct, or as a means of getting rid of a troublesome patient, I readily allow; but the extreme irritability of some insane patients, the uncontrollable fearfulness of others, and the reckless violence of a few during periods of epileptic excitement, are such that a removal from the society of their fellow-patients cannot be withheld from them without sacrificing their interests and safety. In the employment of seclusion everything depends upon its method. In the Devon Asylum, the padded room is rarely used except as a sleeping room for feeble patients who are liable to get out of bed and to fall against the walls at night. Its principal use, therefore, is not for seclusion. The attendants should have the power to impose seclusion only under the most pressing emergencies, for brief periods, and until the medical officer can arrive. Seclusion, being a remedy, should be directed solely by the medical man, whose care it should be to abstract from it every

punitive



punitive characteristic. The easiest mode of doing this is to invest it with a medical character—to speak of it as necessary for health, and even to add some other remedy more purely medical. In numerous instances I have observed the most beneficial effects result to the mental condition of patients, from the confinement to bed which had become necessary from some not very serious bodily disorders—a sore leg, for instance—and have derived therefrom on this subject hints which I have found not without value.

“It is not, however, often possible to confine a patient to bed for the sake of mental quietude. The relaxation so produced might increase the nervous irritability which it was desirable to obviate. On this account, it is found an excellent plan to seclude irritable patients in the open air—to place them alone in an airing court, where they can be kept under observation, and where, by solitary exercise, they can walk off their excitability. On this account, also, seclusion rooms should be light and cheerful sitting-rooms, furnished with means of occupation and amusement—the very reverse of *cellules de force*. Where such rooms are not attainable, a vacant corridor, gallery, or day-room should always be preferred to the cramped space of a single sleeping-room. Seclusion, used as a remedy, should be made as agreeable as possible. It is thought of some importance that patients should, in many cases, have the power of ingress and egress to and from their rooms. At the opening of this asylum, the bed-room doors of one whole ward were supplied with ordinary door-handles on the outside, so that the patients might enter their rooms without the aid of the attendant's key. In each ward where seclusions are not prevalent, single room doors have been prepared with ordinary door-handles and latches within and without, in order that the seclusion may as frequently as possible be robbed of its coercive character. Used in this manner as a remedial agent, seclusion as little deserves the opprobrium of being coupled with restraint as the warm bath, or any other means of allaying nervous irritability. When possible, the patient is persuaded to submit to separation before excitement has developed into violence, and the employment of force has become requisite. If seclusion is always looked upon as an evil, it becomes an evil by being postponed until it is needful to enforce it by superior physical strength.

“There is, however, another aspect under which seclusion must be considered, wherein it is not remedial—wherein it is acknowledged to be an evil, by its use being justified as the least of two evils of which the annoyance and danger of the patients in general is the greater. It can not be denied that insanity frequently displays itself by excitement of the malignant passions, and that some of the most depraved of mankind terminate their career in asylums. Towards these, seclusion must occasionally be employed in its harsher form, as a coercive means to prevent the welfare of the many from being sacrificed to the passions of a few. But, under a well-developed system of industrial employment, aided by medical remedies, this repressive kind of seclusion is rarely necessary, and, in this asylum, certainly forms by far the least frequent reason of its employment. Habits of industry, propriety, and order are inculcated with so strict a surveillance as to leave to the ill-disposed but little opportunity for the indulgence of vicious propensities. By these means habits of self-control are gradually established; and frequently, in the end, self-respect is so far awakened that it becomes both prudent and just to withdraw surveillance.

“Finally, I think that a marked distinction should be drawn between seclusion used as a remedy, and seclusion used as a means of coercion. It has, in my opinion, been too exclusively viewed in the latter light; and, while I feel that it is essential to reduce to a minimum this and every means of coercion, I am convinced that it is unwise to brand with an opprobrious character an important means of comfort and of relief to many of the greatest sufferers from mental disease.”

In the second edition of the *Manual of Psychological Medicine* by Drs. Bucknill and Tuke, this Report is republished, Dr. Bucknill prefacing it with the statement, “We entertain privately the same opinions on the employment of restraint and seclusion as those which six years ago we expressed to the Commissioners in Lunacy.”

On examining the reports of other asylum superintendents it will be found that they agree in the main with the opinions expressed by Dr. Bucknill. The opinion, however, is in many cases expressed that restraint is never necessary, never justifiable, and always injurious. By some few there is a more distinct advocacy for restraint in certain cases. “With every disposition to advocate the disuse of restraint to the utmost extent, I am compelled to admit that the results of my experience in this asylum up to the present time, lead me to the conclusion that cases may occur in which its temporary employment may be both necessary and justifiable”, writes Dr. Wilkes, at that time medical superintendent of the Stafford County Asylum, and now a Commissioner in Lunacy; and Dr. Sutherland gives a similar opinion.

During the last few years there has been a certain reaction in the feelings of superintendents of asylums on this subject; in quite half of the asylums visited, although restraint was not practised, its advantage in certain cases was distinctly admitted; and it does not now meet with the all but wholesale condemnation which was accorded to it some few years ago.

In Northern Germany, Belgium and Holland, the non-restraint system is in use in a few institutions. Dr. Ewert, of the Meerenberg Asylum, visited England in 1854, and was so much struck with the absence of restraint that he determined

on adopting it on his return. The number restrained at Meerenberg has been since this date.

	Males.	Females.
1854 .....	1	1
1855-6-7 .....	0	0
1858 .....	2	3
1859 .....	1	3
1860 .....	2	2
1861 .....	2	2
1862 .....	2	1
1863 .....	2	2
1864 .....	1	1
1865 .....	1	0
1866 .....	0	1
1867 .....	0	1

The camisole has been the only means of restraint employed. It was used in each case once only, and generally for some special cause—to keep on dressings in cases of carbuncle, &c., or to prevent accident in the treatment of surgical affections.

Dr. Ewerts regards it as an unmixed success, and speaks with pride of having been the first to carry out the non-restraint system on the Continent. His example has not been followed by other Dutch physicians; but the prominent members of the modern school of psychological medicine in Northern Germany have taken up this question warmly, and “non-restraint” is carried out fully by Griesinger at Berlin, Reye at Hamburg, and Ludwig Meyer at Göttingen. At Hamburg, after six years’ experience, the system is pronounced in every way successful.

Dr. Meyer, at Göttingen, speaks of it as a decided success, although from a deficiency of asylum accommodation, the number of acute cases is greater in German than in English institutions; and adds, that although he does not doubt for a moment that a limited number of cases are best treated by restraint, still an asylum can be worked smoothly and well without it, and where it is allowed, it is always liable to be abused. The restraining apparatus is said to be kept under lock and key, and never used without the physician’s order; but this never is really carried out. Again, the knowledge that restraining apparatus exists, has a baneful influence on the more sane of the patients: it gives them a feeling of insecurity when they see it used on others—a sort of feeling that their turn may come, and so the asylum becomes to them a prison-house and not a hospital. The adoption of the non-restraint system has not been found to increase the amount of seclusion in those German asylums where it has been tried.

At Guislain’s Asylum, Ghent, restraint is very rarely used. When visited, no person was subjected to it, and only one was in seclusion.

Great as has been the success attending the trial of complete non-restraint in these Continental institutions, in the vast majority of institutions for the insane on the Continent, restraint is still used.

In the French asylums the camisole or strait waistcoat is the only means employed, but it was found in use in every asylum visited, except at Evreux, where it was said to be used occasionally. The number, however, found in restraint was, as a rule, small. At St. Yon, out of upwards of 900 patients, three only were in the camisole; at Charenton, four; at Ville Evrard, one. At Quatre Mares, with 700 patients, the morning report showed four under restraint. At the Bicêtre the number restrained was larger than in the majority of French asylums, and one child of seven years old was wearing the camisole. At St. Anne’s, where the number of acute cases is large, the total number in restraint was twelve, six of each sex.

There would appear to be in France a growing desire to lessen the amount, if not entirely to abolish the use, of restraint. In 1858, Dr. Morel of St. Yon visited England for the special purpose of inquiring into the system of “non-restraint” as there practised, and returned fully convinced of its advantages, and of the possibility of carrying it out completely. His work on this subject,\* published in Paris in 1860, contains the most valuable testimony to the advantages of the system; but, owing to the greatly overcrowded state of the St. Yon Asylum, Dr. Morel has found it impossible to carry out the system fully, though his belief in its advantages has not diminished.

In the German asylums in which restraint is employed, bed-straps, and sometimes the chair, are used, as well as the camisole. At Illenau, four out of 450, and at Frankfort five patients out of a total number of 160, were found in restraint; but in one of these there was fracture of the leg, and the bed-straps were absolutely necessary to keep the patient quiet, and so allow of union of the bones.

In America restraint is even more largely used than on the Continent.† At the Criminal Asylum, Auburn, U.S., there is a liberal use of handcuffs, besides other means; and in the City Asylum of Philadelphia men are also to be seen with heavy wristlets fastened to a chain passed round the waist; but these are exceptional cases. In the State

\* *Le Non-Restraint, ou de l’abolition des moyens coercitifs dans le traitement de la folie*: Par M. le Docteur Morel.

† In the poorhouses of Pennsylvania and other States, where there is no system of inspection, restraint in some of its worst forms is practised. In some instances the patients are placed in square boxes, of a coffin shape, with a hole for the head, and fastened up against the wall.



State asylums and lunatic hospitals, the camisole, muff, wristbands, and bed-straps form the chief means of restraint; but in some cases chair-straps and crib beds are used:

At the New Jersey State Asylum, three patients were found in restraint, and four in seclusion.

At the New York, six patients on the female side were restrained; and though none were absolutely in seclusion, since the doors of the rooms were open, one was strapped to her chair, and another was in a crib bed.

At Washington two patients were found in restraint, and seven in seclusion;

At the McLean Asylum, Boston, three in restraint, and two in seclusion;

At Northampton, four in restraint and three in seclusion;

At the Pennsylvania State Asylum, one in restraint and two in seclusion;

At the Pennsylvania Lunatic Hospital, one in restraint, and none in seclusion.

The bed-straps and crib beds are used in those cases in which a horizontal position is deemed necessary, owing to the weakness of the patient; and the general use of restraint is justified by statements that the patients in America are, as a rule, more violent, that they possess larger ideas of personal freedom, with a greater want of discipline, than in Europe. In personal communications and written reports, the opinion is always expressed that restraint is absolutely necessary for the proper treatment of a certain number of the insane.

Dr. Kirkbride, one of the best known of asylum superintendents, thus writes on this subject, in the Report of the Pennsylvania Hospital for 1852:—

"Restraint is necessary in every hospital for the insane."—"It is no advance to give up restraining apparatus and substitute frequent and long-continued seclusion. An individual may really be more comfortable and much better off in the open air with some mild kind of restraining apparatus on his person, than he would be confined to his chamber without it."—"Although fully impressed with the conviction that the frequent use of restraining apparatus is a great evil in any hospital for the insane, it has not been deemed necessary to resolve that it should never be used in this institution."

During a personal interview, he said—"It is very useful in a few cases: in a minor number it is the best form of treatment. Patients sometimes ask for it, and to cease altogether to use it, in obedience to popular clamour, is to cut yourself off from a useful, and indeed valuable means of treatment—the best indeed for a limited number of cases. All restraint is an evil if it can be done without; so is laudanum; still a judicious physician will not banish narcotics from his armoury, but will use them with discretion. In many cases it seems better to confine a patient's hands in wrist-straps or camisole, and turn him into a corridor or court, than to shut him up alone. Seclusion is always bad; no teaching by means of the senses is going on the while, and patients who have bad habits almost always practise them when in seclusion. Some patients seem less humiliated by mechanical than by personal restraint."

Dr. Gray, the Superintendent of the New York State Asylum, and the Editor of the *American Journal of Insanity*, in the Twenty-first Annual Report of the Utica Asylum, states his belief, that the English system is founded on a false theory of the treatment of insanity, and details the practice pursued in that asylum, so that the public may have "just and distinct views in what the necessity and extent of restraint consists, and appreciate the nature and importance of its use in certain cases."—"It is resorted to in controlling for given periods cases of great restlessness or high excitement, with a view of husbanding the general strength and promoting calmness. Many cases, especially in the acute stage of mania, if left to themselves, or given the freedom of the ward, would soon exhaust their vital powers by excessive muscular action. Excitable, noisy persons thus restrained during paroxysms, are more tranquil, and are able to remain in association with others in the wards or sitting-rooms, instead of being secluded; and their personal comfort is really promoted by this partial restraint. We are of opinion, also, that the moral as well as the medical effect of this treatment is much better than that of seclusion."

The greater violence of the American patients over those in European asylums, which is given as one reason for the use of restraint, is certainly not apparent to a casual visitor. The prevailing characteristics of American insanity, as seen in the Eastern States, are irritability and fidget, not violence. The patients are restless and tear their clothes—(is it that they want tobacco to chew or a stick to whittle?)—but they are not more violent than the patients in English asylums. In all the arguments for restraint used by American physicians the evils of seclusion are pointed out, but there is, as a rule, more seclusion, notwithstanding the restraint, in American than in English asylums. In two American asylums only was no person found in seclusion—the Philadelphia Lunatic Hospital and the New York State Asylum—whilst in several British asylums, as Stafford, Leicester, Bootham, York, Montrose, and Murthly, it is never practised; and in those institutions in which seclusion is used, the proportion is decidedly less than in American institutions.

In some British asylums seclusion is practised more or less as a disciplinary measure; in others, simply as treatment in those cases where quiet and absence from light are necessary. It has been completely abolished in a certain number of British institutions, because it is liable to abuse; but its occasional use for short periods, and purely as a matter of treatment in cases of violent mania, is generally considered beneficial.

The amount of seclusion in Continental asylums is, as a rule, not large; but wherever the amount of restraint was found to be larger than ordinary, the amount of seclusion was large also. At Illenau and Frankfort the amount is larger than at Hamburg, Göttingen, and Meerenberg. Dr. Morel, in his efforts to introduce "non-restraint,"

restraint," has not increased the amount of seclusion. At St. Yon, with a population of over 900, not one was found in seclusion.

The shower-bath, once one of the most common agents in the treatment of insanity, is falling greatly into disuse. In very few British asylums is it now used systematically as a depressant in acute cases of insanity; and where used, it is seldom prolonged beyond two or three minutes. In some asylums it is used as a tonic, as a stimulant in some cases of dementia, and as a means of correcting faulty habits; but for these purposes the shock only is required, and a few seconds serve all purposes. At Montrose it is used only at the patients' own request; and at more than one English institution its use is altogether forbidden. At the Cupar Asylum a rain shower-bath is fitted over the ordinary baths, and this is found quite sufficient to act as a tonic and stimulant. In almost all English institutions the shower-bath is kept locked, the keys being entrusted to the assistant medical officer or chief attendant.

In the Continental institutions the shower-bath is somewhat more used than in those of Great Britain; but its use is not more frequent at Hamburg, Göttingen, Meerenberg, and Ghent than in English asylums. At Illenau, and in some French asylums, it is used in connection with the warm bath as a depressant.

In America its use has been totally abandoned, owing to the strong prejudice felt against it by the public, and its liability to abuse.

The warm bath is employed medically in most British and American asylums; but in many it is only used very occasionally, and in none is it prolonged much beyond half-an-hour. In most Continental asylums, it is a prominent and much used remedial agent, and is continued for periods varying from half-an-hour to three hours. During its use cold cloths are applied to the head, or the douche, or shower-bath used at intervals; and to judge by the writhings and contortions of the patient, and his frantic yells as he rolls over and over in the bath in which he is restrained by a locked lid, leaving his head only free, this treatment is in the highest degree painful.

It is not a little curious that, owing more or less to popular clamour, and to a fear of the abuses to which they are liable; mechanical restraint has been virtually abandoned in Great Britain, and the shower bath has ceased to be used in America, and so a mode of treatment, useful in a certain number of cases, is lost to the physician in each country.

#### ACCOMMODATION FOR PATIENTS PAYING FOR THEIR MAINTENANCE.

England, which has provided with a marked liberality for her insane poor, has also made some public provision for those of the insane who are able to pay for their maintenance, but this has been left mainly to private enterprise, and the large number of private or proprietary asylums attest at once the want which exists and the efforts which have been made to meet it.

A certain number of patients paid for by their friends are to be found in almost all county and city asylums, but they live with, receive the same diet and treatment, and are often in social degree little above, the pauper class.

The noble charities of St. Luke's and Bethlehem founded in times gone by, and the Lunatic Hospitals at York, Northampton, Lincoln, Exeter, Manchester, Leicester, Norwich, Liverpool, Gloucester, Nottingham, Oxford, Coton Hill, and the Retreat for the Society of Friends, vary in their origin and constitution, but have one general end. In them are maintained at low rates of payment, patients belonging to the poor and middle classes, who can ill afford to defray the expense incurred in a private asylum. In some, no charge whatever is made for care and treatment; in others a portion of the income is set apart as a fund destined for the relief of the poorest inmates; whilst, in a third class, patients of all ranks are received at varying rates of pay, and the larger payments from the rich serve to assist in the support of those who can pay but little.

They are all governed by committees selected from the contributors, and are public institutions in the sense that no individual has any direct pecuniary interest in them.

In the lunatic hospitals are maintained a total of 1,842 non-pauper insane, whilst the large number of 3,228 are accommodated in licensed houses.

In general arrangements the lunatic hospitals differ from the asylums in the following particulars:—

The number of patients is as a rule less. Bethlehem, which is the largest, contains 277 inmates.

A larger number of the patients are accommodated in single rooms. At Cheadle, almost all the dormitories are associated, each containing four beds, three for patients and one for an attendant; but at Northampton, Lincoln, Coton Hill, and the Friends' Retreat, there is one single room for every two or three patients at least. The single rooms are generally given to those paying higher rates of board and are much preferred by the patients.

The rooms are more or less comfortably furnished according to the rates of payment. The single rooms contain chests of drawers and ordinary washstand, where from the form of insanity it is possible to allow them, the majority of the rooms are carpeted, and the general fittings assimilated as closely as possible to those with which the patients are surrounded in their ordinary life. The patients generally have one room only, but where a sufficient sum is paid, a sitting-room and bed-room are allowed.

The patients generally dine in small parties in association.

Besides the ordinary officers, a special *companion* is found useful for the females to assist in amusing them and directing their needle and other work. The attendants

at

at the Retreat number 1 to 6 patients, at Coton Hill 1 to 4, at Northampton 1 to 7, at Bethlehem 1 to 6, at Lincoln 1 to 5. They vary greatly in number with the different classes of patients, and with those paying high rates have more the character of servants than attendants. Frequently patients pay for a special attendant. The attendants sometimes wear ordinary clothes, sometimes a neat uniform or livery. The dress of the patients is either found by the friends or made in the institution by paid labour, and charged to the friends. The patients are dressed as much as possible in accordance with their social position.

The amusements for this class of patients invariably include a billiard-room and a good library, and the usual associated amusements are encouraged, the patients frequently assisting in both musical and theatrical performances. Carriages and horses are either kept or hired for the use of the patients, and a certain number taken for long drives almost daily. It is found difficult to find employment for male patients. They are removed altogether from the labouring class, and will do very little manual work. Some few find amusement and occupation in gardening, and others pursue mechanical occupations of various kinds, carpentering, painting, &c. It is thought advisable to encourage literary occupation, and discussion classes are found to be generally beneficial in exciting mental activity and relieving the monotony of asylum life. The diet is varied and every care is taken to serve it as nicely as possible.

The rates of payment vary considerably.

The general maintenance rates in these institutions range from 11s. 2d., to £1 10s. 4d. weekly.

	£	s.	d.
At the Lincoln Lunatic Hospital it is .....	0	16	11
Colon Hill .....	1	5	0
Bethlehem .....	1	2	10
York .....	1	1	0
The Retreat .....	1	1	3

At Coton Hill, the rates of payments by the patients range from 2s. 6d. to 6 guineas weekly.

There are three classes :—

- 1st. Those paying 4 guineas a week and upwards, who have a bed-room and sitting-room and a special attendant.
- 2nd. Those paying sums ranging from 25s. to 4 guineas, who sleep generally in single rooms, and dine at one of three common tables according to their mental condition.
- 3rd. Those who pay less than 25s., the maintenance rate of the institution, and are therefore recipients of its charity. These sleep for the most part in associated dormitories and dine at one of three common tables.

At the Friend's Retreat, York, the general payments range from 8s. to 30s., and there is a limited number of patients who pay sums varying from 2 to 5 guineas a week, and receive better accommodation accordingly.

At the Bootham Asylum, York, the rates of payment range from 4s. to 5 guineas. The farms which belong to these institutions are worked chiefly by means of paid labour.

Pauper patients are received into the Lunatic Hospitals of York and Northampton and the Leicester Lunatic Hospital is in connection (as the Coton Hill and Manchester institutions were formerly) with the county asylum, but the paying and pauper patients are kept in separate wards.

The Royal asylums of Scotland differ only from the English lunatic hospitals, in the fact that into all are admitted pauper patients, who are paid for by the parishes to which they belong. The paying patients are kept in special wards (sometimes, as at Glasgow and Edinburgh, in detached buildings), and the arrangements for the patients are in most respects similar to those in the English hospitals.

The number of paying patients in the Royal Asylums, of Scotland, is 853, whilst 252 are in private asylums.

In France, a large number of paying patients are accommodated in private asylums, the property either of individuals or of religious houses. Some find a home in the hospices, and the noble state institution, the Charenton, serves to contain a large number; but provision is made in the greater number of the departmental asylums for patients of this class—sometimes in rooms in the main building, at other times in detached houses, as at Quatre Mares. They are usually divided into three or four classes.

At the asylum of St. Yon, the rates of payment are,—1st class, 6 francs a day, which entitles the patient to a sitting room and a special attendant; 2nd class, 4 francs; 3rd class, 2 francs 50 centimes; 4th class, 1 franc 50 centimes; 4th class receive the same diet as paupers, and the rooms set apart for them are furnished in a similar manner to those of the pauper class.

The number of attendants for the paying patients in French asylums is generally about 1 to 6.

In the United States, every State asylum affords accommodation to patients of all classes, and there are also institutions corresponding in character to the English lunatic hospitals.

In the majority of the State institutions separate galleries are set apart for the paying patients; but at the New York State Asylum the sole classification is founded on the power of self-control of the patient, and social distinctions are levelled.

The

The rates of pay range from 5 to 12 dollars a week.

The number of private asylums in the United States is very small owing to the general popularity of the state asylums.

The union of pauper and paying asylums is almost universal in Germany, Belgium, and Holland. At all the asylums visited certain rooms were set apart for patients paying for their maintenance. These are usually divided into three classes according to the rate of payments. At Hamburg the paying patients are placed in a detached building.

### CRIMINAL LUNATICS.

The term Criminal Lunatic is applied, with not the strictest propriety, to two distinct classes.

1st. Those, who whilst insane, commit criminal acts, are, in fact, insane first, and criminal, so far as the *act* is concerned, afterward;

2nd. Those who become insane whilst undergoing imprisonment, are criminal first, and insane subsequently.

The first class, those who are insane, and who, under the influence of insanity, commit crimes, which, when sane, they would, in many cases, regard with horror,—are, when brought to trial, either found insane on arraignment, or acquitted on the ground of insanity, and are absolved from all responsibility; but, for the safety of mankind in general, are maintained in safe keeping.

The second class, who, whilst in prison for crimes committed when in a presumed state of sanity, are attacked with mental disease, are maintained in safe keeping, because their insanity does not absolve them from the consequences of their former acts.

It may be well to see how these two classes are provided for in those countries, which have instituted special provision for the criminal insane.

In England, the State Asylum for Criminals at Broadmoor, was originally intended to receive all classes of the criminal insane—those found insane on arraignment, or acquitted on the ground of insanity before the superior courts—and those who become insane whilst undergoing imprisonment, whether in Government prisons or county gaols, but the accommodation was found to be wholly insufficient, and it has been deemed advisable to restrict its use to—

1. Those found insane on arraignment, or acquitted on the ground of insanity and confined during Her Majesty's pleasure;

2. Those who become insane whilst undergoing sentence in Government prisons, and so belong to what is ordinarily known as the convict class:

thus leaving a large mass of people—all those becoming insane while undergoing sentence in minor prisons, and such as are found insane when brought up for trial, and acquitted on the ground of insanity in minor courts—who come under the general definition of criminal lunatics to be provided for in county asylums. In many asylums the insane of these classes are found so little objectionable that they are maintained in the ordinary wards, their prior history being kept as secret as possible: but in other asylums they are sent by the asylum authorities to Fisherton House, Salisbury, an establishment conducted by private enterprise, in which insane of the criminal class are received and specially provided for. To this establishment are sent also by the county asylum authorities almost all of the insane belonging to the convict class, who, on the expiration of their sentence are discharged from Broadmoor, and sent to the county asylums.

The convict class of the insane are discharged from Broadmoor, either on becoming sane, their sentence of imprisonment being unexpired, when they are returned to prison; or at the expiration of their sentence, when they are delivered to friends, who promise to see them safely provided for; or, these being wanting, as they usually are, they are sent to county asylums, whence, as stated above, they are often removed to Fisherton House, as being objectionable in ordinary asylum wards. Those who are confined during Her Majesty's pleasure, are, on becoming sane, either liberated on a special warrant from the Secretary which, in some cases, imposes certain conditions, or kept in confinement for the remainder of their days.

The greatest care is exercised in selecting cases for discharge: the milder non-murder cases, or such as have committed murder under the influence of puerperal mania, and whose subsequent type of insanity has not been homicidal, are set at liberty; but all cases in which marked homicidal propensities have been exhibited, and in which it is probable that, should a second attack occur, the type of insanity would be similar to that before exhibited, are kept in confinement.

At the Criminal Lunatic Asylum for Scotland, which is in connection with the General Prison at Perth, the same classes are received as at Broadmoor—those found insane on arraignment or on trial, and detained during Her Majesty's pleasure, and persons becoming insane in Government prisons whilst undergoing sentences of penal servitude; but the line is not drawn rigidly here as at Broadmoor. Prisoners undergoing sentence in minor prisons are sometimes received; these are, however, few in number, and each case is admitted on special application from the prison in which the individual is confined. The application is considered by the surgeon to the general prison, who is also superintendent of the criminal lunatic asylum, and the patient is sent to the criminal or district asylum according to his decision. Cases in which prisoners have shown homicidal or very malicious propensities, and which are thus unfit for ordinary asylum wards, are, as a rule, admitted.

The

The rules for discharge differ somewhat from those at Broadmoor. Patients becoming sane with sentence unexpired, are sent back to prison; but if the sentence expires, and the insanity continues, either they are sent to a pauper asylum, or their cases are specially reported on by the medical officer as fit subjects—because either of the original nature of their offence, as rape, aggravated assault, &c., or of their propensities since becoming insane—for detention in a criminal rather than a general asylum.

It will be seen that, although in the main, the same classes are accommodated in the Scotch Criminal Asylum, as at Broadmoor; yet, instead of being confined absolutely to those classes, others are admitted on a principle of careful selection. The peculiar character of each case as regards its *criminal disposition* being considered. On the same principle cases, admitted from general or local prisons are selected for further residence in the asylum after the date of expiry of their sentence. The system adopted in Scotland is decidedly broader in principle than the one which is followed in England; and its success may be judged of by the fact that no private institution to receive cases discharged from or refused by the state asylums, is wanted in Scotland—at all events, none exists; and provision is made for all criminal lunatics, except those received by the state institution, in the district asylums.

In the Irish State Asylum at Dundrum the principle of selection is carried even further. The asylum was established mainly for the reception of lunatics charged with offences in Ireland, but acquitted on the plea of insanity; but it was made lawful for the Lord Lieutenant to send also persons becoming insane in both Government and local prisons, whilst undergoing sentence.

From the first, the principle of selection would appear to have been adopted; and from a total number of 178 cases which were found in asylums and prisons, on the opening of the establishment at Dundrum, 84 only were selected for confinement in the state asylum, the cases in which the transgression had been trivial, being ordered for detention in ordinary asylums. The following table, from the Report of the Irish Commissioners in Lunacy for 1865, will show that the principle of selection is still fully carried out:—

	Males.	Females.	Total.
Homicides .....	29	7	36
Assaults on the person .....	32	10	42
Attempts to destroy property, and minor offences of all kinds, the parties being dangerously in- clined .....	22	20	42
	83	37	120

The patients accommodated at Dundrum are therefore the most violent of both the two classes into which criminal lunatics are divided—those acquitted on the ground of insanity, and those becoming insane whilst undergoing imprisonment—the nature of the original offence, and the *criminal disposition* of the individual, being the basis of selection.

The discharges appear to be regulated in much the same manner as in the Scotch asylum. In every case a minute examination into the antecedents of the individual is made before liberation is granted. Patients becoming fatuous and decrepit are removed to their respective district hospitals, under order from the Lord Lieutenant.

In the United States, the State of New York alone has established an asylum for criminals; and this is close to, though not immediately in connection with the State Prison at Auburn. In this asylum, which is exclusively for men, are confined only such prisoners as become insane whilst undergoing sentence in the state prisons, and therefore belong to the convict class; all those acquitted on the ground of insanity, or found insane on arraignment, whatever may have been the offence committed, being sent to the ordinary asylums. In the other States of the Union, as no asylum specially for criminals exists, the convict insane are accommodated in special wards in the state prison, as are women in the State of New York; but in no state is it considered necessary to provide special accommodation for those who are acquitted on the ground of insanity. These cases are sent to the ordinary asylums,—and maintained in the same wards and under the same treatment as those in a similar mental condition,—under special warrants from the Governor of the State; and on recovery are reported sane, and discharged or not, according to circumstances. In the State of New Jersey all cases of this kind are, when cured, sent back to the prisons with certificates of recovery; the majority are set free at once, but certain cases, are maintained for observation in the prison, especially if the original crime has been of a peculiarly brutal kind. From the New York Criminal Asylum the convicts, if still insane at the expiration of their sentence, are not sent to the ordinary asylums, but are kept in the criminal asylum, unless their friends give security that they will be provided for by private means, and not become burdensome to the state in some other asylum.

In France and Belgium, and in Germany\* generally, the criminal insane of all classes are placed in the departmental, provincial, or town asylums. In the Department of the Seine accommodation was provided some years since, for the convict class in a building fitted especially for violent patients, in connection with the Bicêtre at Paris. It is of a circular form, in appearance something between a small model prison and a menagerie;

\* A special asylum for the criminal insane exists at Königsberg.



menagerie; and is still used for the accommodation of insane of the criminal class; but their number has long since outgrown its capabilities. Public and professional opinion in France is so decidedly in favour of treating the criminal insane in ordinary asylum wards, that no new building is in contemplation.

In Holland, the convict class of criminal insane are maintained in special buildings in one of the provincial asylums, the managing committee of which has made a contract with the Government to receive them; but no special provision is made for the class acquitted on the grounds of insanity, who are placed in the wards of ordinary asylums.

The almost complete absence of special provision for the criminal insane of all classes, which exists on the Continent of Europe, is very remarkable; but it is in accordance with the opinions of the public and of many of the most distinguished alienist physicians—opinions which have found expression in various pamphlets, and in papers and journals devoted to matters psychological. It is held that insanity should level all distinctions; that the great gulf which separates the convict from the honest man is bridged over by insanity; and that the bondsman should be as the free—that, when sick in body, the prisoner should still be kept within his prison and treated for his malady; but when sick in mind, the prison should be opened, and the badge of the convict forgotten. The few foreign authors (among whom M. Brierre de Boismont is the best known) who have advocated the establishment of special asylums, have recommended them only for those insane persons who have committed murder or are peculiarly dangerous.

From a brief consideration of the classes for whom special provision is made in various countries, it will be well to proceed to a description of what that provision consists.

*The State Asylum for Criminals at Broadmoor* is about 30 miles from London, and 5 from Wokingham in Berkshire. It stands on an eminence on a large open moor, and commands a singularly fine view. It fronts the south, and in that direction the land slopes so rapidly that the whole extent of farm and garden belonging to the asylum, as well as the view beyond, are visible from the airing courts over the high walls. The soil is gravel; the buildings of brick with stone facing, and for the most part of three stories. The divisions for male and female patients are totally distinct, each surrounded by a high prison-like wall, &c. When complete, there will be accommodation for 370 males and 150 females. The present number of inmates is 330 males and 70 females—a total of 400.

The asylum estate is 300 acres—of this the buildings occupy a large portion, but 70 acres are under cultivation as farm and garden, and 20 as pasture; the farm is being gradually enlarged. The farm buildings are placed in front of, and at a short distance only from the asylum; they are substantial and good. 6 horses, 18 cows and heifers, 120 sheep, and 90 pigs form the farm stock, and there are 60 head of poultry in the farm yard. The farming is not done entirely by hand labour, since the number of patients who can be safely employed outside the asylum wall is small; but implements of various kinds are used.

The cubic space is, for single and associated dormitories and day-rooms, between seven and eight hundred cubic feet.

One-half the patients in the female division, and one-fourth on the male side, are accommodated in single rooms. There is no special infirmary.

The warming is done by open fire-places, and by stoves placed in the corridors at the foot of the stairs. In a block, recently erected for women of the most excited class, hot water is used for warming, and is found cheaper than open fires. The stoves are caged in wire; the fire-places have simple high open railings in front.

A system of ventilation by extraction was tried, but not found to answer. Ventilation is now entirely by open windows, doors, and fire-places, except in the new block for women, in which there are accessories in the shape of perforated bricks for the inlet, and shafts opening near the ceiling and leading to the roof for the outlet, of air; and in the No. 6 block for men, in which perforated zinc panes are placed in the upper window sashes.

The entire asylum is lighted with gas. The buildings and gas making apparatus belong to Government, but are let to a contractor, who supplies gas to the establishment at so much per foot, and is bound to keep buildings and apparatus in repair. This is found to be more economical than working the apparatus by paid servants of the institution. A light is kept in each corridor all night.

The windows are in wooden frames, and open at the bottom by an ordinary sash. The open part is covered with an ornamental iron screen, which has nothing prisonlike in its appearance. In a new block for excited women, and in the block for the worst class of males, there are iron gratings over the entire windows, which are in wooden sashes and open top and bottom. There are shutters to the corridor and dormitory windows, locking when both open and shut.

The water supply is from surface drainage over the estate, and is considered somewhat scanty. It is, however, 30 gallons per head per diem, and is pumped by a steam engine from reservoirs at the bottom of the hill to tanks in the centre of the building. The surface draining is still in progress, and the supply will soon be increased. There are fire hydrants round the building, and the attendants practice fire drill occasionally.

The drainage is rapid and easy, because of the great slope of the land. About half-way down the hill are covered tanks for sewage; in these the more solid sewage matters subside, and are mixed with earth and used as manure, whilst the fluid portion is conveyed over the ground below in pipes. The entire amount of water in the tanks can

can be rapidly discharged through the drains ; and ventilating tubes pass from the sewers to a level higher than the roof. The refuse is used to feed pigs, which are bred, fed, killed, and eaten in the asylum. The bacon is cured, and there is a smoking room at the farm.

There is a general bath-room, containing ten baths, which, however, is almost useless, since it is not deemed advisable to allow patients of the criminal class to be removed from their special section of the asylum. There is also a bath-room in every corridor, in the proportion of one to every twenty-five patients ; the baths are copper. Lavatories are placed in each corridor, and consist of a leaden trough in which stand four or five wooden basins ; hot and cold water are laid on.

There are two kitchens, one for each division, partly detached and open to the roof. The boiling is all done by steam in jacketed boilers ; and on the male side the roasting is by gas in iron ovens.

The washing is done chiefly by steam machinery in two laundries, one of which is in the female division. In this all the lighter work is done. The other, for dirty clothes and rough materials, is at the bottom of the grounds, near the water reservoir. The steam engine turns the machinery for the laundry, as well as pumps water for the supply of the house. The engines for the female division are placed above the laundry, so that the straps for the machinery come down through the ceiling. The washing is done by stamping machines ; the wringing by a centrifugal wringer, and by squeezing between two rollers ; the drying is done in closets ; and the mangle is worked by steam.

Water-closets exist in each ward in the proportion of one to every twenty-five patients. The water supply is by pulling a plug. Earth closets have been introduced in the airing courts, and work satisfactorily. The earth is contained in a box at the back of the seat ; and a certain quantity discharged as the weight is taken off the seat by the rising of the person using it. These closets are only emptied once in about two months, and were quite sweet and clean. Earth closets have been substituted also for water-closets in some of the corridors. They are placed in small projections from the corridor, so as to ensure cross ventilation ; a window is placed over each seat. The divisions are of enamelled slate and partial only. The walls are cemented, the closets self-acting, and the receptacles, of galvanized iron or zinc on wheels, can be removed by opening the front of the seat. There are no urinals in the house ; in the airing courts they are of slate without constant water supply.

The male division consists of six blocks, and the female of two, besides the building for administration. The corridors are as a rule narrow, and used chiefly as passages of communication. For each division there are day and dining-rooms opening from the corridors ; and in the block for quieter patients is a reading room in addition. The day and dining-rooms are substantially and comfortably furnished. The floors are all of deal, except in one block, where they are polished oak. The walls are cemented ; the lower half of each is painted, roughly grained, and varnished ; above this is a bright coloured line, and the upper part is washed with light colouring. There are a few pictures in the day-rooms, and some other minor ornaments ; and the corridors have a strip of linoleum in the centre.

The dormitories are coloured throughout. The bedsteads are of polished wood, strong and well made, the bottom being canvas stretched on iron bars and tightened with a screw. Beside each bed is a small box for clothes, with a drawer underneath. There are wooden washstands with basin and ewer, carpet at the bedside, and earthenware chamber utensil, for the majority of the patients. In the rooms for the worst class there are bedstead and small box only, and the utensil is of gutta-percha or india-rubber. The beds are horsehair, the bedding plentiful and good, and each patient is provided with and made to wear a nightshirt. The bedding is all folded for the day in barrack fashion. The dirty patients are few ; and for these hair beds, covered with mackintosh sheeting, and with a hole in the centre, are used. There are two padded rooms in the male, and one in the female division. The padding is kamptulicon, a compound of gutta-percha, and costs £50 per room. It is in slabs, about 2 feet wide, screwed to the wall.

The stairs are of stone, without handrails ; the centre well is bricked up. The flooring of the passages is of asphalte.

The dinner is brought from the kitchen to the dining rooms in large tins, and is served on ordinary crockery. The plates and drinking vessels, even for the worst cases, are earthenware. The ordinary asylum knives are given to some of the patients, but to the more violent class bone knives and forks only are allowed.

There are two rooms set apart for amusements, one for males and one for females. The former, a large handsome room, is fitted with a stage for theatrical performances, and contains a billiard room—the latter is furnished with piano, bagatelle board, &c.

The chapel is placed above the amusement room on the male side, and is fitted specially for the service of the church. It is the only room in which male and female patients are permitted to meet. Morning prayers for the females are always read in the amusement room of their division.

The airing courts are four in number on the male, and two on the female side ; and, though surrounded by high walls, command extensive views, because of the rapid slope of the ground. They contain fixed and movable seats, and are nicely planted, even that for the most violent class being laid out in flower patches. In the airing grounds small patches are given up to individual patients, for cultivation as flower and vegetable gardens, with the happiest results ; patients who take interest in little else, occupying themselves with their special patches. Each airing court contains a verandah and covered walk.

The

The asylum is under the management of a council of supervision (the members of which are reimbursed any expenses they may incur) appointed by the Home Secretary. The general financial management and control is entrusted to this board; but when large sums of money are required, special requisition is made by the board to the Home Secretary. The board inspect all books and the house and farm accounts. All hiring and dismissal of servants by the superintendent is reported to them; and they engage and dismiss all officers, taking the superintendent's advice on the subject. The board meets once in every five weeks.

The asylum is under the inspection of the Commissioners in Lunacy, who visit it annually.

The superintendent is supreme within the institution, and is responsible for its internal management. He lives in a detached house, has a separate garden, is supplied with coals, candles, &c., and receives a salary of £800 a year. He is assisted in his duties by a deputy-superintendent, who also has a detached house, and £400 a year; and a resident medical officer, who receives £150 per annum, board and lodging; and who acts as dispenser.

The remaining officers are chaplain, who is a clergyman of the Church of England, living in a detached house near; steward, with storekeeper and clerk as assistants; and matron.

There is one chief attendant for each division; six principal attendants for the male side, one for each block; and two for the female; and these, with the ordinary attendants, make a total of one to between five and six patients. In the block for violent cases the proportion is one attendant to four patients.

The chief attendant for the male division receives a salary of £140, with a house, but without board.

The attendants are, as a rule, young, and are admitted after the examination prescribed by the Civil Service Commission. They wear uniforms, marked with badges to denote the rank of assistant, ordinary, principal or chief attendant. The men have a grey morning coat, and a blue one for other occasions; the women wear print dresses in the morning, and a black merino dress, white apron and cap, when the morning cleaning is finished. They carry their keys from a leathern belt. The attendants sleeping in the house have each a separate bedroom; and there are separate special dining rooms for the males and females. The regulation for holidays is that each attendant shall have one whole day in every ten; and additional days are granted at the discretion of the superintendent. Two attendants on the female, and six on the male side, one for each block, are told off for night duty, which they enter on at 10 p.m., leaving at 6 a.m. They change every month, and are visited occasionally during the night by the medical officers, but no other mode of checking their rounds is adopted. Dr. Meyer thus describes the care which is taken to make the attendants comfortable, in the report of the asylum for 1867:—

“As the question is of some importance I may perhaps be allowed to state the wages given to the attendants, and the other advantages placed here at their disposal.

Rank.	Wages.	
	Male.	Female.
Principal Attendant .....	£60 to £70	£40 to £50
Attendant .....	£40 to £45	£25 to £30
Assistant Attendant .....	£35 to £40	£18 to £21

The married men are provided with board and uniform; the single men with board, lodging, and uniform. The female attendants are provided with board, lodging, washing, and uniform. Comfortable cottages are provided on the estate for married men, at a reasonable rent; a day school for the children has existed from the opening of the establishment, a weekly payment in the shape of school pence is made by the parents, but the amount thus contributed covers but a small portion of the expense. A Sunday school established in 1863 has been continued with great regularity. The single men and the female attendants occupy well furnished rooms in the asylum. A comfortable reading room with a library, smoking room, and bagatelle room has been provided on the estate, outside the asylum walls, to the support of which the male attendants and servants contribute by a payment of 1s. on joining the service, and a monthly subscription of 6d. The female attendants and servants pay 6d. on joining, and 3d. monthly. In the reading room a dance is held every six weeks, and this winter penny readings have been established and most creditably supported.”

“Those who are willing to exercise a little self-denial in endeavouring to provide to some extent for their families, have had the means brought within their reach by Mr. Gladstone's Act, passed in 1865. A policy can be issued through the superintendent here to any servant for a sum not exceeding £100, without prepayment of premium, which is covered by a weekly deduction from the wages.”

“The families of attendants and servants resident on the estate are attended professionally by the medical officers of the asylum, and further assistance in suitable cases of sickness is given from the offertory fund; but, notwithstanding all these considerations, some married attendants in receipt of the lower rate of wages, find it difficult enough to keep their families in ordinary comfort.”



Notwithstanding all these advantages, however, the attendants cannot, as a rule, be induced to remain long at the asylum, and resignations are very frequent. The class of patients with whom they have to do seems to be very little the cause of this, but it would appear to be owing in great measure to the distance of the asylum from London or any large town. The railway fare from the nearest station, about 5 miles from the asylum, is 5s. to London, and 2s. 6d. to Reading; and the time spent in going and returning makes a serious inroad in the holiday allowed them.

Besides attendants, there are employed at the asylum, or on the estate, a clerk of the works, land steward, laundresses, cooks, and house servants, a carpenter, blacksmith, tinman, gasfitter, mason, plumber, tailor, bootmaker, upholsterer, &c., who are on the permanent staff of the institution, and qualifying for pensions. Besides these, are journeymen at weekly wages.

The artisans are charged with the care of those of the insane who work with them, but do no other duty as attendants.

The classification at Broadmoor is somewhat elaborate. On the male side, the Queen's pleasure men are separated as much as possible from the convicts, the larger number of them being kept in a distinct block in which no convict is placed; a few of the more violent are placed with the violent convicts.

The divisions are into—1, quiet (Queen's pleasure men); 2, invalids and workers; 3, quiet (convicts); 4, ordinary cases; 5, refractory. Each division is in a separate block; and the 6th block is at present unoccupied.

There are thirteen wards in the five blocks. In the refractory block are three wards, containing forty-five patients, under the charge of eleven attendants; and to this are attached two airing courts with high walls, so as to completely separate this class from the remainder. One man, a dangerous impulsive homicide, is kept constantly in a barred room at one end of the gallery.

It is deemed advisable to prevent the patients, especially the more violent class, associating in large numbers. They frequently combine for mischief, although insane; their old convict habits still remaining.

On the female side, one of the two blocks is used for quiet, and the other for violent patients; and in one ward in the former the women detained during Her Majesty's pleasure are kept. The total number of wards on the female side is five. The amount of work done by the patients is small compared with that in some other asylums, because only a few patients can be trusted to work on the farm outside the walls—the garden is within the walls—for fear of escape. Some cannot be trusted with tools, because of their propensities; and a certain number of the Queen's pleasure men are from the class who are unused to manual labour. The number employed is, however, considerable, as may be seen from the following table. The major part of the boots and clothes required by the inmates are made in the institution. All the ordinary sewing is done; and the value of the work done by patients in the workshops alone, without reckoning the laundry, agricultural work and gardening, is upwards of £500 a year.

TABLE showing the daily Average Number of Patients employed during the Month of December, 1867.

Description of Employment.	Male.	Female.	Total.
In the garden and farm .....	18	—	18
„ wards .....	52	30	82
„ laundries .....	9	12	21
„ kitchens .....	4	2	6
„ store room .....	1	—	1
Carrying coals .....	16	—	16
Shoemakers .....	5	—	5
Tailors .....	5	—	5
Carpenter .....	1	—	1
Gasfitter .....	1	—	1
Painter .....	1	—	1
Baker .....	1	—	1
Upholsterers .....	4	—	4
Needle and fancy work .....	—	24	24
Sundry work .....	5	—	5
Whitesmith .....	1	—	1
Total .....	124	68	192

	Male.	Female.	Total.
Average number attending chapel during the month of } December, 1867 .....	50	32	82

Some of the women patients work at sewing, &c., and the men knit gloves and curtains, after ordinary working hours; for this they are paid small sums, which they are allowed to spend on minor luxuries, through the attendants. The women thus earn about £30 a year. All the working patients get extra diet, as will be seen from the diet table.

The

The dress of the patients is varied as much as possible, the class and social status of the patients being considered. Some of the better class are allowed to be dressed by their friends. The dress for the lower classes is usually cord trowsers with blue cloth jacket and waistcoat. The day shirts and socks are all changed twice a week; night-shirts, drawers, and guernseys, once a week; sheets and pillow-cases, once a fortnight. For the amusement of the patients there is a good general library; and a small library is kept in each ward, the books being changed at intervals. £150 a year are spent in books and periodicals. There is a bagatelle-board in each block, and cards, dominoes, draughts, &c. In the courts are croquet and bowls; and a band composed of the attendants plays regularly twice a week. There are, in addition, occasional theatrical performances, six or eight times a year, on the male side—the actors being patients and attendants—and dances about as often for the women. A schoolmaster is employed, under the superintendence of the chaplain, to give elementary education to such of the patients as are uneducated.

The diet-tables for patients and for attendants and servants, are given below:—

BROADMOOR ASYLUM Diet-table—Male and Female Patients.

Breakfast.						Dinner.									Supper.					
Males.			Females.			Males.				Females.					Males.			Females.		
Bread.	Butter.	Tea.	Bread.	Butter.	Tea.	Hot Cooked Meat.	Bread.	Vegetables.	Beer.	Hot Cooked Meat.	Bread.	Vegetables.	Beer.	Bread.	Butter.	Tea.	Bread.	Butter.	Tea.	
ozs.	oz.	pt.	ozs.	oz.	pt.		As required.	ozs.	pt.	ozs.	As required.	ozs.	pt.	ozs.	oz.	pt.	ozs.	oz.	pt.	
8	4	1	7	4	1	7		12	2	5½		12	2	8	4	1	7	4	1	

Dinner.	
This Rota is varied by the substitution of pork from the farm. Fish and fruit pies as circumstances allow.	
Sunday .....	Boiled beef.
Monday .....	Roast mutton.
Tuesday .....	Boiled mutton.
Wednesday .....	Roast beef.
Thursday .....	Roast mutton.
Friday .....	Boiled mutton.
Saturday .....	Roast mutton.

Each patient is allowed 1½ oz. tea, 7 ozs. sugar, and 2 pints milk, weekly. Salt, pepper, mustard, &c., as required.

Working patients are allowed, in addition to the above, 4 ozs. bread, 1 oz. cheese, and ½ pint beer for luncheon, and ½ pint beer at 4 o'clock p.m.

The dinners are also varied by fish, fruit pies, meat pies and Irish stew.

The sick and special cases to be dictated at the discretion of the superintendent.

There is in reality no fixed allowance of bread, as the patients are allowed as much as they can eat. Average consumption per head: males, 1lb.; females, 12 ozs.

BROADMOOR CRIMINAL LUNATIC ASYLUM—Attendants and Servants Diet-scale.

	Males.	Females.
Cooked meat .....	10 ozs.	9 ozs.
Bacon, raw .....	3 "	2 "
Bread .....	16 "	16 "
Potatoes, or other vegetables .....	16 "	16 "
Beer .....	2 pints.	1½ pint.
Milk .....	½ "	½ pint.
Issued daily.		
Cheese .....	16 ozs.	8 ozs.
Butter .....	8 "	8 "
Tea or .....	3 "	3 "
Coffee .....	6 "	6 "
Sugar .....	12 "	12 "
Flour for puddings .....	6 "	6 "
Suet do. ....	2 "	2 "
Currants do. ....	4 "	4 "
Mustard, pepper, salt, &c. ....	As required.	As required.
Soap .....	2 ozs.	2 ozs.
Candles .....	1 lb.	1 lb.
When required.		
Issued Weekly.		

There

There are printed regulations for the guidance of all officers and attendants.

Three systems of reports are carried out,—

1st. Daily reports of attendants to superintendent.

2nd. Annual report of superintendent to the Council of Supervision, which is accompanied by statistical and other tables, and printed for general circulation.

3rd. Annual report of the Commissioners in Lunacy to the Lord Chancellor.

The system of supply is not by contract; but each article is bought in the market by the steward.

The weekly cost of maintenance per head is about 25s.

The building is reported to have cost between £300 and £400 per inmate; but no accurate information can be obtained on the subject.

The treatment of the patients is on the non-restraint system, but Dr. Meyer considers a strait waistcoat absolutely necessary in some cases; no other mechanical restraint is ever used, and this only very rarely indeed. Shower-baths are very little used, except as tonics. Seclusion is practised for treatment; and as discipline, for refractory conduct, filthy conversation, &c.; and tobacco and other privileges are stopped in cases of misconduct.

It will be seen from the above description of Broadmoor that, though surrounded by walls and possessing some of the characters of a prison, it differs in the main very little from an ordinary asylum, and is made as cheerful and agreeable a residence for the patients as is possible, safety being however as much a consideration as cure. Its distance from London, or a large town, render supply costly, and visiting by friends almost impossible, and prevents attendants staying any length of time in the asylum. The separation between the Queen's pleasure men and the convict class is carried as far as possible, and it is in fact only the more violent of each class, that come in any way in contact with each other, except at the asylum amusements and religious services.

The following Table gives the Classification of Crimes and Sentences of the 515 Patients in the Asylum, during the Year 1867.

Crimes.	Total Number.			Classed under three heads.								
	Males.	Females.	Total.	Found Insane on Arraignment.			Acquitted on the ground of Insanity.			Convicted and Certified to be Insane after Sentence.		
				M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
Murder .....	92	43	135	25	14	39	60	26	86	7	3	10
Attempt to murder, maim, &c. ....	79	14	93	20	2	22	46	10	56	13	2	15
Concealing birth, and infanticide ...	...	4	4	...	3	3	...	...	...	...	1	1
Manslaughter .....	7	3	10	1	2	3	1	1	2	5	...	5
Rape .....	5	...	5	...	...	...	...	...	...	5	...	5
Assault with intent to ravish .....	7	...	7	3	...	3	4	...	4	...	...	...
Unnatural offences .....	9	...	9	1	...	1	3	...	3	5	...	5
Treasonable and seditious offences	4	...	4	3	...	3	1	...	1	...	...	...
Assaults .....	8	2	10	1	...	1	5	...	5	2	2	4
Burglary and housebreaking .....	20	2	22	4	...	4	2	...	2	23	2	25
Robbery on the highway .....	4	1	5	...	...	...	...	...	...	4	1	5
Sheepstealing .....	5	...	5	...	...	...	2	...	2	3	...	3
Horsestealing .....	3	...	3	1	...	1	...	...	...	2	...	2
Larceny and petty thefts .....	48	39	87	4	2	6	5	...	5	39	37	76
Fraud and embezzlement .....	2	...	2	...	...	...	...	...	...	2	...	2
Receiving stolen goods .....	2	1	3	...	...	...	...	...	...	2	1	3
Arson .....	37	3	40	9	2	11	14	...	14	14	1	15
Wilful damage .....	3	3	6	...	1	1	2	...	2	1	2	3
Forgery .....	1	...	1	...	...	...	...	...	...	1	...	1
Uttering counterfeit coin .....	4	...	4	...	...	...	...	...	...	4	...	4
Riot and breach of the peace .....	...	1	1	...	...	...	...	...	...	...	1	1
Under vagrant laws .....	1	...	1	...	...	...	...	...	...	1	...	1
Deserters from Army and Navy ...	3	...	3	...	...	...	...	...	...	3	...	3
Want of sureties .....	1	3	4	...	...	...	...	...	...	1	3	4
Felony .....	18	5	23	1	...	1	3	...	3	14	5	19
Sending threatening letters .....	4	1	5	2	...	2	2	...	2	...	1	1
Misdemeanour .....	1	1	2	1	...	1	...	...	...	1	...	1
Night poaching, being armed .....	1	...	1	...	...	...	...	...	...	1	...	1
Insubordination .....	9	...	9	...	...	...	...	...	...	9	...	9
Attempting self-murder .....	2	...	2	...	...	...	2	...	2	...	...	...
	389	126	515	76	26	102	152	37	189	161	63	224

*Fisherton House, near Salisbury*, is a proprietary institution for the insane, containing 540 patients, of whom 250 are paupers, paid for by the counties to which they belong; 90 are private patients, paid for by their friends; and the remaining 200 are criminals. Of these, 140 are cases either found insane on arraignment, or those who have become insane whilst undergoing sentences passed by superior courts; and so Government cases, paid for at the rate of 17s. a week, and awaiting removal to Broadmoor. The remaining 60 consist chiefly of those found insane when brought up before minor courts, or those becoming insane whilst undergoing sentences of imprisonment passed by those courts; a few insane are of the convict class, who, their time of sentence having expired, have been sent from Broadmoor to county asylums. The whole of these are

are paid for at the rate of 15s. 6d. a week—the lower price being fixed because they are, as a class, less dangerous, and so require less care—by the counties to which they belong, and would be treated in the public asylums, as the same class are in many counties, if their presence were not thought objectionable by the asylum authorities, who thus farm them out to a proprietary house.

The buildings at Fisherton House consist of irregular, sometimes one-storied, blocks, standing on a large extent of ground. Many of the houses differ little in appearance from private residences. The criminals are kept apart as much as possible, only the more violent of the pauper class being associated with them. The part of the asylum devoted to them differs little or nothing in arrangement from that occupied by the pauper class. There are dining-rooms and day-rooms below, and dormitories above. The latter are all associated, not a single pauper or criminal patient having a private room—an arrangement which exists in no other institution for the insane, but which is reported to work without inconvenience. In the dormitories, which generally contain from ten to twenty patients, attendants always sleep; and in the rooms occupied by criminals the attendants' beds are placed in a strong wooden cage, through which they can see everything that occurs in the ward, but which prevents attack, from patients during sleep. The attendants dine in the same rooms, but after the patients; and are, for criminals, in the proportion of one to five patients. No mechanical restraint is employed; there is no seclusion, no gloves, no ticken dresses, no padded room, and no shower-bath in the asylum, and not a window is barred. Work is given to as many of the criminals as can be entrusted with it; and those who work overtime receive 6d. a day, which they are allowed to spend in anything except beer or spirits, through the attendants.

The criminal class are found to combine for mischief, and require close watching. Some few years since four of them took out a grate, knocked down part of the back of a chimney, and escaped from one of the dormitories, whilst the attendant and other patients slept. These men were all undoubtedly insane.

There is a chaplain belonging to the Church of England, who officiates in a small chapel belonging to the asylum. There is also a large amusement room, in which concerts are held and lectures given; and the more quiet of the criminal class are taken to the amusements, as well as to religious service. Not more than twenty-five criminals are placed in one ward, so that classification is carried out among them as much as possible, and association for evil purposes at the same time prevented.

*Criminal Lunatic Asylum, Perth, Scotland.*—This is the only asylum for criminals in Scotland. It adjoins, and is part of the general prison for Scotland, and is under the rule of the governor. There is a special superintendent, and the surgeon of the prison is the medical officer. It was formerly a prison for boys; but is totally unprisonlike in appearance. The rooms are large and well lighted by large windows, and the general airing grounds very cheerful.

The number of patients is 46—males, 31; females, 15. There has always been this disproportion in numbers.

The two sexes are separated, but no attempt at classification is made. The accommodation consists of two rooms on the ground floor—one used as day and the other as dining-room—and a series of rooms for single dormitories at the back of these. The remaining dormitories are on the first floor.

The day and dining rooms are fine, light rooms, with deal floors. The walls are all plastered, painted over the lower and papered over the upper half, and ornamented with pictures, statuettes, plants, birds, &c. The furniture is remarkably good—mahogany tables, and stuffed sofas and chairs covered with American cloth. The seats in the dining room are substantial padded forms with backs. Cocoa-nut matting is laid down around the tables. Of the dormitories nine are single on the male and ten on the female side, the remainder being associated; but the associated rooms contain only three or four each, except one on the male side, where twelve sleep: all are papered. The bedsteads are iron; the beds hair, with a straw palliasse underneath. There are chairs in all the dormitories, and carpets by the bedside in the women's rooms.

The cubic space throughout is 700 feet per patient.

The windows of the rooms are large, and are all barred outside; but the bars are not offensively heavy. Gas is fitted in all the rooms.

There are bath-rooms in each division.

On the male side are two ordinary padded rooms, and on the female side a boarded room; besides this, three or four other rooms are boarded to a height of 6 or 7 feet. Seclusion is not unfrequently practised. Restraint is also used occasionally by means of locked gloves and canvas jackets for men, and polkas for women. As a punishment, the usual allowance of tobacco and the privilege of exercising in the general grounds is stopped, and parts of the diet are checked for the same purpose.

The women clean the wards and knit and sew, but really do little work, whilst the men do less. They clean the wards, and occasionally tease Manila rope or hair, and keep the garden and grounds in order. The chief obstacle to work is, that the patients cannot be trusted with tools, which might be used as lethal weapons.

The amusements provided are bagatelle, cards, dominoes, draughts, and bowls. A good supply of newspapers and periodicals is also allowed.

Once a year there is a grand new year's entertainment, when both sexes associate at a dance.

The

The airing courts consist of two small gravelled yards, one for each sex; and what is called "The Park," which is a grass lawn of 6 acres. This is used by males and females alternately, is nicely planted, has in it seats, flower gardens, and verandahs; a bowling green, tame birds, &c. It is surrounded by a high wall, but the ground falls rapidly, and there is an extensive view over the wall at the lower end.

The officers consist of Governor of the Prison, who visits the asylum four times a week, and receives a salary of £50 specially for the asylum; surgeon, who visits four times a week, and also gets £50; and superintendent, who is responsible for the good government of the lunatic wards—salary, £150. There are head attendants for each side, ordinary attendants, and a night watch, who are in the proportion of 1 to 5 females and 1 to 6 males. They are dressed as prison warders, and are subject to general prison regulations.

The diet scale for the patients is—

On four days of the week.		
Breakfast.	Dinner.	Supper.
8 oz. of wheaten bread, with $\frac{1}{2}$ pint of tea.	6 oz. of meat, with $1\frac{1}{2}$ oz. of cheese; and either 6 oz. of wheaten bread, and 1 lb. of potatoes, or 12 of wheaten bread.	The same as breakfast.
On two days of the week.		
6 oz. of oatmeal made into porridge, with $\frac{1}{2}$ pint of milk.	2 pints of barley broth, with 8 oz. of wheaten bread.	The same as breakfast.
On one day of the week.		
The same as on two, except that the barley broth is to be $1\frac{1}{2}$ pint instead of two.		

Table-cloths are laid at meals, and the food is served on neat crockery. Knives are not allowed, the food being eaten with forks and spoons.

The weekly cost per inmate has not been calculated apart from the ordinary prison, from which clothes and food are supplied. The washing and cooking are all done in the prison.

*Asylum for Insane Criminals, Auburn, New York State.*—This is the only asylum for insane criminals in the United States. The patients are all of the convict class, sent from the state prisons; prisoners becoming insane in the district gaols are not admitted. The asylum contains at present men only, but preparations are being made to receive women, under a recent Act of the State Legislature. The total accommodation is for sixty-four, but by crowding, the number in the asylum is now eighty.

The asylum is situated close to the celebrated Auburn State Prison, and like it, is under the control of the Inspectors of State Prisons; but it has no other connection with it. Its officers do not hold appointments in the prison, and its commissariat is quite distinct.

The building consists of a centre, containing the dwelling-house of the superintendent, and the administrative offices, kitchens, and store rooms; and two wings, with small cross-pieces at the ends. It stands on a small plot of 6 acres, which is partly planted as airing grounds, but the major part of which is under cultivation as garden, in which all the vegetables required by the institution, except potatoes, are grown. About half-an-acre is boarded round and used specially as an exercising court, for the worst class of patients. The entire estate is surrounded by a high wall, except 2 acres which have lately been acquired, and in which only the more quiet of the patients are allowed to work. Contrary to the general arrangement of American asylums, the single corridor plan has been adopted.

The cubic space of the dormitories is 1,000 feet, and there are no associated rooms. The warming is done by steam pipes in the basement, over which the air passes and ascends to the wards through shafts opening near the ceiling of each room. The shafts for ventilation open near the floor, and pass in the walls to the roof; there is no machinery.

Gas is used for lighting every part. The windows are very large, and are in double-hung wooden sashes, the lower of which opens fully. Each window has strong iron bars on the outside; several have locked wire guards inside, and two have strong wooden shutters. The water supply comes from the prison wells, and is received in tanks in the roof.

The corridors are wide, and have large cheerful windows and wooden floors, but are simply whitewashed, and nothing in the shape of ornamentation is attempted. They are used as day-rooms, and are furnished with a few chairs, benches, tables, &c. In each corridor is a can containing cold water and a cup. For the four wards of which the asylum consists there are two dining-rooms, in which are plain wood tables and seats.

The dormitories have generally stone or brick floors. The walls are cemented and rubbed smooth, and the cement is washed and kept clean. The bedsteads are of wood; the

the beds of straw; and there is no other furniture in the dormitories. Opening from each ward are a bath-room, closet and lavatory, and an attendant's room, the window of which overlooks the corridor. Two attendants are accommodated in each room, which contains about 2,000 feet of cubic space.

The dinner-service is all crockery, and ordinary knives and forks are given to the majority of the patients.

The officers are, superintendent, who is a physician, and who performs also the duties of steward; assistant superintendent, who performs also all the clerical duties; and chaplain, who officiates once a week in a small chapel in the asylum.

The servants are, baker, cook, laundress, gardener, and some house-servants. The attendants number six only—one to thirteen patients. They receive wages of 20 dollars, or 83s. a month, with their board, and get every other evening as a holiday; the patients being locked in their rooms after 7 p.m. A night watchman patrols the building inside and out.

From the small number of wards the classification cannot be great. Three classes are made—convalescents, demented, and violent; all the patients being placed in three corridors during the day, so as to be under two attendants in each.

The labour done is chiefly gardening. Two patients assist the baker (all the bread is made in the house); two assist the cook; six work in laundry; one feeds the cow and horse belonging to superintendent; and one mends clothes, &c.

The amusements consist of cards, draughts, and dominoes, in the corridors; as well as nine-pins, which are small, and played at with india-rubber balls. Out of doors, skittles and ball are provided.

There are no associated amusements. The library is a small one; and since the beginning of the war no newspapers have been provided, as "the intelligence was too exciting." Before that time there was a fair newspaper supply.

The patients are all remarkably well dressed in grey cloth, all the materials being bought and made up in the house by a paid seamstress, who uses a machine for the greater part of the work.

The diet list is given below. The patients, as is the case in almost all American asylums and in the gaols, are unstinted as to quantity:—

#### DIETARY OF ASYLUM FOR INSANE CONVICTS, AUBURN, N. Y.

##### *Breakfast.*

Sunday .....	Picked up fish, bread, and coffee.
Monday .....	Warmed beans, bread, and coffee.
Tuesday .....	Hashed meat, potatoes, brown bread, and coffee.
Wednesday .....	Fried Indian pudding, pickd. fish, coffee, and potatoes.
Thursday .....	Hash, brown bread, and coffee.
Friday .....	Pork, with milk, gravy, boiled potatoes, brown bread, and coffee.
Saturday .....	Fried pudding, stewed potatoes, and coffee.

##### *Dinner.*

Sunday .....	Baked beans, brown bread, and pickles.
Monday .....	Soup, brown bread, and pickles.
Tuesday .....	Stew and brown bread.
Wednesday .....	Corned beef, with vegetables and brown bread.
Thursday .....	Bean soup, brown bread, and bread pudding.
Friday .....	Fish and potatoes, brown bread, and pickles.
Saturday .....	Corned beef, potatoes and cabbage, and bread.

##### *Supper.*

Sunday .....	Bread and butter and tea.
Monday .....	Bread and syrup and tea.
Tuesday .....	Indian pudding, and syrup and tea.
Wednesday .....	Bread and butter, and gingerbread and tea.
Thursday .....	Bread and stewed apples and tea.
Friday .....	Indian pudding, and syrup and tea.
Saturday .....	Bread and stewed apples and tea.

Most of the refuse is sold, but the fat is picked out and used for making soap. The cost per week, including clothes, is 18s. 2d. per head.

Each patient has a warm bath once a week, three or four using the same water; and the linen is all changed weekly. There is no shower-bath in the asylum. Restraint is somewhat liberally used. When visited, three patients were wearing the muff; four, iron handcuffs with chains round the waist; three, wrist straps; one had on a muff, and was strapped into his chair in addition. Three were in seclusion: one was simply placed in his room for a few hours; one was fastened in a crib bedstead—a sort of cage fitting on and tightly strapped or locked to an ordinary bedstead, which prevents the patient sitting up in bed—and had on wrist straps in addition; the third, a dangerous homicide, was kept in permanent seclusion, with straps on his wrists, which were chained to the waist. The attendants are allowed to place the patients in seclusion or restraint, but are ordered to report it immediately after to the superintendent. Dr. Van Anden is of opinion that restraint is absolutely necessary in many cases, and points out that the irons and other forms of restraint have no bad moral effect, since every man has had them on before.



## ASYLUMS FOR IDIOTS.

Institutions for the care and training of idiots and feeble-minded children have, since the undertaking of Guggenbuhl on the Abenberg in 1841, gradually sprung up in Europe and America. There are now special asylums for idiots at Mariaberg and Winterbach in Wurtemberg, at Ecksberg in Bavaria, Hubertusberg in Saxony, at Berlin, Vienna, Coblenz and the Hague; but it is in Great Britain and the United States that the care and treatment of the idiotic and feeble-minded has been most developed as a special study. The noble institutions which now exist in both countries for the special training of the feeble-minded, and the learned treatises which have been written by Dr. Seguin and by other authors, attest the interest which has been taken, and the knowledge which has been gained on this subject.

A large proportion of the idiotic and feeble-minded live with their friends in all countries, supported by them entirely or by payments from the parochial or local authorities. A certain number of the more violent and mischievous, as well as those afflicted with epilepsy, are to be found in most asylums; and in some of these institutions both at home and abroad, a complete separation of the insane and idiotic is made. At the Bicêtre and Salpêtrière in France, at Guislain's Asylum Ghent, at Meerenberg, and at the Gloucester and other English asylums, the dormitories and day-rooms are distinct; and gymnasia, school-rooms, and special teachers have been provided for the physical and intellectual education of the idiotic.

The large majority of the idiot population of Great Britain are to be found residing with friends or in workhouses—in the former case either not legally acknowledged as of unsound mind, or under certificate and subject to the visitation once in three months of the parochial medical officer; and in the latter, usually accommodated in the ordinary wards of the poorhouse. A certain number, and these generally of the worst and most hopeless class, whose idiocy is complicated with severe epilepsy or some form of mental irritation, find a home in the wards of ordinary asylums. Here, the action of the state ceases, and it has been left to private philanthropy to erect and organize special institutions for the care of the idiot, where he may not only be fed, lodged, and clothed, provided with medical attendance, and kept in a state of cleanliness and comfort; but where in addition he may be trained and taught, his moral, mental, and physical powers improved; and his capacity for amusement and employment developed. These institutions, of which the one at Earlswood near Reigate is the largest and best known, now number five in England. They are situated at—

Star Cross, near Exeter,  
Bath,  
Lancaster,  
Colchester,  
Earlswood.

The first stone of an Idiot Asylum for the Four Northern Counties was laid by the Earl of Zetland in June, 1863, and the erection of another institution at Northampton, for the Midland Counties, is under contemplation. In Scotland, there are two, the Baldovan and Larbert Institutions.

In the United States, the Idiot Asylums,—or, to use the name which much better expresses their intention, the Schools for Feeble-minded Children,—are, as a rule, state institutions. There is one in the State of Massachusetts, at Boston; two in New York State, at Syracuse and Randal's Island; one in Pennsylvania, at Medea; and similar institutions have been recently established in Ohio, Connecticut, Kentucky, and Illinois. There is also a private school at Barre in Massachusetts.

All these, both in Great Britain and America, are chiefly and essentially educational establishments; the majority are entirely so, and are not intended for the permanent residence of the idiotic.

In the American institutions the age for admission is fixed at from 6 to 14, though special cases are admitted earlier or later; and the age for discharge is regulated entirely by the nature of the case, and the benefit which is derived from the course of teaching pursued. The pupils are seldom retained beyond 18 or 19, and generally by that time have received all the benefit which the institution is capable of affording to them.

At the Western Counties Idiotic Asylum at Star Cross, near Exeter, and at the Bath Institution, the pupils are kept till the age of 15 only. At Earlswood, the first period of admission is for five years; but, subsequently, arrangements may be made for the permanent residence of the pupil.

From the following description of the Asylums at Syracuse, New York State, and at Earlswood, near Reigate, the general character and working of these and similar institutions may be gathered:—

*Asylum for Idiots, Syracuse, New York State.*—This institution was founded in 1851, under an Act of the Legislature, and is supported almost entirely by annual grants from the state.

The government is vested in a board of trustees appointed by the state, who manage the general and financial affairs of the institution, appoint the superintendent, and report annually to the Governor. It is much more an educational establishment than a hospital. The inmates are pupils, not patients; and though the superintendent is a physician, the greater part of his time is occupied in superintending their physical and mental education.

The

The number of pupils is 140, of whom 20 are paid for by friends, and the remainder by the state. The pay pupils are not wanted or encouraged, since all the room in the institution is required by the state. The payment varies from 210 to 250 dollars a year.

The state patients are chiefly from the lower middle class, and are not, as a rule, paupers. When a family is, perhaps, able to keep a child at home, and yet not able to pay for its board in the hospital, a certificate of indigence is required, and the patient admitted at the expense of the state. The state grants an annual appropriation, which covers all the expenses of the building, officers' salaries, and maintenance, at the rate of 210 dollars for each patient annually; this does not include clothes, which are paid for by the county to which the child belongs, at the rate of 30 dollars per inmate annually.

The building stands on a hill immediately outside the town of Syracuse, is of three stories with a basement, and built of stone. The lower story is used almost entirely as class-rooms; the two upper as dormitories; the basement serves for kitchen and offices; and under this are placed all the furnaces for heating in fire-proof chambers. The superintendent's and officers' rooms are in a central block of building which rises to four stories.

The building is surrounded by fine ornamental grounds, and has a farm attached to it. The amount of land belonging to the institution is 54 acres, and an additional 18 is rented. Of this total amount of 72 acres,—

57 are farm, garden, and orchard; and

15 are occupied by building and ornamental grounds.

The farm is cultivated by a farm-bailiff and one or two men (one a former pupil), and by the older of the pupils, ten or twelve of whom always reside in the farmer's house, dine with him and his wife, and do not come to the asylum except for lessons.

The farm stock consists of seven cows, five horses, and eighteen or twenty pigs.

The institution being mainly educational, only teachable idiots are taken; those insane, epileptic, or greatly deformed, are excluded. The general arrangements of the house are not remarkable. The heating is by hot air, which is considered by the superintendent as less satisfactory than steam. The ventilation is by shafts in the walls, the openings being in or near the ceilings. The water and gas are from the town, and the supply of the former is very defective, so much so, that reliance has been placed mainly on springs on the asylum estate, for some months; it is pumped from these to a reservoir on high ground near the house. Hydrants and hose are placed within the building, to serve in case of fire. The bed-rooms are all associated, holding from four to ten beds; and in each an attendant sleeps. They are ornamented with pictures and toys, and fitted with ordinary windows. The basins, jugs, and other conveniences for washing, are placed in all the rooms. There is one closet for every ten persons in the institution, and a bath for about every fifteen; those for females are placed in the upper stories near the dormitories; but the boys have a large bath-room containing three baths, and a lavatory in the basement. The bedsteads are all iron; the beds either hair or straw, with a cotton layer at the top.

The patients dine in four rooms, in each of which are two or three tables, so that classification is made at meals, according to the mental status and behaviour of the patients. The better classes have table-cloths, the worse none. Most have knives, forks, and ordinary white crockery. The diet is good and varied. The meal hours are—breakfast, 7; lunch, 11; dinner, 1; supper, 5. The patients are all bodily as well as mentally weak; they require good diet and beer in the winter, and yet—from want of out-of-door air and fruit—get into a condition closely resembling scurvy. Their circulation is very feeble, 70 is almost a necessary temperature, and all cuts and wounds heal with extreme difficulty, and leave large marks. Nevertheless, cases requiring removal to a small special hospital connected with the institution, are not common.

The officers of the institution are—

Superintendent, who is supreme,—appointing servants, and nominating all officers;

Assistant Physician, who dines with the superintendent's family;

Matron, who is the mother of the house, and—as the superintendent thinks—the most important officer of the institution;

Steward;

Housekeeper;

5 Teachers.

The latter are young ladies of good education, and often good family; two or three are quite removed from the necessities of teaching, but do so from choice. They receive 300 dollars a year and their board. Each has a separate room. A horse is kept for them to ride and drive, and they have nothing whatever to do with the pupils, except in school-hours, which are from 9 to 12-30, with a short interval for lunch, and from 3 to 4-30. Their rate of pay is fixed at about that received by competent school teachers in the States. They stay a long time, and generally leave only on marriage. They are allowed to punish patients for inattention to lessons, but such punishment is extremely rare.

The remainder of the staff consists of attendants, male and female, in the proportion of 1 to every 10 or 12 patients. Some of the worst class require one attendant to four or five patients. The attendants have entire charge of the pupils, except during school hours. They attend them at meals, and sleep in the dormitories with them, but the school hours are a relaxation for them. They dine in a separate room. Punishment is not practised



practised by them. They report misconduct to the superintendent, who inflicts corporal punishment with a cane, and gives warning and advice, as he sees fit. Dr. Wilbur, the superintendent believes himself to stand in *loco parentis*, and thinks some are best punished through their skins. Other punishments are, stopping dessert at dinner, &c.; but solitary confinement, as tempting to bad habits, is never employed.

There are, besides attendants, house-servants, who clean rooms and corridors on both sides of the house—female pupils assisting on their own side; three laundresses, who have two pupils to assist; cook; baker; three seamstresses; farmer, and out-door labourers.

All washing and bread-making is done in the institution. The material for clothes is bought and made up in the establishment.

The patients remain generally about seven years in the house, and as their residence is intended to fit them for use and life in the world, all teaching has this in view. It consists of two parts—1st, purely educational, and 2nd, practical,—both being so taught as to rouse in every way the patient's attention.

The boys are brought up chiefly to farm work, which Dr. Wilbur considers the most useful employment for idiots as a class. "An idiot ought to live in the country. His physical health requires it; and frequently his moral health too, since his power of resisting temptation is small. Besides, too, at any trade he would rarely become so proficient as to earn good wages under an ordinary foreman, and it would necessitate his living in town." Dr. Wilbur tried shoe-making, mat-making, &c.; but as the boys were only kept for a few years, and could only work at a trade during the last two or three of these at the most, they did not become very proficient, and were not profitable to the institution.

The girls are chiefly educated for household work—sewing and knitting, cleaning rooms, washing plates and dishes, &c. Three assist in the laundry.

The special education is devoted to both mind and muscle. The latter is educated by handling and lifting things; by catching and throwing bags full of beans; by walking over and between the rounds of ladders specially made for the purpose, which teaches them to raise the feet; by climbing ladders also; and finally by a system of light gymnastics, at which some have become proficient. This is done under the care of a gymnast; and Miss Wilbur, the daughter of the superintendent, has a class who perform gymnastics to music. No very active or strong muscular efforts are attempted.

The mental education begins in the nursery (so called), where the attendants have entire charge of the patients; they are dressed and taught to dress themselves, and, as they progress, some of the lower instructions given in the first-class room are attempted. The difference between light and darkness, and colours, are also taught, or shown by means of shutters of peculiar construction.

The class rooms are 5 in number:—

In No. 1, or the lowest, the lessons are intended first to awaken the attention, and then to teach position, form, size, colour, and form and colour combined, making marks on a slate, and telling names of common objects. In this class many of the children are speechless; some say a few words; one repeats both the words and tune of a song, but, parrot-like, without at all understanding them.

In classes 2 and 3 diagrams in form and colour are shown. Form and colour being somewhat learnt, the lesson is continued into pattern and picture. The names of the things shown, are given and repeated by pupil. Words printed and written are shown and are named by the pupils; these are the conventional signs or representatives of the objects, and are used first instead of beginning with the alphabet. Curiously enough the pupils recognize the words when upside down as well as when placed properly, just as they would know a chair or any other object. Afterwards the composition of the word is shown by single letters, which, a word being given as a copy, they have to build up and put together for themselves. Language is learnt by pronouncing the names of the pictures and the words. It is at first very imperfect.

In class 4 lessons in articulation are given. The lessons in form, pattern, and colour are continued, and copies of more or less geometrical or other figures are set on a slate, and the art of writing is commenced. The drawing is carried from simple patterns on a slate to very pretty pencil sketches.

Class 5 is a large one. Here reading, writing, mental and ordinary arithmetic are taught, with geography, advanced drawing, &c. There is a cabinet of objects, and good representations of animals and different kinds of trees as object lessons. The reading is highly creditable. Sums are done in multiplication and fractions. Some of the drawings show both skill and taste, with considerable precision of eye and hand. One of the lessons in this room consists of spelling words. The letters are given mixed up, and they arrange them, and are themselves able to give others in return.

Singing is taught to the more advanced pupils. In the classes both sexes unite and are taught together, but, except at school and meal times, they are kept perfectly distinct. Each lesson lasts about half-an-hour, and the teachers frequently change classes, which is a great relief to them as also to pupils.

There is no Chaplain. The attendants take a few of the most advanced to church, and on Sunday there is a Sabbath school. Prayers are also taught them to say at night. As a rule, Dr. Wilbur objects to their learning anything by rote; he would have them think over each thing as they do it or say it.

The apparatus employed is by no means costly or large. In the nursery, to show light and darkness, are shutters which open in parts. A large square can be opened, or a ray of light let in of almost any shape by special openings. For colour, these openings are filled with pieces of coloured glass.

The

The first things used to excite and fix attention, are small wooden boxes or raised trays, with holes into which as a lesson iron pegs are placed; then wooden buttons or dice with a centre hole, and one plain and one convex surface; these are first threaded any way, then the plain surfaces facing each other. Position is taught by means of a wooden block with holes cut in it, into which pieces of wood fit, all the holes are of one shape and size, but the position is different. (See Appendix F, Fig. 12.)

For teaching size, a similar block is used with circular holes of varying size, and bits of wood to fit them. (See Appendix F, Fig. 13.)

For teaching form, a similar block with the holes and pieces of wood cut into different patterns. (See Appendix F, Fig. 14.)

For colour, cups and balls of five or six colours are used, and the pupil must place the ball in the cup of the same colour; for form and colour combined, coloured cards of bright colours and many shapes are arranged in patterns as a lesson.

In the more advanced rooms liberal use is made of chalk on slates fixed to the walls. Writing commences by the teacher making two dots: which the pupil is directed to join by a line thus !, and this is at first so difficult to many that the dots must be edged in |: so as to prevent straying. In the upper classes words printed on cards, a plentiful supply of single letters, pictures, &c., are used; and finally writing and sketching on books, slates, &c. Counting is taught by means of balls on wires. Numbers are the last and most difficult thing to teach—their relation to each other being a great puzzle.

*Asylum for Idiots, Earlswood, Redhill.*—This asylum—the existence of which is mainly owing to the exertions of Dr. Andrew Reed—differs in many important particulars from the ordinary institutions for the care and treatment of the insane. In its main features it is a school for the education of idiot children; but it is not a school only, since some of its inmates are permanent residents.

It is situated on a clay soil on a slight elevation. The building is of stone, of the H form, and consists of three stories along the front, and two in other parts; it fronts the south, and commands a fair view of more than usually well-wooded farm land, chiefly the property of, and cultivated by, the patients in the institution. The number of these is 420, of whom about 300 are males, and the remainder females. The disproportion in numbers is accounted for to some extent, by the fact that girls, when idiots, are frequently kept at home, and are found useful in minor household work, when boys are quite unable to obtain employment. The asylum estate consists of 140 acres: the house and office stand on 12; 17 are laid out as pleasure ground, play ground, and garden; 50 are pasture, and 47 under cultivation. The distance from London is 25 miles. The small towns of Redhill and Reigate are each about 2 miles off. The inmates consist of two classes: those paid for by their friends, according to a scale regulated by the governing body (the highest rate of payment being £100 per annum), and those elected by the votes of subscribers; and the accommodation provided is in accordance with the scale of payment. Single rooms are only three or four in number, and are appropriated to paying patients; the remainder of the patients sleep in associated dormitories, containing from seven to twenty beds. The percentage of hospital accommodation is one-twentieth, and the hospital is at the top of the building in the third story, where the windows are small and the roof low. The cubic space is 1,000 feet in the single, and 700 or 800 in the associated rooms for each patient. The warming is effected by open fires in the corridors, but chiefly by stoves placed in the basement story, the pipes from which are of iron and pass up the stair-cases to the top of the building. Coke is burned, and the heat given out is sufficient to warm a very large area. The stoves are made by Kinnard & Co., 67 Upper Thames-street, and are called Gurney's Patent. The ventilation is entirely natural. The lighting throughout is by gas, made on the premises at a much cheaper rate than is supplied by the gas company near. The windows open like ordinary house windows, and the panes are very large. The water supply is about 16,000 gallons a day; that for drinking is drawn from a well in the centre of building; that for washing is obtained from a small brook, received into reservoirs and filtered, and then pumped to tanks at the top of the building. For the laundry, rain water is collected from the buildings. L'Extincteur, fire hydrants, and engines, are the precautions against fire. The drainage is easy, owing to the situation of the asylum, the sewage all runs into a large tank where the sediment is deposited; what is necessary for the farm is carried over it by means of pipes, and the remainder is allowed to escape. There is a plunge-bath in the basement story, and bath-rooms throughout the house. Lavatories are only placed in the workshops; ordinary basins being used in all the dormitories. Most of the washing is done by steam machinery; centrifugal machines are used for wringing, and the drying is done in hot closets. The water-closets in the main building are so fitted that water flows on rising from the seat. In the workshop block is one on a new principle; it consists of a large iron trough pierced for six seats, and kept half full of water; by means of a cock this can be emptied and flushed as requisite, and it appears to be very effective. It is by Macfarlane, Saracen Works, Glasgow. The corridors are merely passages to the dormitories. The walls are cemented, painted, and ornamented with pictures; fern cases stand in the windows, and there is cocoa-nut matting on the floor. One large room is used as dining-room, amusement-room, and chapel. All the patients, who can behave well, dine together; those, who cannot, are kept in smaller dining rooms. The boys occupy one side of the dining-room, and the girls the other. The dinner is served with nicety and decorum, and grace is sung by the patients. Ordinary crockery and knives and forks are allowed to all. No smoking by the patients is allowed. Most of the nurses and attendants sleep in the associated dormitories;

tories; and over the laundry are large associated dormitories for the laundry women, servants, &c. They all dine in the central hall after the patients; but males and females have each a room for sitting in at night. No billiard-room or other amusements are provided for the attendants; but those who like, can subscribe a penny a week to the library fund, and so receive books and papers, the chief cost of which are defrayed by the institution. There is a large play-ground and gymnasium on each side, and the rooms in each wing employed as school-rooms, are play-rooms out of school hours. The play-grounds have some grass patches, but no flower beds. The visitors' rooms are large and comfortably furnished. The officers' houses all form part of the building.

The superintendent is supreme in the institution; he hires and dismisses servants, merely reporting that he has done so to the committee, and manages the institution entirely. The officers are appointed by the committee, at his recommendation. There is an assistant medical officer, steward, farm bailiff, clerk, schoolmaster and staff, and workmen to superintend the various trades carried on; on the female side are matron, governess and staff. There are two head attendants—one for each side. The ordinary attendants are all fairly educated, and are taken from 21 to 30 years of age. They are punished for minor offences by fines, which range from 6d. to 2s. 6d., and are taken from a gratuity given to each attendant, after about six months service, in addition to salary. They can leave the institution from 8 to 10 every evening, except a certain number detained on duty, and are allowed fifteen days a year, which they may take all together, or as separate days. The women wear a print dress, white cap, collars, and cuffs; the men a plain livery, with jackets instead of coats. No keys are carried. There are two night attendants on each side, whose rounds are checked by Dent's Clock. The number of attendants to patients varies in the different divisions. The infants have one nurse to six; the girls average one to twelve; the boys one to fifteen. The private cases have either one to one (first class) or one to six (second class). No uniform dress is provided for the patients, the majority of whom are dressed by their friends. The clothes for those dressed by the institution are made in it, as are the shoes also.

The cost of construction per inmate was £90, exclusive of the cost of land.

The institution is entirely supported by public subscriptions and donations, and the payments made for pupils by their friends; and is managed by a committee of the subscribers.

The following extracts from the reports of the schoolmaster and mistress in the general report of the institution for 1866, will show the nature of the education which the pupils receive:—

"The average number of pupils attending from the 1st of April, 1865, to the 31st March, 1866, has been—

Whole time (both morning and afternoon).....	19
Half time (morning one week, afternoon the next) ...	130
Occasionally (two half days each week) .....	2
Average total number .....	151

"The subjects taught have been reading, writing, arithmetic, writing from dictation, shopkeeping, drawing, telling the time, collective object lessons, drilling, speaking, dressing; religious truths and moral sentiments are brought before them as opportunities occur. The duration of the lessons on each subject varies from half an hour to three-quarters. Three of these lessons, differing as much as possible in their nature, are given in each class, both in the morning and afternoon school. Between each of these lessons the pupils are collected in one room, and sing exercises, combining information, such as the multiplication and money tables, &c., and, at the same time, move the head, arms, or legs, to the time of the music. This combination of singing and physical and mental exercise is found very beneficial in awakening their attention, and promoting a cheerful attention to the other subjects.

"Of the 144 pupils now in school:—

15 can read with tolerable fluency in the Gospel of St. John,
11 can read slowly in ditto,
18 can read slowly from lesson boards,
17 know all the letters,
43 know a few letters,
40 know none of the letters.

144

"Writing—

21 can write sentences in copy-books,
23 can write words in copy-books,
14 can write easy words on the slate,
59 can make strokes or the letter O on the slate,
27 can only scribble.

144

"Arithmetic—

*"Arithmetic—*This is mostly taught with the assistance of the black-board, the tables being learned as a singing lesson. The counting is taught with the assistance of beads on wire:—

- 11 can do sums individually,
- 22 can do addition collectively from black board, and count above 100,
- 10 can count above 50,
- 22 can count above 25,
- 48 can count a little,
- 31 cannot count at all.

---

144

---

*"Shop Lesson—*This lesson, originated by our superintendent, Dr. Down, and explained by him in the Report for 1862, although considered play by the pupils, is very instructive. A shop, supplied with groceries, stationery, crockery, toys, &c., also counter, scales, weights, and money, is fitted up in the schoolroom. The pupils are taught to purchase articles in ordinary use. They act as shopkeeper in turn, weighing out articles required, and endeavouring to calculate the price, which is then counted out and paid for by the pupil acting as purchaser. The following statement will give some idea of the results:—

- 28 know all the coins and weights, and calculate the price a little,
- 27 know all the coins, and two or three weights,
- 15 know a few coins and weights,
- 38 know two or three coins,
- 36 know none.

---

144

---

*"Telling the Time—*

- 8 can tell the time to a minute,
- 7 can tell the hours, quarters, and some the five minutes,
- 30 can tell some of the hours,
- 99 not at all.

---

144

---

"The Bible class on the Sunday morning, and the Sunday evening service, continue to produce good results; the answers to questions put on the above occasions often showing that the pupils take an interest in what is brought before them,—that they have a tolerable knowledge of Bible history, and some little idea of the saving truths of Christianity."

"The present number is 130 (102 girls and 28 boys)—

- Of these, 60 attend the Sunday morning Bible class,
- 60 attend the Sunday evening lecture, and
- 54 attend regularly morning and evening prayers,
- 12 girls, who attend school in the afternoon, are engaged in the morning in domestic duties,
- 5 in the workroom all day,
- 3 in the wardrobes,
- 2 in the kitchen.

"The following is a statement of the capabilities of the children:—

*"Reading and Spelling—*

- 13 can read the Bible,
- 7 can read simple lessons,
- 17 can read words of three letters,
- 14 can point out the letters,
- 5 repeat them when told,
- 9 make a sound, and
- 33 are dumb.

*"Writing—*

- 12 write text, round, and small hand very fairly,
- 5 all round hand,
- 9 words of one syllable,
- 20 letters on their slates,
- 30 make strokes and pothooks.

Of the above, 7 write letters once a month, and take great delight in doing so.

*"Arithmetic—*

- 1 in compound addition,
- 1 in compound long division,
- 1 in multiplication (simple),
- 1 in addition (simple),
- 2 can say to six times in the tables,
- 2 can say the whole of the tables,
- 5 can count to 100,
- 8 can count to 40,
- 3 can count to 24,
- 9 can count to 6.

*"Plain*

*"Plain Work—*

30 can work well,  
 14 hem and sew very fairly,  
 9 fairly,  
 12 indifferently,  
 9 can only thread their needles,  
 4 have learnt bed-making as lessons in school, and  
 3 scrubbing."

The education is however not limited to the subjects here indicated; the whole routine of the institution is educational. The greatest attention is paid to physical education by gymnastics. Attention is constantly given to behaviour at table, checking bad propensities, and inculcating habits of propriety; and the entire system of amusement and occupation are also educational.

The number of patients employed in industrial pursuits is as follows:—

<i>Males.</i>	
Carpenters.....	30
Shoemakers .....	15
Mat-weavers and helpers in mat-shops W.....	80
Basket maker .....	1
Tailors .....	28
Farm and garden .....	16
Plumber.....	1
Baker.....	1
Household work .....	26
Laundry.....	8
	<hr/> 189
<i>Females.</i>	
Household work .....	21
Needlework .....	9
Repairing clothes .....	2
Assistant nurses .....	2
	<hr/> 34

From this it will be seen that, though a certain number are employed in agricultural operations, the majority are taught trades. The greater part of the articles made are used in the institution, but mats and a few other things are sold. It is proposed to add brush-making, printing, and upholstering, to the trades taught and practised in the institution, and additional workshops have already been erected.

Children's games of all kinds are encouraged, and associated amusements of various kinds—pantomimes, charades, "Punch and Judy" shows—are given weekly. Music is largely employed at the associated amusements, and the attendants form a really good band; singing is taught to all the more advanced pupils.

Parties are formed for visiting places of amusement. In 1866, 150 of the patients spent a day at the Crystal Palace, and every year there is an annual fete at the asylum, when the grounds of the institution are made gay with tents and flags, amusements of many kinds are provided, and the relatives of the patients are invited to witness, and add to, their happiness.

The following is the dietary for the patients:—

	<i>Breakfast.</i>	<i>Dinner.</i>	<i>Tea.</i>
Ordinary diet ...	{ 6 ozs. bread. ½ oz. butter. ½ pt. cocoa.	4 ozs. cooked meat. 8 ozs. potatoes. 2 ozs. green vegetables. 6 ozs. pudding.	6 ozs. bread. ½ oz. butter. ½ pt. milk and water.
Full diet .....	{ 8 ozs. bread. ½ oz. butter. ¾ pt. cocoa.	5 ozs. cooked meat. 8 ozs. potatoes. 2 ozs. green vegetables. 8 ozs. pudding.	8 ozs. bread. ½ oz. butter. ¾ pt. milk and water.
Middle diet .....	{ 5 ozs. bread. ½ oz. butter. ½ pt. cocoa.	3 ozs. cooked meat. 6 ozs. potatoes. 1 oz. green vegetables. 4 ozs. pudding.	5 ozs. bread. ½ oz. butter. ½ pt. milk and water.
Milk diet .....	{ 4 ozs. bread. ½ pt. milk.	4 ozs. bread. ½ pt. milk.	4 ozs. bread. ½ pt. milk.

The benefits to be derived, even in cases apparently hopeless, from persevering endeavours to develop the dormant physical and intellectual powers, are now so fully established that any argument upon the subject would be superfluous. How abundantly successful such endeavours have been in the institutions of Great Britain and America—how fully all time, all care, and all money, which have been spent in the education of the idiot have been repaid—how fully the position which has been taken upon this subject is justified, may be gathered from the various reports of these institutions. Many entering them in a state of almost complete idiocy have gone out to do useful work in the world—cleanly, decorous, and industrious. The large mass of the inmates have been vastly improved; and the number who have been found unteachable and unimprovable is small.

Some



Some difference of opinion exists as to the form of occupation which it is advisable to teach to boys in idiot schools; the main object being to enable them to earn a living when out of the asylum.

Dr. Wilbur, of the New York State Asylum, at Syracuse, thinks ordinary agricultural occupation preferable, because it is easily taught; is best in a sanitary point of view; and keeps the idiot from the temptations of a town, in which it is almost necessary he should live if he is to maintain himself by means of a trade.

Dr. Howe, of the School for Feeble Minded Children at Boston, who is President also of the Massachusetts Board of State Charities, objects altogether to field work, because of its variety, and because idiots employed at it require more or less constant supervision. He considers that the occupation should be as simple and mechanical in its character as possible; and that coir plaiting, mat and broom-making, are preferable to field work. At Earlswood the majority are employed in the various workshops, and a few only on the farm; the cases are specially selected by the superintendent for each kind of labour; and as the patients generally stay a longer time at Earlswood than in the American institutions, they become more proficient in the various trades which are taught to them.

#### ASYLUMS FOR INEBRIATES.

By an Act passed in 1866, to amend the Acts relating to lunacy in Scotland, it is made lawful "for the superintendent of any asylum, with the previous assent in writing of one of the Commissioners in Lunacy (which assent shall not be given without written application by the patient), to entertain and keep in such asylum, as a boarder, any person who is desirous of submitting himself to treatment, but whose mental condition is not such as to render it legal to grant a certificate of insanity in his case."

Advantage is taken of this Act for the admission, cure, and treatment of dipsomaniacs in the ordinary asylums. But the patients are found to submit very badly to the ordinary discipline of an asylum, and their admission is, as a rule, much objected to by the superintendents. A special retreat for the intemperate is attached to the House of Refuge in Edinburgh.

In England, the Commissioners in Lunacy "having reason to know that there were many persons not insane, who, being conscious of want of power of self-control, or an addiction to intemperate habits, or fearing an attack or a recurrence of mental malady, and being free agents in all respects, were desirous of residing as voluntary boarders in an institution for the insane, with a view to mental treatment and supervision," consulted counsel on this subject in 1863, and were advised that there was nothing in the statutes to prevent the admission of such persons as voluntary boarders in the registered lunatic hospitals. Since that date, some few such patients have been received into the hospitals for the insane. The law forbids such patients to be received into licensed houses, unless they have previously been the inmates of some asylum or licensed house, and under certificate as insane.

Dipsomania, or methylomania, as a form of mental disease, though thoroughly recognized by physicians, has not yet been practically discriminated by the public in England or the Continent of Europe, from "what may be termed a mere physiological condition, in which the human animal chooses to indulge in alcoholic beverages to excess." But it is otherwise in America, where the Asylums for Inebriates at Binghampton, New York State, and at Medea in Pennsylvania, and the Washingtonian Home, Boston, attest the full recognition of this condition as a disease.

The *New York State Asylum for Inebriates, Binghampton*, was first established about nine years ago by a number of philanthropic gentlemen, and has had a somewhat chequered history.

A charter was granted by the state, a number of trustees appointed, a large amount of money subscribed, and a grant voted by the Legislature. Subsequently one-tenth of the amount derived from the sums paid for licenses to sell spirituous liquors was given by the state for the benefit of the institution for a term of ten years. A Dr. Turner was appointed superintendent, and, under his immediate directions, a very handsome perpendicular Gothic building was erected, capable of holding 100 patients. Patients were received, and, during four or five years, a series of reports was issued by the trustees, in which the condition of the institution was represented as extremely flourishing, and its general fittings and accommodation of an almost palatial description.

The superintendent, in these reports, described at length his many qualifications for the office which he held; stated that he had dissected 342 bodies of people who had died from the effects of intemperance; had made *post mortem* examinations of some thousands of others; had treated a prodigious number of cases of *delirium tremens*; and had travelled over almost innumerable miles by steam-boat and railway, as well as on foot, to gather information on the subject of the treatment of the inebriate. The numbers of applications for admission to the asylum were stated to be from 2,000 to 3,000 annually; and the size and number of the rooms for patients and for officers, as well as the fittings of kitchen and offices, and the means of heating and ventilation, were minutely described.

Scandals of various kinds were by degrees heard of in connection with the institution, and such information regarding its general management reached the public ear as to destroy all confidence. A fire at this time completely gutted one wing of the building, and evidence was forthcoming which induced the trustees to dismiss the superintendent and prosecute him on a charge of arson. Of this he was acquitted; but an examination of the system of management showed every species of abuse. It was found

found to be extremely doubtful if the superintendent had ever possessed a medical degree; and an examination of the building showed that the descriptions in the report of the superintendent had been the purest fiction. There was a handsome house and a gigantic conservatory, both of which looked well from a railway passing near, but the latter was quite empty even of fittings; and many of the rooms, the dimensions of which had been minutely described in the reports—the offices, warming and ventilating apparatus absolutely did not exist. The establishment was, in fact, in some respects almost as mythical as the City of Eden.\*

After this exposure, the State Legislature threatened to withdraw the grant and extinguish the institution. It was saved by the exertions of its friends, closed for some months, and re-opened under its present management; and although it had to fight its way against a bad reputation, it is succeeding, and promises to be a very useful institution. The building stands on a bold hill, near the Susquehanna River, and overlooks the large valley and thriving town of Binghamton. It now contains fifty-six patients, all males, accommodated in separate rooms. The rooms are all comfortably furnished, and are arranged on opposite sides of the four corridors, which form the one wing of the institution now in use. The centre is occupied by the superintendent's quarters and the administrative offices; and the other wing, which was burnt, has not yet been repaired. Gas and water are laid on to each room, and there is a well-furnished drawing-room for general use, a large common dining-hall, a billiard-room with three tables, debating and amusement room, chapel, library and reading-room, gymnasium, skittle-alleys, &c. Each corridor has in it bath-rooms, closets, &c.

Of the fifty-six patients, six have been admitted by the trustees free of payment, in accordance with the rules of the institution, which provide that "any inebriate having a permanent home within the state whose circumstances render it necessary, may be admitted to a free bed at the discretion of the committee of management. The applicant or his friends giving satisfactory proof of the inability of the applicant or of his family to remunerate the institution for his support during his stay." The remainder pay sums varying from 5 to 20 dollars a week, the average sum being 12 dollars. The payment varies somewhat with the accommodation provided, and the committee sometimes take into consideration the circumstances of the patients in fixing the rate. All these patients are voluntarily in the asylum, and are not under lunacy certificate. The majority are young men, few being over 35 years of age. In 1865 the State Legislature passed an Act for the better regulation and discipline of the New York State Inebriate Asylum, which provides as follows:—"Any Justice of the Supreme Court, or the County Judge of the county in which any inebriate may reside, shall have power to commit such inebriate to the New York State Inebriate Asylum, upon the production and filing of an affidavit or affidavits, by two respectable practising physicians and two respectable citizens, freeholders of such county, to the effect that such inebriate is lost to self-control, unable from such inebriation to attend to business, or is thereby dangerous to remain at large. But such commitment shall be only until the examination now provided by law shall have been held and in no case for a longer period than one year."—But there were no "committed" patients in the asylum when visited. The mass of the patients are not insane; a few, however, are more or less mentally unsound, and some have epileptiform fits.

The superintendent reports most favourably of their general good behaviour, and of their endeavours to assist in their rescue from the degrading thralldom under which they have fallen. A few have broken all rules, and have either left or been discharged from the institution; but the majority stay for such times as are recommended by the superintendent, and submit to all the rules of the place. The chief of these rules are total abstinence from intoxicating liquors, and confinement to the grounds of the institution.

There are no walls to these grounds, and the patients are placed on their parole in both these respects. At first they are expected to remain entirely in the asylum grounds, but after a residence of some months receive permission to visit the town occasionally. The institution is, in many respects, like a good American hotel, conducted on temperance principles. The patients dine in the common dining-room, at a number of small tables. The superintendent and his family take a separate table in the same room. The staff of servants is just such as would be required in a good hotel, with the addition of two "wardsmen," who have rooms in the corridors, and are entrusted with the special care and general supervision of the patients, attending to them when sick or requiring medical treatment.

The medical treatment, which as a rule is only necessary on the admission of the patient, seems to consist in administering soups, broths, and good diet with such sedatives as may be necessary. Opiates are very little used, and when employed are given by subcutaneous injection. Digitalis and conium are seldom or never employed, and the main reliance for sedative purposes is placed on bromide of potassium, which is administered in doses of from 30 to 60 grains, in cases of delirium tremens and nervous excitement consequent on the excessive use of alcohol. So closely is the principle of

\* "Hey day," said Martin, as his eye rested on a great plan which occupied one whole side of the office. "Hey day, what's that?"

"That's Eden," said Scadder, picking his teeth with a sort of young bayonet that flew out of his knife when he touched a spring.

"Why I had no idea it was a city."

"Haden't you? Oh, it is a city." A flourishing city too! An architectural city! There were banks, churches, cathedrals, market places, factories, hotels, stores, mansions, wharves, an exchange, a theatre, public buildings of all kinds down to the office of the *Eden Stinger*, a daily journal, all faithfully depicted on the plan before them.—*Martin Chuzzlewit*: By Charles Dickens.



of total abstinence carried out, that no wine or spirit is allowed even as a part of medical treatment, and the watery extracts and infusions of drugs are given instead of tinctures. After the nervous excitement has subsided, reliance is placed on good diet. Milk is much used, tea is drank at each meal, and there is always an abundant supply of iced water. The general dietary, like that in use in America, comprises more saccharine and starchy materials than the ordinary diet of English people.

The remainder of the treatment consists in carrying out the routine of a well-ordered household, making the asylum as pleasant a residence as possible, and exciting the inmates to mental and bodily activity. Prayers are read morning and evening, and there is a complete religious service on Sunday. The amusements consist of billiards, cards, chess, draughts, and music within doors, and skating, boating, skittles, and gymnastics. Gardening is encouraged, and some of the patients thus occupy themselves. The evenings are devoted to temperance meetings at which "experiences" are related, and to literary work. Essays on various subjects are read and form the subject of discussion, and recitation is practised. The library is a good one, and the supply of newspapers and periodicals abundant.

Smoking and chewing tobacco are allowed, though discouraged as much as possible.

The officers of the institution are the superintendent (who is a physician), steward, housekeeper, clerk, and chaplain.

The asylum estate consists of 500 acres—300 of these form a fine farm. Twenty cows, besides sheep, pigs, and horses are kept.

A number of patients have been discharged, under the present management, well, and apparently weaned from their vicious propensities, to do their work in the world. Some few have come back again, having relapsed into a state of more or less constant inebriety; but no statistics have as yet been published.

The following extract is from the report of the Superintendent of the Washingtonian Home, an institution for inebriates, capable of containing thirty-five patients, at Boston, Massachusetts:—

"Much care has been bestowed upon the following tables, and, I am well satisfied they are nearly correct. Of course, a part of the statements must involve mere conjecture, at least, as far as the standing of the patients who have left the "Home" is concerned. Yet my knowledge of their standing is quite extensive, and the annexed statement is based upon that knowledge.

There have been admitted to the institution during the year ending December 31, 1865 .....	270
Returned second time .....	26
Returned third time .....	10
Returned fourth time .....	8
Returned fifth time .....	4
Natives of Massachusetts .....	149
Of other States .....	74
Of foreign countries .....	47
Residents of Massachusetts at time of admission .....	220
Of other States .....	39
Of foreign Countries .....	11
Residents of Boston .....	132
Of other parts of the State .....	127
There are now doing well and regarded as reformed, of whom I have certain knowledge, the number of .....	184
There are greatly improved, with the hope of ultimate cure I have no information from .....	42
The number I regard as incurable, and not fit to be at large .....	33
The number of married men .....	10
The number of single men .....	134
Average number of days which each patient has remained in the institution .....	136
Average cost of sustaining each patient while at the Home .....	24
Whole number of paying patients .....	\$36 68
Whole number of non-paying patients .....	124
Of those admitted there have been—	146
Merchants .....	44
Clerks .....	55
Lawyers .....	8
Physicians .....	2
Clergyman .....	1
Balance "comprising artists, mechanics, and one or more from almost every trade and calling, from the learned and scientific professions to the common day labourer."	

#### RECEPTION-HOUSES.

In England, the poorhouses of the various parishes are the only "reception-houses" for the indigent insane; and for those in better worldly circumstances, no provision of this kind is made—the accessibility of asylums of one kind or another rendering it almost unnecessary. In the United States, "reception-houses" at one time existed in connection with most of the large gaols, and were intended for the temporary accommodation of lunatics waiting transport to the distant State Asylums. They, in

course of time however, degenerated into small asylums of the worst type, in which patients were kept for indefinite periods; and have now been almost universally abolished, or else enlarged, modified, and used as asylums for the more chronic classes of the insane. The poorhouses now serve for the temporary accommodation of all insane on their passage to an asylum.

The Belgian Lunacy Law distinctly directs that the authorities in every district shall provide a place of lodgment for the insane waiting removal to asylums, either in the hospitals or *hospices* of the locality, or in some other convenient place; and it expressly forbids their temporary accommodation in prisons, or their association with criminals.

These provisional asylums or reception-houses are placed under strict regulation, and the sojourn of the patients in them is limited to the time necessary for their repose when travelling to, or for the carrying out of the formalities which are necessary before the patient is placed in, the asylum for which he is destined; and they are intended for the benefit of people in good circumstances as well as for the indigent, but the former are charged with the expenses which their stay occasions.

In France and other countries, many of the insane reach the asylums through the hands of the police, and are temporarily confined in gaol; but, in the Department of the Seine, a reception-house forms part of the excellent scheme of provision for the insane which the authorities of the department have organized and placed under the general direction of M. Gerard de Cailleux.

This reception-house is within the boundary wall of, and is attached to, the New Asylum of St. Anne. It is provided for by the same Commissariat, and the Chaplain of St. Anne's visits such patients as need his services, but the medical staff is distinct, and consists of two physicians, whose status and emoluments correspond with those of the junior physicians in French asylums.

The building—for a plan of which, see Appendix G, No. 8—consists of a central part and two wings. In the centre are rooms for the physicians and their servants, as well as the chief attendants; and at the back, cells for the isolation of patients—two for each sex. The wings, which consist of two stories (except at the extreme end of each, where a small third story contains a small two-bedded room for patients who are admitted with infectious diseases) contain each the necessary rooms for twenty patients and their attendants. These rooms are in five divisions, one of which is the infirmary. Each division consists of a day-room on the ground floor, and sleeping accommodation above, for four patients. Each day-room has attached to it a small airing court, which is planted and turfed, and which has the lower wall sunk in a ha-ha, so as to permit a view of the kitchen-garden and houses beyond.

The day-room of the infirmary division is used as a consulting-room by the medical officers; the patients are all seen separately every morning, and notes taken of each case.

The dormitories have, as a rule, four beds, but one is divided into two single and one double-bedded room, each of which is overlooked by a window from the attendants' room. The entire establishment—which is known as the "Bureau d'Admission"—is comfortably furnished, and has all the accessories of a small asylum.

Each of the two rooms for isolation contains about 1,200 cubic feet, and has a small garden opening from it. One room is cemented, the other panelled. One physician takes charge of the patients of each sex, and is assisted by a chief attendant, seven day, and one night attendant—giving the large number of eight day attendants for a maximum of twenty-four patients.

All the insane of the Department of the Seine, who come under the cognizance of the public authorities, are brought to the reception-house from gaols, hospitals, and private residences; and after a period of observation—which is fixed at three days, but which may be shortened or prolonged at the discretion of the Director of Asylums—are sent to the asylum which is considered to be most fitted for them. If the case is an acute one, it is sent to St. Anne's; if the patient is likely to be benefited by agricultural work and country air, to Ville Evrard or Vacluse; if old, idiotic, or epileptic, to the Bicêtre or Salpêtrière. If, on examination, the case is one of delirium tremens, it is usually sent at once to one of the general hospitals; and in cases of a medico-legal character, or of supposed malingering from gaols or the public services, the patients are retained under observation till a satisfactory diagnosis is established. The reception-house is for temporary residence only—for diagnosis and classification, and not for treatment; and no patients now enter any of the public asylums of the department except through it. The number of admissions is from eight to ten daily.

#### LUNACY LAW, AND RULES FOR ASYLUM GOVERNMENT.

An examination of the laws relating to the insane in different countries does not come within the scope of this Report. In compliance with the instructions furnished by the Colonial Secretary, copies of "recent and important Statutes, State Papers, and Department Reports," have been procured, as well as Reports, Rules, and Regulations, of the various asylums visited; and these materials will serve as guides in framing Amendments to the present Lunacy Laws of the Colony, and Rules and Regulations for the Internal Government of the Asylums.

#### SUGGESTIONS.

## SUGGESTIONS.

"Every day adds conviction to the impression that the less the insane are treated as exceptional beings, the better it is both for their interests and for those who superintend them. In other words, the grand object to be kept in view when providing for the accommodation of the insane, is to assimilate their condition and the circumstances surrounding them as closely as possible to those of ordinary life."—Dr. Arlidge : *On the State of Lunacy.*

THE moral and material advantages which follow the system of provision for the insane in private dwellings are undoubted. One-third of the insane population are thus provided for in Scotland, one-fifth in Belgium, and one-sixth in England—with, in the majority of cases, increased comfort and happiness to the patients themselves, and at a diminished cost to the State; but such a system is only possible in an old and settled country. It is necessary that population should so increase as not only to form aggregate bodies, towns, and villages, but to form a united, related, fixed, and settled people, and that the masses shall have received a certain education on lunatic matters, by public papers, and by the existence of well-conducted asylums, before the separate system is adopted. An attempt to place any large number of the insane in private dwellings must necessarily fail in a new Country, Colony, or State. Neither the Belgium system nor the Scotch is possible in New South Wales at present; but the advantages of these should be ever kept in view, and the whole asylum organization should tend towards the development of such systems in the maturer age of the Colony. No effort should be spared to educate the public mind on the subject of insanity, by providing such asylums as are necessary for the care and treatment of the insane, built and organized after the most approved models in older countries—by throwing them freely open to the inspection of the public, and by a publication of all papers and reports concerning them; and every effort should be made to induce families to receive back again their insane members,—who have passed into a stage of chronic and incurable insanity, and who are harmless and inoffensive,—by appeals to their feelings of sympathy and of kindred, and by pecuniary assistance where their circumstances render such assistance desirable. The first committal to an asylum was, in some cases, asked for with pain, and only because the straitened means of the family absolutely demanded it; and when skill, and learning, and care, within the asylum, have done their all, and science is at fault, there is no reason why the patient should not return to his home, where he can be fed, lodged, clothed, and watched over, by those near and dear to him, provided an allowance for his support is made to his family, equal to, or even smaller than, that which he costs in the asylum itself. By this means, relief would be given to the asylums, and comfort to the patient and his friends, whilst, at the same time, the unity and integrity of families, which are threatened by poverty and the misfortune of one of their number, may be preserved, and one step taken in the education of the people in this matter of insanity, concerning which the profoundest ignorance—the greatest misapprehension, and the grossest prejudices exist. In all cases in which the insane are taken care of by their friends, some supervision should be maintained, and at least a quarterly visit paid by a medical practitioner, who should report on the condition of the patient, and the provisions for his good treatment, to the central authority.

The Close Asylum, however, has been, in long years past, and must be in the years yet to come, the chief method in which the insane of all countries, in the acute stages of their malady, are provided for. This method has long been employed in this Colony, and, as affording on the whole the best, safest, and most satisfactory results, will doubtless be continued; but, it is to be hoped, in asylum construction, every modern improvement, and, in asylum organization, every measure calculated to assist in the restoration of the patients, will be adopted. That "hospitals for the treatment of diseased brains, and not cemeteries for the burial of disordered intellect," will be erected and organized, and that the Close Asylum, instead of standing alone, will be combined with, and supplemented by, some modification of the Farm Asylum and the system of accommodation in private dwellings.

A certain number of the insane might be lodged in the houses on the Asylum Estate provided for the artisans and workmen of the institution, or in separate cottages, which may be under less marked routine than that necessary in an asylum; and this would form the germ of a system of provision for the insane in private dwellings, which might be extended as the colony increased in population, and the people became more settled and united.

Before proceeding to offer suggestions for the establishment of an Asylum System, and for the construction and management of Asylums in New South Wales, it may be well to examine the evidence given before, and the suggestions which have been made by, the various Committees and Boards appointed by the Government to inquire into the questions of Asylum construction and management in this Colony; for, in the various papers on this subject, which have, from time to time, been published by the Government of New South Wales, is to be found a mass of information and of valuable suggestion.

In 1855 a Commission of Inquiry on the Lunatic Asylums of New South Wales was appointed. The Members of the Commission were—Drs. Macfarlane and M'Ewan, and Messrs. Nathan, Murray, and Kemp. A mass of valuable evidence was collected, and a comprehensive report made, in which the condition of the asylums was minutely described. The inadequate means placed at the disposal of the superintendent, the want of

of accommodation and appliances, owing to the inherent defects of the building, the impossibility of proper classification, and the absence of all provision for healthy employment or recreation at Tarban Creek, were fully pointed out; whilst the general arrangements at the Parramatta Asylum for chronic and incurable cases met with the qualified approval of the Commission. Finding that, at this time, a considerable sum of money had already been spent at Tarban Creek in repairs and additions still in progress, and having in view the economizing of public expenditure, the Commission at first endeavoured to devise a mode of extending and improving the existing asylum, so as to remedy some of its deficiencies, as well as to provide accommodation for a superior class of patients. The total estimated cost of the improvements was £50,000. It could not be doubted that this was, at best, to use the words of the Commissioners, "a very unsatisfactory suggestion"; and on more mature deliberation, the erection of an entirely new asylum in which the several results of home experience might be combined, was recommended as best for the permanent interests of the Colony. The Commission next proceeded to the question of the proper site for such an asylum, the accommodation to be afforded for the indigent, the provision to be made for patients of a superior class, and the remuneration to be assigned to the medical officers. The following extracts contain the pith of their opinion and advice on these subjects:—

"The extent and position of the land at Tarban Creek undoubtedly afford accommodation for a new asylum, upon a more convenient site than that of the existing one; but there appear to us to be serious objections to such a selection. The locality is isolated, and difficult of access to all persons visiting the institution. All necessary supplies are consequently enhanced in expense; and moreover, the cost of erecting a new building would be considerably increased. Again, although privacy is desirable for such an establishment, absolute isolation is, for many obvious reasons, objectionable.

"In all these respects, the position of Parramatta would be decidedly preferable; and it appears to us that a favourable opportunity arises of placing the new institution upon some part of the Government Domain, now that it is contemplated to relinquish the Government House there as an occasional residence. Such a selection would afford the amplest means of providing all the comforts and appliances of a lunatic establishment upon one of the most improved modern plans. Materials would be easier of conveyance, and labour obtainable at less cost; and it appears to us, from the evidence we have received as to the steadiness and order with which many of the patients in the present establishment at Parramatta are found to work in parties, that some part of the expense might be saved by applying their labour to this important purpose.

"We are of opinion that, in the original design, the means of accommodating 500 patients should be contemplated, although the building might, in the first instance, be completed for half that number only; the subsequent extension being gradual, so as to keep pace with the growing population, and with that proportionate increase in the number of lunatic patients which our experience too painfully teaches us to expect.

"With this and further occasional relief (the transference of the criminal, and a selection of chronic cases, to Parramatta) we trust that the Tarban Asylum may meet the exigencies of the Colony as the curative establishment, during the progress of the new building, without any other outlay than that which may be found absolutely necessary for keeping up repairs.

"The final destination of Tarban Creek would, of course, be matter for future deliberation; and we are not without hope that it may ultimately be made in some way available, so as to compensate for a portion of the new expenditure.

"At present there is no provision in any asylum for patients of a superior class, with a view to that treatment which, by assimilating itself as nearly as possible to their habits of life, would most conduce to their comfort, and best promote their recovery. As occasional instances must occur of families of high respectability being visited with this calamity in the person of some one of their members, and as in almost all such cases an absolute separation from home is desirable, and not unfrequently essential to recovery, we are of opinion that, in the design of a new public asylum, especial attention should be paid to this point, and an express reservation made for the reception of such patients.

"We desire to express our opinion, that prompt and energetic measures should be taken to place the treatment of lunacy, in this Colony, upon the same footing of high and liberal philanthropy on which it now stands at home. The first great step towards the attainment of this object will be the providing an asylum, built, as we have suggested, upon the most approved modern system, with all the necessary appliances for the classification, recreation, amusement, and occupation of the inmates; and the next and equally important care should be taken to secure, from time to time, for the superintendence and management of such an asylum, the highest medical talent, the largest amount of experience, and the greatest benevolence. And we hesitate not to advise that, as the best means towards ensuring a fair combination of these qualities, a liberal remuneration should be assigned to the head officer of the establishment. We think he should be provided for in all domestic particulars at the public expense, and should have an independent salary of at least £750 a year. We are also of opinion that he should have a duly qualified medical assistant holding a diploma in surgery, who might not only give regular daily aid in preparing medicines and superintending patients, but be competent, on an emergency arising from illness or temporary absence, effectually to represent his principal; and we think that for such qualifications and duties, a salary should be assigned of not less than £250 a year, independently of domestic provision."

The Commission next recommend the appointment of a board of supervision. "A mixed board of non-medical and medical members, with such powers of visiting and regulating as would apply not only to public but to any proprietary asylums which may be

be hereafter opened, and also to any private house, in which it shall be judicially known that a person of unsound mind is detained." Such board of supervision "to resemble in its constitution and duties the English board, as nearly as the circumstances of the Colony will admit."

The Commission then proceed, in their report, to a consideration of the law as applicable to lunatics; and after several remarks on its unsatisfactory nature, make the important suggestion that "if the relatives are willing to take charge of the patients themselves, they should be put under recognizances for good and humane treatment; the place of their residence should be noted, and they should be compelled to give information of any change in the destination or state of the lunatic; and moreover, the place where such lunatic is kept, should be liable at all times to visits of the board the appointment of which we have suggested."

Among the evidence taken before this Commission is much deserving of the fullest attention; and the following extracts from the evidence given by Dr. Campbell and Mr. D. Forbes, are so much to the point, that their quotation is right and necessary here.

Dr. Campbell, speaking of Tarban Creek, says:—"The asylum, enlarge it as you will, can never extend to the cemetery of the establishment. All beyond that might be sold in lots to form a township, or anything the purchaser might choose; and the proceeds would not only purchase a small useful farm, but go far to either enlarge the present building, or what is better, erect a new one, as the present is a mere model or idea of what a lunatic asylum should be, and can never, by any art of man or expense, be made a useful large asylum. It was originally designed to accommodate sixty patients. It ought to be sold and converted into a convent or nunnery. It will never be an asylum commensurate with the wants of this magnificent Colony. Besides, its distance from a market is an insuperable objection to its present position. I believe, on my conscience, that one half of the expense it costs the Colony might be saved by a more convenient situation."

Mr. Forbes says:—"With reference to the asylum at Tarban Creek, my idea is, it is in a very bad situation. I think it was a complete mistake to place the asylum there—I think the building at Parramatta is large enough to hold 500 patients, and possesses, with very little alteration, every means of classification."

"The drawbacks to Tarban are very great. It is an inaccessible out-of-the-way place—nobody goes there. The fact of its being such a distance from any town renders it very expensive to make any improvements there. Then, with respect to the medical man, a high salary must be paid to induce him to isolate himself in such a position. There is a plentiful supply of water at Parramatta—they have better water at the lunatic establishment than in the town, and its general salubrity is unobjectionable."

In 1863, Dr. Willson, the Catholic Bishop of Hobartown, addressed a letter to the Colonial Secretary, respecting the lunatic asylums of the Colony, in which, after commenting on the gloomy, ill-constructed building at Tarban Creek, and "its peculiarly ill-chosen" situation, the "sterile nature of the adjoining ground," causing a "want of out-door employment in gardening and farming operations,"—on the want of classification,—the deficient hospital arrangements,—the "woefully wrong" yards,—and the absence of a chapel and amusement room,—he offers the following suggestions:—

"That an asylum capable of affording ample accommodation for 500 patients, should be erected in the neighbourhood of Sydney, not more than two or three miles from it. That this house should be constructed for three classes of patients:—1st. The most numerous, namely, those in humble rank of life, who would be chiefly supported out of public funds. 2nd. A middle class paying (say) 20s. to 30s. a week; and a 3rd class paying according to the comforts they received up to any extent." "I have witnessed" the Bishop adds "for many years the working of such a system, especially in a sanatory point of view, and I believe cures will sometimes be effected in persons in higher ranks in life in such mixed public establishments far better than in private houses for the infirm in mind."

"The advantages of having an hospital near a large city (he continues) are incalculable. Here are a few:—The securing judicious visitation of a properly selected board of commissioners for the general management of so important an institution—a measure absolutely necessary for its permanent well-working. 2nd. The means of procuring the best medical and surgical assistance when required. 3rd. The opportunity afforded, almost daily, to convalescent, quiet, and orderly patients, of visiting the city for amusement, going through the markets, sometimes strolling through the public pleasure grounds, and obtaining that change so beneficial to them, both mentally and physically. 4th. Affording facility to humane and well qualified persons, of gratifying in the asylum, not unfrequently of an evening, patients whose minds are in a state to profit by such kind offices, with music, instrumental and vocal, recitations of short and cheerful pieces, or appropriate readings, and such like friendly acts. 5th. Of affording patients likely to profit by such visits, the means of attending such public exhibitions in the city as offer from time to time suitable for them. Many other advantages might be mentioned."

The further suggestions include "an ample quantity of land so as to afford abundant opportunity for all who could be judiciously occupied in gardening or in cultivating the soil for the commencement of a farm. An ample supply of fresh water from the public works. A spacious chapel, properly arranged and fitted up for each religious community, for divine congregational 'service'; and a large room or hall for recreation."

In a postscript the Bishop mentions, incidentally, "the frightful old factory prison at Parramatta, with its doleful cells and iron bar doors, even for females," and begs leave "most earnestly to differ," for reasons given above, from the recommendations of the commissioners



commissioners of 1855, as regard the selection of Parramatta as the site of the new building." "I believe" he says "it would be a great error to place it there—in fact, quite a calamity of an irreparable kind."

In July, 1863, a Select Committee of the Legislative Assembly inquired into the present state and management of Lunatic Asylums, and subsequently presented to the House a voluminous progress report. The Right Rev. Dr. Willson, Drs. Campbell, Douglass, and Boyd, and Mr. Alloway, among others, gave evidence before this Committee, and the following extracts are interesting and important.

Dr. Willson repeats several of the suggestions contained in his letter; and when asked, if he recommends that there should be three asylums, one near the city and two in the country, said, "I did recommend that in Victoria, and I apprehend the reasons are the same here." Dr. Willson is emphatic in his approval of a board of control, such as exists in Tasmania, where, as he asserts, the system works admirably. Dr. Campbell's evidence is chiefly of value where it relates to the future of lunatic asylums in New South Wales. He says "Tarban Creek is an excellent asylum as far as it goes." "All we want, to make it equal to any asylum in England, is a suitable piece of land for a small farm or amusement ground. A small chapel could easily be built, and would not be very expensive." "There is plenty of land in the neighbourhood belonging to Government, but I have always advocated the selling of that and the purchasing of more suitable land close to the asylum—a beautiful piece of level ground of 12 or 14 acres, that could be brought under the plough with little trouble."

"I do not think seriously you could mend the asylum as it stands, in any additions to it. There is one angle, however (the south-west), that must be completed to give us a little more room. When that is completed, the asylum will be a very perfect little asylum, and quite capable of holding 400 individuals without inconvenience."

"I think it would be a great pity to move the asylum to some other place. I would prefer that other small asylums should be built in different parts of the country, to relieve this to some extent, rather than that it should be abandoned altogether for a new and larger asylum."

"I think we ought to have several asylums in different parts of the Colony. I have a well-founded dislike to large asylums, and I believe it is the prevailing opinion in England, that small asylums are the best. Those of Colney Hatch and Hanwell are a great mistake. I would recommend to build an asylum at Maitland, which would contain about 200; another at Goulburn, to hold 150 or 200; another at Bathurst; and there are large Government buildings at Port Macquarie, which might be converted into a very useful establishment for all the incurables. Three or four other asylums would keep us going forty or fifty years, which is looking a long way forward. I would have them built on the best models, but not very large, so that one well trained medical man could manage one himself, with a proper staff of officers and warders."

"I might recapitulate, as we are on the subject, the places where I have recommended there should be asylums—one at Maitland, one at Goulburn, one at Bathurst, and one in the precincts of Sydney, supposing the present to be abandoned."

"I think there ought to be one asylum in the vicinity, within 3 or 4 miles of a large town, but not in it."

On the subject of inspection, Dr. Campbell says—"If such a course (the creation of three or four asylums) were adopted by the Government, it would be almost necessary that there should be a supervisor or inspector over these hospitals; but whoever was appointed inspector ought to be a man whose knowledge of mental diseases would enable him to carry out the best modes of treatment, upon the broad principles of humanity. I have long wished for such an officer, but seeing that there have been so few asylums in the Colony, I have never advocated the appointment. I would extend the supervision to private houses for lunatics."

Dr. Douglass and Mr. Alloway appear to concur more or less fully in the suggestions of Dr. Campbell, concerning the building of asylums in up-country districts; and Dr. Boyd says—"Of the necessity for an additional asylum there can, I think, be no doubt; and this being the case, it will be well for it to be erected in the immediate neighbourhood of Sydney."

In September, 1865, Dr. Greenup, the Medical Adviser to the Government, addressed two letters to the Colonial Secretary, on the subject of the Lunatic Asylums of the Colony. In the first, he points out the increasing number of lunatics, and the deficiency of accommodation; and in the second, makes some suggestions for the temporary relief of the overcrowded asylums; and after recommending the purchase of "The vineyard property," consisting of 40 acres at Parramatta, for the purpose of erecting temporary buildings, advises the erection of a new asylum for women only, to contain three or four hundred patients on the present asylum farm. "My reasons (he says) for recommending the building to be appropriated to females is, that the range of buildings appropriated to them at Parramatta is not suitable for women, but is well adapted for the refractory class of men. When the female asylum is built, all the women in the present Parramatta Asylum should be removed to the new place, and the present Parramatta Asylum entirely filled up with men."

"I consider the supply of water inexhaustible for the two asylums, and also the gaol."

"On the vineyard property many detached dwellings might be erected for the better class of patients who could pay for the privilege, and also for any patients of refinement or education whom it might be considered right to remove from the mass."

The papers published by the Government enable us to calculate the annual rate of increase in the number of the insane during the last thirteen years.

In

In 1855, the number of lunatics in the Government Asylums was as follows:—

Tarban.....	197	{	120 males 77 females.	}	307 males 169 females	} = 476.
Parramatta ...	279	{	187 males 92 females			
			476			

At the present time (1868) there are, exclusive of invalids—

Tarban.....	620	{	397 males 223 females.	}	744 males 412 females	} = 1,156
Parramatta ...	536	{	347 males 189 females			
			1,156			

or, an increase of 680 in 13 years. Giving an annual increase of 52·4.

The proportion of males to females has remained at about 7 to 4.

In round numbers, then, there has been an annual increase of 52 insane in the Colony during the last twelve years, and this fact deserves the most attentive consideration.

The population of the Colony is still yearly increasing. With increase of population comes, as a natural result, increase of insanity—the number of insane in all countries bearing a certain proportion to population; and it is only fair to assume that the increase, which has been at the rate of fifty per annum for thirteen years past, will continue at that, if not a larger rate. Assuming the annual increase to be fifty only—and on a lower number than this it is not safe to calculate—there will be, at the end of thirty years, the enormous number of 2,500 insane, dependent on the Government for protection and support.

There is, then, an actual and present want of accommodation for 1,156 lunatics, and a prospective want for a much larger number; and to meet these Tarban Creek is capable of containing 300, and Parramatta 400, without crowding.

Before proceeding further, it may be well to examine the fitness of both these asylums for the occupation of people of unsound mind; and the opinions which have been placed on record, by men interested in the welfare, and employed in the treatment of the insane within the Colony, which are given in the extracts above quoted, are here of value. The Commission of 1855 gave a qualified approval of Parramatta as an asylum for incurables to the number of 300; and, after mature deliberation, they, with a wisdom which it is impossible not to admire, recommended the abandonment of Tarban as a hospital for the insane.

Mr. Forbes was emphatic in his condemnation of Tarban, whilst he approved of Parramatta, which he considered large enough, with some alterations, to hold 500 patients.

Dr. Wilson denounced unsparingly both Tarban and the “frightful old factory prison” at Parramatta.

Dr. Greenup, writing in 1865, considers the range of buildings appropriated to females, at Parramatta, as unsuitable for them, though adapted for the refractory class of men, and the remainder of the buildings as fairly suitable for the purposes to which they are applied.

Dr. Campbell, it will be seen, condemned Tarban Asylum, in no measured terms, in 1855, but speaks of it in 1863, when it had undergone considerable enlargement, as an excellent asylum, as far as it goes, and quite capable of holding 400 patients, without inconvenience; but in his scheme for an asylum system he nowhere mentions Parramatta, and so leaves it to be inferred that he does not consider it fitted for the occupation of the insane.

These opinions are in some measure contradictory; but from them can be gathered a general idea, that almost all who have written and spoken on the subject, consider the lunatic establishments of the Colony as unfitted for the purpose to which they are applied. Both establishments meet with more or less condemnation.

After special and close examination of Parramatta and Tarban—both before and since an inspection of the asylums of Europe and America—the conclusion has been arrived at, that the buildings at Parramatta are utterly and completely unfit for the purpose for which they are at present employed. And in this condemnation are included the convict factory, now occupied by the women,—the various buildings occupied by the insane non-criminal men,—and the small prison, which has been somewhat recently erected to serve as an asylum for criminal lunatics. In such buildings the proper care and treatment of the insane is simply impossible. It needs no special knowledge on this subject to see how completely unfitted the old factory, with its gloomy, ill-ventilated cells, with their iron-barred doors, is, as a residence for those mentally afflicted. Let any one who has any doubt upon the subject allow himself to be shut up in one of these dens for one hour only. The new building for criminals seems to have been built solely with a view to the safe keeping of its inmates—a prison within an asylum—a prison, and nothing more—in which treatment, in its full sense, is impossible—and differs, in almost every particular,



particular, from the buildings used as hospitals for insane criminals at Broadmoor, Perth, and Auburn, U.S. A prisoner who is suffering from bodily ailment is universally held to be entitled to all the care and treatment which medical skill can afford, whilst a due regard is had to his safe keeping; and it is unfair and wrong to place him who is suffering from mental diseases, in any but the same position. The remainder of the buildings, as may be seen from an examination of the report on European asylums, are wanting in almost every essential of the modern hospital for the insane.

No amount of money or skill can avail to render Parramatta Asylum a fit residence for the insane, or equal even to the lunatic wards in many of the poor-houses in England; and its early abandonment is unhesitatingly advised. No outlay should be made, except such as is absolutely necessary to keep up repairs whilst other provision for its inmates is being made.

Tarban Creek, originally erected for sixty patients, has been of late years considerably enlarged, and various improvements have been made, at a very great expense to the Colony; but still the question whether it is a good asylum, fitted for the curative treatment of the insane, must be at once answered in the negative. Notwithstanding the beautiful views to be obtained from it, it is, from its inherent structure, the smallness of its windows, the confined nature of its airing courts (which, notwithstanding the open space in front recently enclosed, and converted into airing grounds, must be used occasionally by many, and constantly by a few, for purposes of recreation) extremely gloomy and prison-like. It is, besides, wanting in some of the most marked requirements of a modern hospital for the insane. It has neither amusement hall, chapel, workshops, farm, or proper rooms for attendants; its kitchen lacks almost all modern appliances and fittings, and will not bear comparison with even the poorest appointed of the asylums of Great Britain and the north of Europe. It is extremely difficult of access, so that the cost of victualling and stores is much increased. Visiting is difficult, and it is equally impossible to take the patients to visit the minor amusements which may always be found in Sydney, or any other large town, and to induce such people as would readily, in all charity, contribute to the amusement of the inmates if close at hand, to visit them there.

The great essential for the proper working of an asylum—land for cultivation—is wanting; and though a small amount might perhaps be obtained, it would seem almost impossible to secure 20 or 30 acres—the smallest amount which can be considered satisfactory. Still, though almost all that has been said in disparagement of Tarban may be fully assented to, it must be admitted that its site is eminently satisfactory, in a sanatory point of view; that the buildings are strongly constructed and in good repair, and that it has in it yet a capacity for usefulness. If a fair quantity of cultivatable land can be obtained, and certain alterations and additions are made, it may do good service to the Colony for a few years to come.

It should, however, be clearly understood, that it is doomed at no very distant date, and no very large sum of money should be expended in alterations. Any land purchased might fairly be expected to realize the same, if not a greater sum, in a few years.

If Tarban Creek can be put to some useful purpose, as a Destitute or Benevolent Asylum, the sooner it ceases to be a residence for the insane the better.

In considering the future of asylums in New South Wales, no scheme can be deemed satisfactory which does not bear in mind, if not include, the requirements and necessities of the next thirty years, as well as those of the time now present. It has been seen that the number of insane in the Colony is annually increasing, and that in thirty years, 2,500 is the minimum number which can be calculated on. All hospital provision for the insane must be made with these data in remembrance. It may be objected that this generation should not be burdened with the wants of the next—that sufficient, and more than sufficient, for the day is the evil thereof; but a little consideration will shew that it will be for the good of this generation and the next, and for the permanent interests of the Colony, if the foundation of a system is now laid on which the structures may be reared in time to come; and the cost even may be divided between the present and the future, so that each may bear its share, by borrowing the money required, and repaying it in a given term of years. Bishop Willson says, in his letter above quoted:—"If ever it be reasonable to borrow money on the public security, it must be for such a purpose as I am now advocating. But it would only be fair that the responsibility of paying it should extend over a number of years. The erection of a proper hospital for the insane would not be for the present generation only, but of course for those which are to follow. It would, therefore, only be equitable that those who would derive benefit from it should bear a reasonable share in its original cost." The Royal Asylums of Scotland, established in the last century, and the District Asylums of the same country in this, were built to a large extent with borrowed money, which has since been more or less gradually repaid. The District Asylums are bound to repay money so borrowed, within a period generally fixed at thirty years. The Royal Asylums are not so limited as to time. Some English asylums have been established in the same way, and an Act of Parliament prescribes that money so borrowed shall be completely repaid within thirty years.

Why should not the same method be adopted in New South Wales, and asylums built, of which the central and general offices should serve for the time present, and be large enough to allow of additions to the habitable parts of the asylum at a future time? To build asylums simply for the present, cannot but be a narrow and short-sighted policy.

Before

Before the Committee of the Legislative Assembly, in 1863, Dr. Campbell sketched a scheme of asylum construction; and if this scheme is carried out, and supplemented by the recommendations which have been made by others interested in this subject in the Colony, there will be little left to be desired. After advocating the maintenance of Tarban as an asylum for 400 inmates, he adds—"I think we ought to have several asylums in different parts of the Colony. I would recommend to build an asylum at Maitland which would contain 200, another at Goulburn to hold 150 or 200, another at Bathurst." Dr. Campbell suggests also that the Government buildings at Port Macquarie should be used as an establishment for incurables.

By this scheme about 1,400 insane would be provided for—400 at Tarban, 400 at Port Macquarie, and 600 in the up-country asylums. The buildings at Port Macquarie have since been devoted to other purposes, happily so, since their conversion into fit residences for the insane would have been attended by considerable expense, and the result be eminently unsatisfactory. It is impossible to make even a fair asylum by such conversion. There is then provision for 400 insane, still wanted. Dr. Willson, in his letter in 1863, advocated the building of an asylum for 500 patients in the neighbourhood of Sydney, two or three miles from it.

Dr. Boyd, in his evidence in 1863, suggested the "immediate neighbourhood" of Sydney, for a new asylum.

Dr. Greenup, who wrote in 1865, recommended a new asylum for 300 or 400 at Parramatta.

If we add this asylum for 300, 400, or 500 patients at Parramatta, or near Sydney, to Dr. Campbell's suggestions, we have a complete scheme for the future of asylums in New South Wales.

After an attentive consideration of all the opinions which have been given on this subject, a close examination of the present establishments at Tarban Creek and Parramatta, and an inspection of the asylums of Europe and America, the following are the suggestions offered for the consideration of the Government:—

- 1st. That Parramatta should be abandoned as an asylum as soon as possible, such outlay only being made as will keep it in repair during the erection of new buildings.
- 2nd. That Tarban Creek should be so altered as to bring it more into harmony with institutions for the insane in the mother country, but that no alterations which would demand an extravagant outlay should be made. The chief question of importance as regards this institution is, the possibility of the acquisition of land for agricultural purposes. Failing this, the institution should, like Parramatta, be abandoned as a lunatic asylum. Altered in various particulars, and re-organized after European models; it may serve as an asylum for from 300 to 350 insane (not more) for some few years, but it should never be regarded in any way as one of the permanent institutions of the Colony.
- 3rd. That three new asylums should be erected in such up-country districts as seem most suitable; that these asylums should be near the chief town of the district—Goulburn, Bathurst, Maitland, or wherever else may be selected; that each should be erected to contain at once 200 patients, and so arranged as to be capable of enlargement, by means of blocks, large cottages, or other appropriate buildings, so as ultimately to hold 400 patients; and that the kitchens, laundry, central, and administrative offices, should be built with this end distinctly in view, so that they may either be sufficiently large from the first, or so arranged as to admit of subsequent enlargement.

The practice of distributing the insane throughout the country, possesses many advantages and recommendations, and is now very generally adopted in England and Scotland. The majority of the counties now possess lunatic asylums of their own. The counties of Elgin and Haddington, though possessing only seventy or eighty insane each, have erected their own asylums, instead of placing their insane in the more or less distant asylum of another county, or joining with one or more in the erection of a large building. In those counties where the number of insane has so much increased, as to necessitate the erection of a second or third asylum (as Lancashire, Yorkshire, Surrey, Stafford, and Chester), care has been invariably taken to place the second asylum at a distance from the old one, though as near a large town as possible. Yorkshire possesses asylums at Wakefield and York, and a third has been determined on. The new Stafford Asylum is at Lichfield, whilst the old one is at Stafford; and the new Chester Asylum at Macclesfield, whilst the old one is at Chester. In the United States the same principle of distribution has been followed. Each State possesses its own asylum, and where more than one is necessary, different districts have been chosen, so that the asylums may be at hand, and among the chief centres of population. The same system has been adopted on the Continent. The three asylums of Hanover are placed at Göttingen, Hildesheim, and Osnabrück; and the majority of the French departments\* and Dutch Provinces have their own asylums.

Some

\* Of the eighty-six departments into which France is divided, sixty are provided with asylum accommodation, though in thirty-four only does the asylum belong absolutely to the department.

Some of the reasons for distributing asylums, and placing them within easy access of the people, are pointed out in the following extracts from American reports:—

"From a careful examination of the number of patients sent from the several counties to all the State hospitals in the United States, which kept and published such a record, and a comparison of those with the average number of people in these counties through all the recorded periods of the operations of the institutions, it is shewn that the ratio of patients to the population, sent to the hospital, diminishes constantly with the increase of distance from it."

"The difference of the use made of the hospital by near and remote counties, is not to be explained by the corresponding difference in their necessity, for several of the distant counties, both in Massachusetts and other States, had a larger proportion of lunatics, and yet sent less, and some less than half as many patients to their hospitals."

"This difference is probably due to the difference in the facilities of access, and in the labour and cost of travel. And it must be admitted as an established principle, that a hospital cannot diffuse its advantages equally to the people of any large district."

"Admitting this, then, it must follow that no large central hospital for any considerable extent of territory should be established; but on the contrary, hospitals of a proper size should be scattered as much as possible, and their advantages brought near to the people who ought to use them." \*

"Remote counties, having a population about equal to that of Oneida, have sent a much smaller number of patients to the asylum. The difference is not to be accounted for by the supposition that one part of the State is more subject to insanity than others—it is simply owing to the vicinity of an asylum." †

"Oneida County sends all her insane at once, and the result is a large percentage of cures, and a very slow increase of incurables. I would here add, that of the acute cases admitted from Oneida County, in some years all recovered; and this in a county with a population of over 100,000." ‡

The importance of early treatment is pointed out more fully in a prior part of this report.

By distributing asylums, not only will the patients be sooner sent and so sooner cured, but the long journeys which are always extremely detrimental to the insane, and the expense and difficulty to their friends, will be spared. They will remain among, and accessible to, the visits of their friends—a thing much to be desired for both parties; since, under proper regulation, and with the concurrence of the physician, the visits of friends are frequently most useful to those mentally afflicted; whilst, on the other hand, the feeling of affection for the afflicted one is much more likely to be maintained in a household where he is seen occasionally. People are too much accustomed to "hide" their insane out of their sight, instead of having them always with them, in thought, if not actually.

Asylums in up-country districts will serve also another purpose. Properly managed, they will teach a lesson to all near, and have an influence which no distant asylum, the subject of exaggeration or enchantment, can exercise. They will serve to spread abroad that feeling of charity "which suffereth long and is kind," till the asylum is properly understood, and regarded as a hospital where care and skill are employed in the treatment of those most to be pitied on this earth; not, as is now too often the case, as a prison in which beings, little better than wild beasts, are shut from the gaze of mankind.

It is scarcely necessary to add, that these asylums should be built on the best models, and fitted with the best appliances that can be procured. A qualified medical man should be placed at their head, with such a staff as will enable him to carry out all that is best in asylum organization and treatment.

The districts from which the insane of the Colony now come, and the proportion of the entire number who are sent from country districts to the Sydney asylums, may be, to some extent, gathered from the following list, where the districts from which 313 out of 625 of the present inmates of Tarban Creek Asylum are given.

This list has been most carefully prepared by Mr. Wardley, from papers existing at the asylum. It will be seen that one-half of the inmates only are accounted for. In many of the remaining instances, Mr. Wardley says—"There is no record of the district—the name of some insignificant station has been specified, without any reference to the district where situated, or the nearest post town—many come from distant parts of the country, and are transferred from one constable to another, until all traces of their real homes are lost, and they are often in a condition which renders them unable to supply the information themselves."

	M.	F.	
Sydney District .....	98	80	
Sydney .....	12	5	
Parramatta .....	6	3	
Windsor .....	4	2	
Liverpool .....	3	1	
Hawkesbury River .....	3	2	
Shoalhaven .....	1	2	
Campbelltown .....	2	1	
Kiama .....	129	96	Total ... 225

\* Report on Insanity and Idiocy in Massachusetts by the Commission on Lunacy, under Resolve of the Legislature, 1855.

† Annual Report of the Managers of the State Lunatic Asylum, New York, 1865.

‡ Do Do Do. 1866.

		M.	F.		
Up-country Districts ...	Bathurst ...	Bathurst .....	10	7	28
		Burrowa and Young .....	4	0	
		Hartley .....	2	2	
		Sofala .....	2	1	
	Maitland...	Maitland .....	6	5	29
		Newcastle .....	5	4	
		Muswellbrook.....	2	0	
		Murrurundi .....	3	2	
		Armidale .....	1	1	
	Goulburn...	Goulburn .....	7	6	31
		Albury .....	2	0	
		Braidwood .....	4	1	
		Yass .....	2	1	
		Murrumbidgee .....	5	3	
		55	33	Total ... 88	

In the numbers given there are then 88, out of 313 from up-country Districts; and it is only fair to assume that a much larger proportion of the remaining half of the present inmates of Tarban Creek come from the country. Since the name of "some insignificant station has been specified," and the patients have been "transferred from constable to constable, till all traces of their real homes are lost," clearly these real homes are not in or near Sydney. What is true of Tarban is likely to be true also of Parramatta; and it may be safely stated, that at least one-third of the present population of the asylums has come from up-country Districts.

4th. That a new asylum should be erected in the neighbourhood of Sydney, to contain 500 patients. That it should consist of—(1st) an asylum for the indigent, to accommodate 400—(2nd) an asylum in a detached building, for better class patients, able to pay for their accommodation and support, to contain fifty, and—(3rd) an asylum in a second detached building, for idiots and feeble-minded children, to contain fifty. That each of these should be built according to the best plans to be found, and all placed under the superintendence of one physician with a competent staff.

The exact site for such an asylum is a matter of the greatest importance. Parramatta has been several times proposed, but though it has many advantages, among which may be mentioned its cultivatable land, its excellent water supply, the railway communication with Sydney, and the proximity of a small town,—still, the objection of its distance from Sydney outweighs all that can be said in its favour; and the suggestions of the Right Rev. Dr. Willson—that the new asylum should be in the neighbourhood of Sydney, not more than two or three miles from it—backed as it is, by the recommendation of Dr. Campbell, who speaks of the "precincts" of Sydney, and that also of Dr. Boyd, who speaks of the "immediate neighbourhood,"—should be most carefully considered.

To the reasons for such a site given by Bishop Willson—the securing judicious visitation—the procuring medical and surgical assistance—the opportunity afforded to convalescent and other patients for participating in the minor amusements of the city—the facilities for humane and well-qualified persons of gratifying (in the asylum itself) the inmates by vocal and instrumental music, and other means of distraction (all reasons of weight and wisdom)—many others may be added, among which are, the diminished expense of carriage for all stores—the greater ease with which good attendants can be procured, and the increased length of time they will, as a rule, remain in institutions near large towns.

These and others which will be found set forth at greater length in the section devoted to the question of the most advantageous site for asylums generally, make the immediate neighbourhood of Sydney (if a suitable spot can be obtained with the necessary quantity of land) much preferable to Parramatta. It need hardly be said that railway communication is of immense advantage, especially if a branch line for coals, stores, &c., can be brought into the asylum grounds, as at Colney Hatch, the Three Counties, Murthly, and other British asylums.

The land on the Parramatta Road, in the immediate neighbourhood of Sydney, at Petersham, or Ashfield, would appear to be the site most worthy of the attention of the Government or of any commissioners appointed to consider this subject.

5th. That an asylum for criminal insane should be established at Parramatta, to contain eighty patients, and capable of subsequent enlargement.

The special provision to be made for the paying patients, for idiots, and criminals, will be discussed when treating of these classes, separately.

This scheme in its entirety, will give—

	Indigent.	Paying.	Idiots.	Criminals.
Tarban Creek .....	300	.....	.....	.....
Up-country Asylums .....	600	.....	.....	.....
New Asylum, near Sydney .....	400	50	50	.....
Criminal Asylum .....	.....	.....	.....	80
	1,300	50	50	80

or a total of 1,480,—a little more than 300 in excess of the present number of insane—who, it must be remembered, are increasing at the rate of fifty-two annually.

Site.—

**Site.**—The site to be chosen for an asylum is a matter of primary importance. On it must depend in no small degree the comfort, happiness, and health, both mental and bodily, of the inmates, as well as the cost of the institution and the whole working of its internal economy.

An elevated position is desirable, because more healthy, commanding, as a rule, more extended views both from the rooms and airing grounds, and affording greater facilities for drainage and ventilation. An elevated site has, for these reasons, been chosen with almost curious unanimity for modern asylums in Europe and America, and it is equally advisable in New South Wales. In the suggestions and instructions to architects issued by the Commissioners for England and Scotland,\* it is suggested that "it should not be near to any nuisances, such as steam-engines, shafts of mines, noisy trades, and offensive manufactories, neither should it be surrounded or overlooked, or intersected by public roads or footpaths"; "that the site of the building should be elevated as respects the surrounding country, and, if to be obtained, undulating in its surface and having a fall to the south."

The sub-soil should, if possible, be calcareous, gravelly, or rocky, but if the position is elevated, and drainage good, a clayey sub-soil, such as is occupied by more than one of the best English asylums, is not objectionable.

The aspect, which, in the cold climate of Northern Europe, or in the still colder one of America, is a matter of considerable importance, is one of only secondary consideration in New South Wales, where the seasons are more equable. The southerly and easterly winds are, however, the freshest and most healthy in this Colony, and where the nature of the land will admit, an aspect ranging between south and east should be chosen, and the buildings placed in the northern and western extremity of the land, so as to allow the south and east for the use of the patients. But a site, otherwise good, should not be rejected, simply because such an aspect for the building cannot be obtained upon it.

The question of the distance from town at which an asylum should be placed is one which has been much discussed. The Scottish Commissioners in Lunacy, in their suggestions and instructions\* say, that "the asylum should be as central as possible to the mass of population in the country or district for which it is to be erected, and should be convenient with respect to its easy access by railway or other public conveyance, in order to facilitate the visit, of friends or the supply of stores. It should be within such distance of a town as to command the introduction of gas, water, &c., and of sufficient size to afford the means of recreation and amusement of the medical staff, the attendants, and such of the patients as might derive benefit from a change in the asylum routine."

The advantages to be derived from proximity to a large town are,—

1. Facility of access for patients and their friends, commissioners, inspectors, and Government officials generally, visiting medical officers, &c.
2. Diminished cost of conveyance of coals, stores, and provisions.
3. Facility for amusement of patients—1st. In the asylum itself, by means of exhibitions, concerts, lectures, &c., for which assistance may always be obtained in a large town, either by paying those who make such amusement a profession, or by appeals to amateurs benevolently disposed. In many cases, a distance of three or four miles will present no serious difficulties, but it would be almost impossible to induce an amateur, or professional lecturer, or musician, to travel six, eight, or ten miles without heavy payment—2nd. In the town, by the attendance of fit patients at the public promenades and gardens, lectures, concerts, and exhibitions, and all the minor amusements which a town affords.
4. Supply of gas and water; the former of which, in most instances, and the latter in many, may be obtained much cheaper from the town supply than by any other means.
5. Increased facilities for procuring good attendants, and for inducing them to remain for a longer period in their situations. The importance of a good class of attendants, and these trained to their work, cannot be over-estimated; and that such a class may be induced to take service, and remain for a long time at their work, when the asylum is situated near a large town, is undoubted; whereas, they either refuse service altogether, or having accepted it, stay only very short periods in an asylum removed from a town. This is constantly found to be the case, notwithstanding all the counteracting influences of high pay, excellent regulations, holidays, and kindly treatment at the hands of officials; and it may be safely calculated that a superior class of attendants will be found at all the asylums which are situated near large towns. It is also found that the length of service of attendants is almost always greater in town than in country asylums. Thus, at Leicester, Stafford, Prestwich, and other asylums near large towns, the length of service ranges from one to fifteen years; while at Broadmoor, under the most kind treatment, more liberal pay than is given at any county asylum, with a good library and special amusements for their gratification, they cannot be induced to remain, and the changes are extremely frequent. Whilst advertisements for attendants at Broadmoor are not unfrequently seen in general and special papers, there is little necessity for other asylums, differently placed, to advertise.

Perhaps

\* See Appendix A.



Perhaps an objection to the criminal class of which the inmates of Broadmoor are solely composed, may act as a deterrent; but the testimony of one of the attendants may be quoted as the more likely cause of its unpopularity. "What is the good" said he, "of high wages—we have to give it all to a railway"; five shillings to London; half-a-crown to Reading (the nearest large town), is to say nothing of time, an important matter to an attendant out on a holiday? Amusement and change are necessary to an asylum attendant, and amusement and change he will have, no matter what entertainments are concocted within the asylum walls. However "self-contained" is the asylum organization, something beyond, and away from it, he craves after; and if he is to remain fit for his situation, this change he should have. A very little consideration of what asylum life is,—its constant worry and irritation,—the vexing influence of constant association with crooked people and crooked actions,—are felt often too severely by the asylum physicians, who are only a part of the day with the patients. The attendant has the insane always with him; and if he is to retain that health, that evenness of temper, that mental and bodily spring, that combined firmness and suavity of manner, which are necessary to make him an effective and useful servant, he must escape occasionally from the asylum walls and from the depressing influences of asylum life, and lose all thought of his work, by associating with the sane, either in the quiet of home life, or—what is and always must be attractive to the young, and to the majority of asylum servants—the minor excitements of town life.

If the married attendant cannot have his family within easy access, and the unmarried find rational amusement close to the scene of his work, so that he may lose no time in journeying to and fro, he, in too many instances, will not remain in his place, or remaining, will lose, as the months roll on, health and vigour both of mind and body—that mental and bodily serenity without which an attendant is useless—and will be constantly liable to dismissal as unfitted for his work.

Some asylum superintendents, among whom is Dr. Lockhart Robertson, of the Sussex County Asylum, the Editor of the *Journal of Mental Science*, prefer married attendants for the male wards of the asylum. If such attendants are to be procured and induced to stay, their houses must be near, so as to enable them to enjoy in the evenings the comforts of home life. Such houses will always be more readily obtained in a large town than in any small town or village.

That an asylum should be easy of access is most important for those mentally afflicted, both before and after they have entered its walls. The nearer the asylum to the patient's house the sooner he is likely to be sent to it; and the sooner sent, the sooner likely to return sane to his friends. Delay in submitting the patient to treatment is, in only too many cases, caused by the inconvenience and expenses of a long journey, which are much increased when the traveller is insane. Every mile is an obstacle when the patient may rave as he travels, and require two or three people to restrain his violence or his vagaries. Facility of access is also no less important to the insane, when an asylum inmate, than before his entry. The visits of friends are in many cases good for the mental health, and such visits will be few if distance be great. Then, again, the greater the facility of access, the more thoroughly an asylum is under inspection; and such inspection, whether it be that which an intelligent public accords to all institutions in which it is interested, or those more methodical visits paid by appointed authorities, is useful, both for the asylum itself, its inmates, and all concerned.

The cost of supplies for 300 or 400 people must be greatly increased by the expense of carriage. At the Worcester Asylum, which is situate in a small village four miles from the town of Worcester, Dr. Sherlock states that his calculations prove that 2d. per head per week would be saved, in the maintenance of the patients, if the asylum were 2 miles nearer the town. The same opinions are held by other asylum superintendents.

It is said by some authorities on asylum government, that they should be "self-contained," that is, that they should depend as much as possible on their own resources for amusement, as well as for supplies. Admitting the general advantage of this, and also the excellent organization of amusements which exist in many of the British and American asylums, it must be allowed that important auxiliaries in this matter may be obtained from without, and that no trouble should be spared to induce, at certain periods, amateur or professional lecturers, musicians, and performers, to give, either for pay or as a free donation, entertainments within the walls, to those who cannot be permitted to go beyond. There is a freshness about these entertainments which asylum amusements, however varied, conducted by the same people, cannot have, and they are often relished by the inmates much more than those which are furnished by their constant associates. It may be, and often is easy to induce professional entertainers and amateurs, benevolently disposed to give their services, when the asylum is within a convenient distance; but if the institution were six or eight miles distant, the difficulties would be almost impossible to surmount. Facility of access is therefore necessary for this end, and is not less desirable in order that patients who can safely be trusted may enjoy the public promenades, and gardens, and the other minor amusements of the city.

With reference to the fourth head—the supply of gas and water—it will be found in most cases to be of great advantage, that the asylum should be sufficiently near to a town to render the established supplies available. Gas will be obtained cheaper from the ordinary town supply than it could be manufactured in the asylum itself, and with less probability of derangement of the works. The town supply of water also is likely to be cheaper, and obviates the necessity of the machinery and plant required where the water is obtained from wells on the premises. In the Sussex County Asylum, gas was at first

first made in the institution, but it was found unprofitable, in consequence of the constant breakage and want of repair of pipes, &c. It is now obtained from a gas company, and the asylum works are disused.

Dr. Greisinger in his *Treatise on Mental Diseases*, page 514, thus expresses his opinions on this subject—"In the foremost rank is *facility of access* to the patients, and the capability of constantly receiving fresh cases"—"and further, as a result from this, in all large countries the asylums would be more distributed in different districts."—"The institution must, moreover, be situated in a healthy locality, and where it is possible, in a neighbourhood rich in natural beauties. It may be well to have it in the vicinity of a small town, where the necessary provisions may be had, and intercourse conveniently maintained with the inhabitants. It is needful, also, to have asylums in proximity to large cities. Under no circumstances, however, should an asylum be built within the precincts of a city."

**Land.**—The instructions and suggestions of the English and Scotch Commissioners in Lunacy are very definite as regards the amount of land necessary for an asylum.

"The land belonging to the asylum should, when practicable, be in the proportion of not less than one acre to four patients, so as to afford ample means for agricultural employment, exercise, and recreation; and should be so situate as to offer facilities for any extension which may be deemed necessary at a future period."\*

The Association of Medical Superintendents of American Institutions for the Insane† have unanimously proposed "that no hospital for the insane, however limited its capacity, should have less than 50 acres of land devoted to gardens and pleasure grounds for its patients. At least 100 acres ought to be possessed by every State hospital or other institution for 200 patients."

This proportion of one acre to every two patients is recommended for adoption in this Colony, instead of the minimum of one acre to every four patients, suggested by the British Commissioners.

Taking into consideration the comparatively low price of land in New South Wales, and the immense advantage accruing to an asylum from extensive grounds, which, if not under cultivation, may serve for recreative purposes,—and also the desirability of possessing woodlands, to furnish shade in summer and opportunities of tasteful improvement,—it will be apparent that less than two acres per patient will not suffice.

The full amount which will be required for the institution according to its estimated eventual extent, should, if possible, be acquired at once. It might either be cultivated by the patients in the institution, if sufficiently numerous for the purpose, partly cultivated by hired labour, or let on short lease till the number of patients was sufficient to work it; but as much as possible of it should be brought under cultivation, and vegetables, fruits, root or cereal crops, grown according to the nature of the soil, the wants of the institution, and the capabilities of the inmates. The more an asylum is self-supporting in this respect, the greater will be the economy of expenditure.

By means of a farm in connection with the asylum, the vegetables, fruit, and milk required, may be obtained at a less cost than they could otherwise be procured; and although growing for sale is seldom found so profitable as growing for consumption, the labour of the inmates may sometimes be profitably employed in the production of supplies for the market, and thus contribute materially to defray the expenses of the institution. All authorities are agreed as to the beneficial effects of field and out-door labour, upon almost every form of mental disease; not only is the bodily health of the patients improved by constant occupation in the open air, but the life opens to them a wider portion of the world, with freer movement and more active employment of the faculties. Agricultural work is, in fact, in many cases, a necessary part of treatment, and, as such, may be justifiably carried on to some extent if no profit results, or all the labour employed ends in some loss. Experience has shewn that many patients who have been previously unaccustomed to country avocations, engage in them with pleasure and advantage.

It has been calculated that the labour of the insane is only equal to one-fifth of that of the sane, so that 100 patients are equivalent only in 20 healthy field labourers. In most asylums there will be found 1 inmate in every 5 suitable for field labour, so that in an asylum of 500 patients there will be about 100 inmates capable of such employment. But if it is supposed that only half this number can be so employed, it will be equivalent to the constant labour of 10 healthy men; and what these are capable of effecting in agriculture and horticulture, can be estimated by all those conversant with the matter.

**Separation of Acute and Chronic Cases.**—The question whether it is better to erect asylums which shall contain both acute and chronic cases, or whether a distinct asylum shall be erected for each class, cannot be answered in a general way. The solution of this, like many other practical questions regarding asylums, depends very much upon the population of the district, upon the nature of the existing buildings, and upon the special aims which it is intended to combine with their erection, (*e.g.*, clinical instruction).

It

\* See Appendix A, Nos. 1 and 2.

† See Appendix A, No. 3.



It has been proposed, in a prior part of this Report, that, under certain conditions, Tarban Creek should be temporarily retained as a residence for the insane; and if so retained, the nature of the building is unquestionably more fitted for chronic cases than for those demanding active treatment. But this is only a more or less temporary expedient, and should not be allowed to interfere with the arrangement for the future asylums of the Colony.

Where a large medical school exists, and clinical instruction is given upon mental disease, it may occasionally be advisable to erect a small asylum, mainly devoted to acute cases as affording better illustration for the teacher, in connection with or within easy access of the general hospital of the district. But the study of mental disease is at present so far a specialty that chairs of psychological medicine exist only in a few of the larger medical schools in Great Britain, and such a chair must be so very far in the dim future in this Colony, as to place it altogether out of consideration.

The question of population has an important bearing on this subject. Wherever a large population is crowded within a small space, and two asylums can be made fairly accessible to the whole population of the district, the greatest argument against the separation of acute and chronic cases ceases to exist.

The population of London or Paris, as well as some of the more populous parts of Lancashire and Yorkshire, furnishes a greater number of insane than can with advantage be placed in one asylum. Two asylums are therefore necessary, and, as each of these can be placed within easy reach of the entire population to which they belong, one may be constructed mainly for chronic, and the other for acute cases, if it is found advantageous on general and pecuniary grounds to do so, instead of making each fitted to contain both classes. The Commissioners in Lunacy long since recommended separate asylums for each class for the London Metropolitan Districts.

In New South Wales the population is a remarkably scattered one. Even the district in which Sydney is situated cannot be considered as thickly populated; and any asylum established in Sydney, even should up-country asylums be instituted, must serve for a very large extent of country—an extent so large that it would be on the whole advisable to divide it into two, and place an asylum in each, rather than to establish two asylums, one for acute and one for chronic cases, near Sydney itself.

It will be seen that neither the nature of existing buildings, the requirements of clinical teaching, or the population of the district, necessitate the establishment of separate asylums for acute or chronic cases; and the balance of the argument, as has been already seen in a prior part of this Report, is so strongly in favour of asylums to contain both classes of the insane, that any separate provision cannot be recommended. Every asylum should be expected to contain both acute and chronic cases—and the nature of the buildings, the staff of attendants, and the general arrangements, should be such as to meet the needs of each class.

**Size of Asylums.**—The limits to be fixed on the size of asylums, the number of inmates who should be kept in one institution, under one medical supervision and treatment, and fed by one commissariat, is a question to be settled before the construction is resolved upon.

The recorded opinions of commissioners, superintendents, and inspectors, long practised in the management and arrangement of these institutions, will help to furnish a reliable opinion in this matter.

The English Commissioners of Lunacy are of opinion that an asylum to contain 400 to 500 patients is the best size; but that, on an emergency, they may be enlarged to contain 600 to 700 patients, without sacrificing the special characters which all modern asylums should possess. When there are more than 700 patients, the expenses increase, and all individual treatment vanishes. The superintendent can only know the patients *en masse*, and not individually, and the establishment grows out of effective supervision, although the number of attendants may be increased. This opinion may be found in the reports of the Commissioners, again and again stated during the last ten years. Thus, in 1857, they state—

“It has always been the opinion of this Board that asylums beyond a certain size are objectionable. They forfeit the advantage, which nothing can replace, whether in general management or the treatment of disease, of individual and responsible supervision. To the cure and alleviation of insanity, few aids are so important as those which may be derived from vigilant observation of individual peculiarities; but where the patients are so numerous that no medical officer can bring them within the range of his personal examination and judgment, such opportunities are altogether lost, and amid the workings of a great machine, the physician, as well as the patient, loses his individuality. When to this also is added, what experience has of late years shewn, that the absence of a single and undivided responsibility is equally injurious to the general management, and the rate of maintenance for the patients in the large buildings has a tendency to run higher than in buildings of a smaller size, it would seem as if the only tenable plea for erecting them ought to be abandoned. To the patients, undoubtedly, they bring no corresponding benefit. The more extended they are, the more abridged become their means of cure; and this, which should be the first object of an asylum, and by which alone any check can be given to the present gradual and steady increase in the number of pauper lunatics requiring accommodation, is unhappily no longer the leading characteristic of Colney Hatch or Hanwell.”

In

In 1863 they write—"The difficulties attending the management of asylums containing large numbers of patients, has been repeatedly stated by us, and they continue to be matters of constant experience. In such asylums the careful treatment of individual patients is next to impossible, a proper supervision of attendants is extremely difficult, and the working expenses are generally increased." And again, in 1867—"For every instance of an asylum above the middle size challenging praise, there are, unfortunately, several instances of the opposite kind to be adduced."

The Scottish Commissioners are equally opposed to large asylums. They consider that no asylum should contain more than 350 patients; that the individual treatment of a larger number is impossible; and that cost increases with anything above that number. These opinions they repeatedly express in their various reports.

In 1852 the Association of Medical Superintendents of American Institutions for the Insane unanimously agreed, that "the highest number that can with propriety be treated in one building is 250, while 200 patients is a preferable maximum"; but as the principal asylums in the Eastern States were gradually increased in size to meet the wants of the population, no marked inconvenience was found to result from the congregation of a larger number in one building; and a further expression of the opinion of a majority of the members of the Association on this subject is to be found in a resolution passed at the meeting of the Association, held at Washington in 1866, rescinding that above stated, which is as follows:—

"The enlargement of a City, County, or State Institution for the Insane, which, in the extent and character of the district in which it is situated is conveniently accessible to all the people of such district, may be properly carried to the extent of accommodating 600 patients, embracing the usual proportions of curable and incurable insane in a particular community."\*

The opinions of authors, both English and Foreign, are at accord on this subject. M. Ferrus, one of the Inspectors of Asylums in France, says, in his book entitled "*Des Aliénés*,"—which is quoted at second-hand from Dr. Arlidge's work,†—"An asylum for the treatment of mental disorder ought not to contain above 150, or, at most, 250 patients; but one having a mixed population of cases requiring treatment, of incurables and idiots, may receive 400 or 500 such inmates, provided the physician is afforded sufficient medical assistance."

M. Parchappe, lately Inspector of Asylums in France, says—"After taking every consideration into account, I think the minimum of patients ought to be fixed at 200, and the maximum at 400. Below 200 the economical advantages rapidly decline, without compensatory benefit; about 400, although the economical advantages augment, it is at the detriment of the utility of the institution in its medical character."‡

M. Guislain, the eminent Belgian authority, in his large work on insanity, which is quoted by Dr. Arlidge, says—"It would be absurd to bring together, in the same place, a very large population; it would tend to foster an injurious degree of excitement, would render the management difficult or impossible, would destroy the unity of plan and neutralize all scientific effort. The maximum number ought not to exceed 300 or 350 insane persons."

Dr. Jacobi, in his Treatise on Asylums, which has been translated into English by Dr. Kitching, of the York Retreat, says—"I am convinced that the number of patients should never exceed 200." He is, however, speaking of asylums for acute cases only.

Dr. Arlidge, in his work on the State of Lunacy, mentions the opinions of Roller and Damerow—two of the most eminent of German alienist physicians—on this subject, both of whom consider that asylums for acute cases should be limited to 250, but that those for both acute and chronic cases may admit from 450 to 500 inmates, but no more, and at p. 118 states his own opinion that 600 "represents the maximum which can economically, and with just regard to efficient government and supervision, and to the interests of the patients, be brought together in one establishment."

These authoritative expressions of opinion might, were it necessary, be supplemented by others from different sources. It will be seen that all agree in condemning large asylums, but that some difference of opinion exists as regards the preferable number for maintenance in one establishment. The English and Scotch Boards of Commissioners, and the Association of American Superintendents, all of whom must be understood as speaking of ordinary asylums to which all the insane (curable and incurable) of a district are to be sent, name respectively 500, 350, and 600 as a limit to which the size of asylums may extend. And the eminent Continental authorities, whose opinions have been cited, mention from 350 to 500 as the size for an asylum into which both acute and chronic cases are admitted; and 150 to 250 as the preferable number for an asylum which shall admit acute cases only. The opinions of the superintendents now in charge of both British and

\* See Appendix A, No. 3.

† *On the State of Lunacy*: By J. T. Arlidge, M.D., A.B. London, 1859.

‡ *Des Principes à suivre dans la Fondation et la Construction des Asiles d'Aliénés*. Paris, 1853.

and Continental asylums vary as regards the exact size to be adopted, but agree in the main with those expressed above—in a few instances only is a different opinion expressed. Dr. Robertson, a man of abundant energy, who unites the joint editorship of the *English Journal of Mental Science* with the most admirable management of a county asylum for 600 patients, considers that an asylum for mixed cases, in such proportion of acute and chronic as is generally found in English county asylums, may be enlarged so as to contain 700 or 800 patients and yet work economically, smoothly, and well, with every necessary care for the medical and moral treatment of the patients; and Mr. Holland, of the Prestwich Asylum, Manchester, and Dr. Howden, of the Montrose Royal Asylum hold the same opinion.

The admirable order and system which pervades everything in the Prestwich Asylum, which itself contains 1,000 patients, entitles Mr. Holland's opinion to every weight and consideration; and all who have seen the Montrose Royal Asylum, and talked on asylum management with its superintendent, will feel that his opinion is one well worth earnest thought; but it may be doubted if these opinions are not the expressions of individual and self-conscious power. The talent and powers of administration possessed by a few individuals are no argument in considering the general question of asylum system, and of little value in fixing a limit to the proper size of asylums.

Weighing well all the opinions of eminent men on this subject, and the arguments with which they are backed, and judging from personal inspection of existing asylums, the opinion may be expressed that from 400 to 500 is the preferable size for an asylum, and that 600 should never be exceeded. The asylums which are working smoothly and well, with every care for the treatment of patients, and effective supervision, are, as a rule, below this number; and the table in a prior part of this Report in which the population and weekly maintenance rate of the English institutions is given, will shew that, for economical reasons, from four to five or six hundred is the preferable number. The maintenance rate generally increases when the population is below or above it.

One argument alone exists for large asylums in England. Where the officers are not appointed and paid by the Central Government, the salaries of superintendents and other officers will always bear a certain proportion to the number of inmates, on the broad principle of increased remuneration for increased work. If all asylums were of fixed size, the salaries of officers would be about equal, and afford no temptation to the best men in the medical profession to undertake the special study of psychological medicine. At present some variation in size exists, and to the larger ones are attached salaries which serve as the prizes of the profession, to be bestowed on men of special energy and talent. In a large asylum system, such as exists in England, such men will always be found; and such appointments in greater or less number, should await them, if psychological medicine is to hold its ground, and enlist in its service the master minds of the medical profession. The Commissionerships in Lunacy are too few to meet the requirements of this sort, and half of them are open to a sister profession.

This argument, however, has little weight where the asylums are under the immediate direction of the State and the superintendent is an officer of the Civil Service, since advance of salary may be made to depend on length of service and other conditions, and promotion consist, not in removal from a small to a large asylum, but from one rate of pay to another.

#### CONSTRUCTION.

To make the lunatic as much "at home" as possible,—to make the household arrangements of an asylum resemble those of a large private dwelling-house, so far as is consistent with salubrity of structure, economy of expenditure, and facility of supervision and management,—should be the leading principle in the construction and internal arrangements of asylums.

The corridor plan, with its enforced imitation of the old monastic life, utterly foreign to that pursued by all classes in our day, might on that account alone be fairly rejected, but it has other disadvantages which make it strongly objectionable as a form of asylum construction. The building being closely massed, and the wards and corridors opening one into another, the air of one ward will, however perfect be the ventilation, mix with that of others, and, in the event of infectious diseases attacking any of the patients, the whole number will thus be rendered liable to infection. Ventilation is difficult, for although the windows may be placed opposite to each other, the walls dividing the small rooms from the corridor prevent free currents of air, even when every possible arrangement is made for its ready passage. Elaborate systems of artificial ventilation are therefore necessary, and with this the air is often stagnant. The expense of construction, if the corridor has rooms on one side only, is great, from the long stretch of roofing, &c., which is necessary; and it is fully equalled by the expense attending the artificial ventilation which is absolutely essential, when the rooms open from both sides of the corridor.

The "house" plan, from the fact that the buildings are all under one roof, possesses some of the disadvantages of the corridor plan, but its superiority in most respects to it has been already pointed out. For small asylums, which are not intended to contain more than 200 patients, this plan may be adopted with advantage, and for the central or main building of a large asylum is, perhaps, better than any other; but a large asylum, built entirely on this plan is decidedly objectionable, as bringing too many individuals under one roof, and exposing them to chances of infection, as well as for other reasons.

The cottage plan is the mode of provision for the insane which approaches in its arrangements the nearest to the ordinary home life of the sane; but there are objections to it for a large asylum, which are almost insuperable. These objections are—

- 1st.—The space over which such an asylum must extend, rendering the supervision extremely difficult.
- 2nd.—The difficulties of serving the food to buildings, some of which must necessarily be distant from a central kitchen. (The proposal made by one of the advocates of this system, to do away with the main kitchen, and place small kitchens in every cottage, can scarcely be seriously entertained; and the collection of the patients in a central dining-hall would be attended with some difficulties, owing to the scattered nature of the buildings.)
- 3rd.—The increase in the number of attendants necessary, since it is indispensable for proper asylum management that a number of patients should, except in some special cases, be under the charge of two attendants, one of whom should be always with them. If two attendants are to be placed in each cottage, the number of attendants must be very large, or the cottages made large enough to contain from twenty to thirty patients, and so lose much of their character.

The cottage plan is then not suitable for a large asylum, but should always have a place in an asylum system. What that place is will be subsequently indicated.

The modification of the cottage system which has been adopted at the Essex Asylum is, in most respects, admirably suited for a small asylum for from 100 to 200 patients; but it is not fitted for an asylum to contain more than that number. The size of the cottages, and their communication by a covered way, do away with some of the most cogent objections to the cottage system, and the facilities for the gradual enlargement of an asylum composed of such cottages, according to the growing requirement of a city or district, render it peculiarly well-suited for places increasing in population.

The pavilion, or block plan, is more calculated to fulfil all the requirements necessary for the care and treatment of a large number of the insane in one asylum than any other. The principles of hospital construction which have been laid down by Miss Nightingale, and which are subscribed to by the most eminent authorities on this subject, apply, though with diminished force, to hospitals for mental diseases. The pavilion plan is avowedly the best in a sanatory point of view. The ventilation is comparatively easy, and the facilities for future enlargement great, and that it can be made to serve for the peculiar requirements of the insane, is proved by the asylums of Auxerre, St. Anne, and Ville Evrard in France, which appear to work smoothly and well. The general quiet of these asylums seems much promoted by the complete detachment of the various sections. Objections have been raised to the pavilion or block plan on the score of expense: 1st, in the additional amount of land required, from the fact that the buildings are spread over a larger area; and 2nd, in inherent costliness of structure. The first objection can have little weight in New South Wales; the second is more or less groundless. The Herbert Hospital at Woolwich has certainly cost upwards of £400 per patient; the Lariboisière at Paris has been equally, if not more costly; and the three new asylums for the Department of the Seine, St. Anne, Ville Evrard, and Vacluse, have cost on an average £300 per patient; but at these institutions no expense has been spared, and there has been a lavish expenditure on matters of detail. That it is possible to erect a building on the pavilion principle at a moderate cost, which shall fulfil all the requirements of a good hospital, is proved by the existence of the Pauper Hospital at Chorlton-on-the-Medlock, which has cost less than £60 per head; and there is no reason to believe that a similar building, with all the accessories necessary for the treatment of the insane, would be very much more costly.

The objection made to the pavilion plan,—that the buildings would be so distant one from another as to render supervision difficult if the asylum is large—has more weight. In a linear arrangement of the pavilions, this would be specially the case, but with the buildings placed in echelon or square, they may all be brought within convenient distance, and the difficulties of supervision rendered little more than in an ordinary asylum on the corridor plan. These difficulties may be still further diminished, by placing the accommodation for recent cases close to the administrative or central block, maintaining the principle of isolation by an arcade of two or three arches, and attaching the block for the sick to this in the same manner. These two divisions should be as close to the rooms occupied by the resident physician as possible.

Asylum construction must depend somewhat on the classification of the patients which is considered necessary, and this subject is discussed in a subsequent part of this Report. The classification there recommended is into—

- 1st.—Recent cases.
- 2nd.—Sick and infirm.
- 3rd.—Violent and noisy.
- 4th.—Ordinary patients.

Whilst the idiots are completely separated from the other inmates, and form a 5th class.

The number of divisions which are necessary in an asylum varies with its size. In an asylum for 500 patients, at least six divisions for each sex are necessary; and in this case, the "ordinary" patients may be placed in two divisions; but with a smaller number, three or four will suffice; the "recent" and "ordinary" cases, being amalgamated or not. Thirty to forty patients are a sufficient average number for each division.

For a small asylum, the maximum population of which is never to exceed 200, the modified cottage plan (which may be understood by a reference to Appendix G, Nos. 10 & 11), is the one to be most recommended.

For

For an asylum built originally for 150 or 200 patients, but intended for enlargement, so as eventually to contain 400, the "house" plan (see Appendix G, Nos. 4 and 5) or the pavilion plan are most fitted for the original structure. If the pavilion plan is adopted, the pavilions should be placed close to the administrative block, and connected with it by a short arcade. All subsequent enlargements should be on the pavilion principle, and consist of detached blocks; and the original building which at first contained all the patients, will serve to contain the recent cases and sick only, with perhaps a few others as the asylum grows in size.

For an asylum built originally to contain 500 patients in six divisions, the pavilion or block plan may be mainly adopted, and supplemented by cottages; or plans may be so modified as to embrace the "house," pavilion, and cottage plan, blended into one harmonious whole, as in the New Surrey Asylum (see Appendix G, Nos. 12, 13, & 14).

If the three plans are combined to form one asylum, the two classes who require most constant care and attention (the sick and the acute cases recently admitted), should be placed in the part built on the "house" plan, which will be under one roof with the administrative department, and so within easy access of the resident physician.

The ordinary patients and the violent class may be placed in detached blocks, two or three in number for each sex; and the small asylum town thus built, be supplemented by cottages for the idiotic and convalescent patients. The reasons for separating the idiots as a class from the other patients are mentioned in the section of this Report treating particularly of this class.

The cottage plan is particularly fitted for patients of good education, who are superior to the ordinary inmates of the asylum wards, though reduced by poverty, either prior to or as a consequence of their malady, to the same level. It adds vastly to their comfort to separate them from the other inmates, and the cottages serve also for convalescent and quiet patients, for whom the more strict discipline of an asylum is not necessary. For convalescent patients also, the association with sane people is very beneficial, and they by this means are allowed greater liberty, and are enabled to resume gradually their accustomed life, instead of passing at once from the asylum ward and its artificial existence to the realities of actual life abroad.

The special block for violent and noisy patients, which should be the smallest division of the house, should have connected with it and opening from it, a one-storied building, capable of containing four or five patients. It should consist of corridor and single rooms, and should have one or more small airing courts, opening either from the corridor or the rooms.

**Number of Floors.**—It has been laid down as a principle of hospital construction, that a pavilion should consist of two floors only. How far this is really important as regards hospitals it is difficult to determine, but the reasons which are assigned for such an arrangement have little or no weight in the question of asylum construction; and the experience of English and Foreign asylums shows that, if the upper stories are used as sleeping-rooms only—if the patients leave them in the morning and return to them at night—a third story may be both healthy and convenient, and the cost of construction will certainly be less. Both the English and Scotch Boards of Lunacy have decided that three stories may be used, if the uppermost story be devoted to sleeping accommodation. For many reasons, it is undesirable to add a fourth; and so far as is known no modern building with a fourth story has been erected. With two stories only, ventilation is more easy, since the upper room containing the sleeping accommodation can always be more or less effectively ventilated through the roof, by means of some one of the contrivances for this purpose; but the question as regards the number of stories in an asylum must depend chiefly on the uses to which the rooms on the ground-floor are applied. If the ground-floor is to be divided into day-room and dining-rooms, and so the patients occupy only half of it at once, the number for which it will serve will not be greater than can be contained in one dormitory floor; but if the dining-room accommodation is provided elsewhere, as is advocated in a subsequent part of this Report, the space for sitting or day-room accommodation will be doubled, and made sufficient for the number of patients who can be accommodated in two floors built over it. The space required for sitting and day room accommodation in asylums is reckoned to be about half that required for the night, because the patients are seldom all within doors except at meal times, when they occupy the special dining-rooms, and in the evening, when the common amusement room is frequently in use and relieves the day-room, which might without it be too crowded.

The material to be selected for asylum construction may fairly be that which is most readily procurable, so long as it is durable and not porous. The driving rain which is common in New South Wales tends to make all buildings constructed of porous material damp and unhealthy. Brick or stone equally serve the purpose, but the latter is capable of more architectural effect; and, as asylums should be made as pleasing as possible in appearance, should certainly be selected where there is little or no difference in the cost. The sandstone upon which Sydney stands—which is procured without great expense and worked with ease, and of which almost all the buildings in the city having any architectural pretensions are built, would be an excellent material for an asylum; but there can be no objection to variegated brick, the effect of which is often extremely pleasing. So long as the windows are of large size, the particular style may fairly be left to the architect entrusted with the planning of the building.

*Water*



**Water Supply.**—A full supply of pure water is an important requisite in an asylum, and no site should be chosen where this cannot be obtained.

If the asylum be near the town, the town supply will be found cheaper, and altogether more convenient than any other arrangement; but when at a distance, the supply from a well or spring, especially if this is close to the buildings, is the best method; since the steam-engine, which will always be necessary to pump and fill tanks, may be made to serve other purposes also, as turning machinery, either at the laundry or farm buildings; whilst the boilers which supply it may be used also for heating hot water for baths and lavatories, the kitchen and laundry\*.

No supply from a running stream should be used without careful filtration; and if water is procurable in any other way, surface drainage should not be resorted to, since with this method in use, high farming is almost impossible, without running risk of dire illness to the inmates, from animal poison contained in the water.

The quantity required for the use of an asylum, even when earth-closets are used, is not less than 15 to 25 gallons per head, per diem†.

Professor Parkes, in his treatise on Hygiene, states that 16 gallons per head per diem, at least, are required for cleanliness by people who are in good health, and 38 gallons per head for hospital use—and gives the following tables:—

“From Professor Rankine (*Civil Engineering*, 1862, page 731):—

	Gallons per head, per diem.		
	Least.	Greatest.	Average.
Water supply in towns—			
Used for domestic purposes.....	7	15	10
Washing streets, extinguishing fires, supply- ing fountains, &c. ....	3	3	3
Allowance for trade and waste .....	7	7	7
Total in manufacturing towns.....	17	25	20
Additional demand in manufacturing towns	10	10	10
	27	35	30 ”
	—	—	—
			Gallons.
“Hospital supply—			
For cooking, including cleansing of kitchen .....		2	— 4
For personal washing and baths .....		18	— 20
For laundry washing.....		5	— 6
Washing and cleansing of hospital and utensils .....		3	— 6
Water-closets .....			10
		38	— 46”
		—	—

The instructions of the English Commissioners on the subject are (see Appendix A), “that there should be a constant and ample supply of good water, of which a careful analysis should be made, with a view to determine the proper materials for pipes and reservoirs, and also in order to ascertain its fitness for the purposes of drinking and washing. The quantity, exclusive of rain-water, should at the driest season be not less than 25 gallons per patient, per diem, and the amount should be accurately gauged.”

On this particular, the Scotch Commissioners are not in accord with their English brethren, and suggest 40 gallons per diem as the allowance for each patient, exclusive of rain-water.

The Association of American Superintendents suggest (see Appendix A) 10,000 gallons for 250 patients, or 48 gallons per diem each.

Any unnecessary number of tanks should be avoided. If the supply is from the town they may be done entirely without; but in any other case, one or two large tanks will be necessary, and these may be placed, either separate from, or in the roof of, the building. If the building is on the block plan, a separate tank may be provided for each block; but if not, the experience of some of the best of English asylums seems to shew that minor tanks are unnecessary.

Rain-water should be carefully collected, especially in New South Wales, where water is scarce, and carefully stored in a separate tank placed over or near the laundry. If good-sized underground tanks are made, and the rain-water carefully collected from all the buildings, no small part of the amount necessary for the asylum supply may thus be obtained.

The

\* At the Montrose Asylum two large steam-boilers are placed in a detached building; they serve to heat the air for warming the house, and the water for kitchen, laundry, and general house use, as well as drive two engines, one at the asylum, and the other at the farm buildings close by. One engine pumps water from a well, sewage from a tank, and hot water to the top of the ventilating towers, and can also be made to send water through hydrants in case of fire. The engine at the farm drives thrashing-machine, chaff-cutter, &c.

† At the Gloucester Asylum, where water is from the town supply, 15 gallons per head serves all purposes; at the Leicester Asylum it is under 10; at the Prestwich and Montrose it is about 40.

The expense attending the erection of fireproof arches, iron doors, and other contrivances to render asylums fireproof, has led to their almost universal disuse; and considering that they are at best only a doubtful expedient, their use cannot be recommended. Reliance should be placed mainly on hydrants, for which proper hose should be kept always at hand, placed both outside in the grounds and inside on the staircases. These should be connected both with the ordinary water supply and with the tank; and where a steam-engine exists, the pipes should be so arranged that the water may be played by steam power.

Fire drill, at which attendants and patients should assist, should be practised at fixed intervals, and the hose and other appliances kept always in order.

In asylums in which force of water sufficient to play the hose cannot be obtained, ordinary hand fire-engines should be kept at the asylum, and the patent contrivance called "L'Extincteur" may be also kept at hand.

In a central and convenient position, in both the male and female sections of an asylum, should be placed a general bath-house. In this there should be such bathing arrangements as will serve for all purposes of cleanliness and treatment. For cleanliness, something much simpler and cheaper, and quite as effective as the ordinary baths with their expensive fittings, may be arranged. A fair-sized room, with slate or cement floor, fitted with stools for the patients to sit on, and foot-pans, supplied with water of different degrees of heat, will serve all purposes. The patients can use the foot-pans, sit on the stools and be well soaped, and finally washed by the attendants, by means of hose of small size fixed to the water-taps. This plan of washing is used to some extent at the Sussex Asylum, the water being dashed over the patients by means of bowls; and in a new bath house at the New York City Asylum, it is proposed to fit up a room for this purpose. It is certainly more cleanly than the ordinary bath, where the same water is used for several in succession, and will take less water than it, if fresh water is used for each one.

For treatment, ordinary baths will be necessary, but one or two will suffice in the general bath-room, instead of one to twenty or every thirty patients, which is the necessary proportion when they are used for purposes of cleanliness as well. A shower-bath is useful in certain cases, but one for each sex will be sufficient. The Turkish-bath has been found extremely useful in the treatment of various forms of insanity. Both these should be placed in the bath-house.\* A fixed bath will be necessary in the division for the more excited class of cases, since it is frequently undesirable to move them from their special section of the asylum; and one, either fixed or movable, for use in the infirmary.

The ordinary bath-rooms should have cemented floors, over which gratings should be placed for the attendants and patients to stand on. The baths should be fixed in such a position as will allow the attendants to walk all round. The best material appears to be Rufford's Stourbridge fire-clay, which is used in most English asylums recently erected and in numerous public baths, is comparatively cheap, lasts longer than metal or slate baths, and requires no repair. The chief points as regards fittings are, that the taps should be so placed that they may always be under lock and key, and an arrangement by which the openings for the admission and discharge of the water vary slightly in their level, is preferable to one which allows one opening to serve both purposes, for in the latter case, the deposits which take place in the pipe are pretty sure to be returned in to the tub when the next bath is drawn. By drawing a little cold water in each bath before the hot is admitted, vapour is prevented in the room. Covers for the baths are unnecessary. If a movable bath is used for the infirmary, it should be of galvanized iron or zinc, on wheels.

The lavatories should be placed on each story; one on the ground-floor, for day use; and one on each upper story, for use in the morning. The basins, exclusive of those in the dormitory wash-stands, should be in the proportion of about 1 to every 10 patients; but if wash-stands are not provided in the dormitories, the proportion should not be less than 1 to 4 or 5. The simpler the lavatory fittings can be made, the better. Earthenware basins set in holes in wood or slate slabs, (the basins to be emptied into a trough beneath, through the hole in which they stand, or some such simple arrangement,) are all that is needful or desirable for the quieter wards. For the more excited patients, the basins should be fixed, and the pivot plan, in which the basin cannot be removed, and can be readily emptied, is perhaps the best. Cold water should be laid on to each lavatory. Hot water is certainly not necessary in the climate of New South Wales. The taps over the basins should be as simple and inexpensive as possible; and the entire water supply to each lavatory range should be under the command of an attendant's key, so as to prevent waste of water, or the use of the lavatories by the patients except at fixed times.

A sink should be placed in a small closet near each lavatory, and water should be laid on. In this closet should be kept all brushes, &c., used for cleaning the rooms.

In this arrangement, hot water will be required for the common bath-room, and for the baths in the division for excited and the sick and dirty patients; and it should also be laid on to the sinks in these divisions, since it will be necessary for cleaning purposes in both. The way in which this can best be supplied will depend very much upon the position of the buildings. For the common bath-house, the furnace may be placed in or near it, as in the French asylum; and for the baths and sinks for the excited and infirmary division, small separate boilers may be fitted in each, as at Meerenberg, where the water is heated by gas, which serves also in the infirmary for minor cookery; or all may be supplied by pipes from the kitchen or laundry. It will be seen that, by the use of general baths, the amount of piping both for supply and discharge of water is much lessened.

Drainage.

\* For a plan of a general bath-house to serve both for purposes of cleanliness and treatment, see Appendix F, Fig. 15. On one side of a central passage, is a dressing-room, and a washing-room fitted with foot-pans, douches, and a shower-bath; on the other, a dressing-room, an ordinary bath-room containing two baths, and two rooms fitted for the Turkish-bath.



**Drainage.**—In reviewing the systems of sewage which are used in Europe and American institutions, and in considering which is most applicable to the Colony of New South Wales, one is led irresistibly to the conclusion that the dry-earth system is that most calculated to answer in this country, where the climate is hot, the water supply is scanty,\* and such fittings as are required for a complete system of water-closets costly. The experience which has already been gained of the dry-earth system at the Parramatta Asylum is entirely in its favour. It has, so far, answered admirably in the institutions in which it has been tried in England; and the opinion of authorities on sanitary matters in India is strongly in its favour, as applicable to barracks, hospitals, and public institutions, as the following extract from an elaborate report on the dry-earth system of sewage, made to the Madras Government by the Sanatory Commissioner of Madras, will shew. "The Quartermaster General, in a letter to the Secretary to Government, dated October 19, 1864, says,—'The efficiency of the system, after being largely tried in hospitals and gaols, is reported to be attested by, it may be said, the whole service, there being scarcely a dissentient voice.'"

The Sanatory Commissioner, Madras, in May, 1867, expressed to Government an opinion that "It is no exaggeration to say that, wherever large numbers *under control* are congregated, Mr. Moule's system of conservancy has been entirely successful, and that it is so far a great public benefit," and "as in many stations in India a good system of drainage and water supply are both deficient, Mr. Moule's system of dry-earth sewage is the best means available for our barracks, hospitals, gaols, and other public institutions."

The following additional opinion is from the proceedings of the Sanatory Commissioner for Bengal, August, 1867:—

"When properly carried out, it (the dry-earth system) may be considered as near perfection as any form of conservancy as can be."

The dry-earth system is extensively used for private houses in country situations in England, with the greatest success. With this evidence, and with a full consideration of the climate and water supply of New South Wales, there need be no hesitation in suggesting that the dry-earth system should be adopted for the entire sewage of asylums, including the rooms occupied by the officers of the institution. The closets should be, as a rule, placed outside the buildings, and detached from them, but reached by a covered walk, and so arranged that the excreta can be easily removed by means of a cart brought close to the back of the closet; but for the infirmary, and for each dormitory flat, there should be one or two placed in a projection, admitting of cross ventilation; and a window should be placed over each seat. These closets should be, on the ground-floor, in number about 1 to every 15 or 20 patients. The walls should be cemented, and made as non-absorbent as possible. The divisions between them should be of slate; and the pavement of asphalt or stone, oiled or waxed boards, or some other material which will not absorb moisture. The seat should be of wood, and the closet self-acting; the earth being discharged into the pan on the person using it rising from the seat. The pans should be of porcelain or iron, and of moderate sectional area. No water should be used. The privy pans must be cleaned and scoured with dry earth; the floor dusted with dry earth, and swept. Upon these conditions being complied with, and upon an attention to a number of minor details not necessary to mention here, the success of the dry earth system depends.

The mixture of earth and excreta, called "poudrette," may be either stored at some distance from the building, for future use, or used at once, so long as it is not applied as surface dressing, but ploughed in and covered with a few inches of soil. If applied as top dressing, the sun exhausts its fertilizing properties. Water causes decomposition.

The earth system should be also, if possible, applied to urinals; but the amount of earth required to saturate the urine passed daily by each individual, which has been estimated by the Sanatory Commissioner for Madras at 30 ounces, is very large—not less than 7 lbs.† The labour of digging this quantity of earth, bringing it to, and removing it from the urinals each day, would be enormous, and such as is considered "practically to amount to a prohibition of its use."

As, however, by using the dry-earth for the more solid excreta, there will be no system of drainage-pipes established in the institution, it is impossible to think of introducing it for urine only; and it remains either to apply the dry-earth system to urinals, notwithstanding the labour it will entail (a matter which is not so immediately important in asylums as in other institutions), as has been done in the military male orphan asylum Madras, or adopt some other system.

In the Report of the Sanatory Commissioner for Madras, before quoted, large tins—metal vessels capable of being screwed up and made air and water tight—are recommended to receive the urine, which should be deodorized by the admixture of 6 per cent. of M'Dougall's disinfecting powder, which contains carbolic acid in association with sulphurous acid, lime, and magnesia, or by 3 per cent. of carbolic acid itself. These tins may be fairly tried as an experiment. They should be placed under a porcelain urinal pan, fitted in a separate compartment, built in the same manner, and adjoining both the outdoor and indoor closets. Into the one placed indoors the contents of the  
bedroom

\* At Netley Hospital, Jennings's Closets, which require a good deal of water, take 10 gallons per head, daily. Professor Parkes, *Practical Hygiene*.

† The quantity required for deodorizing the excreta passed in the closet is found to be 2½ lbs. per individual per day.

bedroom utensils, both of the male and female side, should be emptied; and the tins, tightly screwed down, should be removed daily in carts, and replaced by others, in which a fixed proportion of disinfecting material should be placed prior to use. The urine, carted to some little distance from the asylum, should subsequently be mixed with earth and utilized. Urinals should be provided in the proportion of 1 to every 15 or 20 male patients on the ground floor.

It is essential that all closets and urinals should be lighted with gas.

If the dry-earth system is used for closets, and either this or the metal vessels with disinfectants mentioned above for urine, the entire system of pipes to convey water to the closets and urinals, as well as the sewers to carry off the mingled water and excreta, will not be needed, and the structure of the building, and the arrangement for drainage, much simplified.

There will still remain, however, the pipes and drains necessary to carry off the water from bath-rooms and lavatories, kitchen, sinks, and laundry. These various pipes may, according to the nature and level of the ground, or the position of the land under cultivation, all be made to converge to and enter one tank, placed at some little distance from the asylums, or several, placed in various parts of the garden and grounds, as at Quatre Mares, from which, after an admixture of deodorizing material or not, as may be found requisite, the contents may be distributed, either by a system of pipes or by other means, over the garden and farm of the asylum, and so every particle of water, with the fertilizing contents derived from laundry, sink or kitchen, will be utilized. On referring to a prior part of this Report, it will be seen that it is considered essential that all drainage matters should be used for irrigation at once, and not allowed to decompose in tanks or cesspools before being applied to the land. The pipes from the various sinks, lavatories, &c., should be trapped, either at once or before entering the main drain; and ventilating pipes for the drains may be fitted, as at the Herbert Hospital at Woolwich, where iron pipes pass outside the wall, from the bottom of each drain-pipe to above the roof of the building, and are there left open, so as to carry off all obnoxious gases high into the air; but the double-trapping, before entering the main drain, and close to the sink or bath, which is in use at this institution, is clearly not necessary, as the main drain will contain no ordinary sewage matters. Arrangements should be made by which the drains can be flushed at intervals. This is especially necessary in a warm climate; and the best method is that adopted at Broadmoor and other asylums, in which the contents of the tanks placed over the house can be rapidly started through the drains. With the arrangements for collecting all drainage in tanks mentioned above, the water so used will not be wasted; it will merely be discharged from one place and collected in another, and in its passage will have performed a useful service. Every care should be taken that the ground on which the asylum stands is fully drained; and if the site chosen be elevated, this will be sufficiently easy.

**Lighting.**—The requisites for an asylum window are—that it should light the room perfectly, that it should be the main agent in ventilation, that it should be safe, so as to prevent accidents to the patients or allow them to make their escape, and that this safety should be independent of bars or guards, which are quite inadmissible. After an attentive consideration of the various forms of windows in use in asylums, the double hung sash, with framework entirely of wood, made to open top and bottom, and chocked to 5 or 6 inches, seems to be on the whole the best form. Experience has proved its safety; it is one of the simplest and most inexpensive forms of window, and in several English asylums has answered every purpose. In a climate like New South Wales, where a very free opening of windows is necessary—the form of window in use at the Chester and Prestwich Asylums (see Appendix F, Fig. 9), in which the lower sash is made to open freely, but is fitted with a bolt by means of which it can be prevented opening beyond 5 or 6 inches, will be a decided improvement upon those permanently chocked top and bottom. And even freer ventilation, without any diminution in point of safety, may be secured by dividing the window into two parts, and fitting the lower three-fourths or four-fifths as a double sash, whilst the remaining part is made to open on a pivot horizontally. The French windows, when without bars, are decidedly less safe than the double sash, and are difficult to manage so as to regulate the amount of air admitted. The unchocked sash used in some American asylums necessitates bars or guards, and the special windows at Guislain's Asylum, though ingenious, are more complicated and less efficient for ventilation than the double sash. The size of the window and the proportion to wall space are more important in reference to ventilation than light, in a bright climate like New South Wales. If the windows occupy one-fourth of the wall space, they will be large enough for all purposes.\* They should, as far as possible, be placed opposite to each other, and extend to within a short distance of the ceiling, so as to ventilate the whole space of the ward. They should extend to within such a distance of the floor, in the day-rooms, as will allow of the view from them being seen by any one in a sitting position; and, as a general rule, in dormitories and single rooms, should not be placed more than 4 feet from the floor. The panes should be of medium size, not so large as to suggest to a patient the idea of escape through them when broken,

\* The opening for the windows at the additions to the Chester Asylum is 7 ft. x 3 ft. 9 in., and the panes 12 in. x 7½ in. Dr. Kirkbride, in his treatise on Hospitals for the Insane, suggests 5 ft. 6 in. x 3 ft. as a convenient size; it will give two sashes, each containing ten lights 5½ in. x 16 in.; and adds, that glazing should be done from the inside, especially in the upper stories, for facility of repair.

broken, or so small as to give a prison-like appearance to the room. Iron bars are quite unnecessary, and wire guards may also be dispensed with. The wall below the window, instead of being sloped or splayed, may be recessed to admit a seat, as suggested by the English and Scotch Commissioners.

If any associated dormitories are placed on the ground-floor, they should, for reasons of decency, be fitted with ordinary shutters, which may be made to fold against the wall when open, and fasten by a spring catch when shut. It will be necessary to provide shutters for the majority of single rooms wherever they are placed, and for these the best form appears to be that sliding from below, and made to lock, both when fully closed, or only three-parts so, so as to admit of some light and ventilation in the room.

Blinds will be necessary for almost all windows in this sunny climate, and it would be well if these were green or yellow, and if hangings of bright colour, which have an immense effect in making the room cheerful and homelike, were provided for all day-rooms.

The arrangement of windows for the infirmary need not differ from those in the other wards. The sash is one of the best forms, and if found insufficient alone, should be accompanied by some special ventilation. The form of window in use at the infirmary of the Sussex Asylum (see Appendix F, Fig. 7) is a very good one. For the rooms devoted to the more violent class of patients, the windows may be still of the sash form, the cross-bars of iron being set in a wooden frame; or the form in use at Murthly may be adopted.

\* In the two or three rooms used for temporary seclusion, the windows may either be placed high and out of the patient's reach, in the roof or wall, or at the ordinary level and protected by wooden shutters, sliding from below or from the wall at the side. A wooden shutter, perforated for light, may be used, or one fitted with windows of strong plate glass, which will permit the patient to see out.\* In all rooms used for seclusion, the windows should be made so that they can be opened or closed by means of cords pulled from the corridor outside the seclusion room. Wire guards and bars should be avoided, even in the room for the most violent patients.

Every asylum should be lighted throughout with gas, which is at once the safest, cheapest, and most effective mode of lighting. At all times of the year there are two or three hours during which the asylum wards must be lighted, since it is impossible to send the patients to bed at sunset, to pass a long and wearisome night in their dormitories; and every other mode of lighting an asylum is more or less inefficient and unsafe. The thorough lighting of an asylum has really a remedial effect. The few evening hours spent in well-lighted rooms, after the work of the day, are to most asylum inmates its happiest part, as they not unfrequently are in private homes. Any one conversant with asylum life knows that it is then that the indoor games provided—the chess, draughts, and cards—are chiefly played; and it is then that is heard music and singing, either in the day-rooms or in the special amusement room of the place.

If gas cannot be conveniently obtained from a company's works, it may be made on the premises without difficulty, at a cost which will render it cheaper than any other kind of illumination such as it is necessary to have in an asylum.

Some modifications of the ordinary modes of fittings will be necessary in the introduction of gas into an asylum. It appears advisable that pipes should be so arranged that the gas in each staircase and each set of rooms should be capable of being turned off separately, either by a tap in the basement of each division, as at New York Asylum, or by taps accessible only by a special key in the wards and staircases themselves, as at Murthly.

The lights should for the most part be placed so high as to be out of the ordinary reach of the patients. This may not be necessary in all the wards, and is to be avoided when consistent with safety—since a certain amount of light must be lost when the position of the burner is high. In the rooms used by quiet and convalescent patients, the lights may be placed at an ordinary height. The lights in passages and on staircases should be all placed high, and the projecting pipes may be short and droop from the wall, as at the Montrose Asylum, so as to prevent them being used for suicidal purposes. These lights may fairly be left naked, but the lights in day-rooms have an unfurnished look without glasses, and the light will frequently be flickering and bad. A naked light, too, is a constant temptation to mischievous patients. It will be well, therefore, to fix glasses of simple form to all sitting-room lights, especially as the cost is small, and (with care) the amount of breakage trifling; or the lights may be fitted with the cover and gauze which are in use at Ville Evrard. (see Appendix F, Fig. 8.) Lights of candle size should be kept in in all passages and corridors at night, and are useful in rooms occupied by the sick, the epileptic, and the violent and noisy; but the weight of opinion is against their use in ordinary dormitories.

**Warming.**—Upon an examination of the different systems of warming in use in the various European and American asylums, it is impossible to arrive at a conclusion other than that open fire-places, especially when built with air-chambers, as in use in British asylums, form the best, simplest, and cheapest mode of warming asylums in a moderately cold climate. In America, with a temperature standing for some months in the year, at or below the freezing-point, open fire-places would scarcely fulfil the purpose

\* This plan is adopted at the Maclean Asylum, Boston, and seems to answer admirably.

purpose; and the elaborate system of heating by steam, which has been almost universally adopted, is perhaps the best which could be used. The German stoves which are in use on the continent, are cumbrous, and as a rule unsightly. The English Commissioners have suggested (Appendix A) that in English asylums "all the galleries and day-rooms should be warmed by means of open fire-places or open fire-stoves, and in large rooms two fires should be provided. Fire-places should also be built in all associated dormitories." They have added to their suggestion that, "in large rooms, such as the chapel and dining-hall, and in the corridor, further provision for warming may be necessary, by means of some simple system of hot-water pipes in connection with the open fire-stoves or fires." It is well known that the insane, often badly nourished, and with weak circulations, feel the cold acutely; and it is found by experience in the asylums of the Colony, that fires are necessary in the day-rooms for at least four months in the year; but the temperature is seldom or never so low as to make fires in dormitories desirable, and ordinary fire-places would be quite sufficient to warm the larger rooms, such as the chapel and dining-hall. It is therefore suggested that open fire-places should be placed in the day-rooms, and in the chapel and dining-halls, and that they should be fitted with air chambers such as are recommended in the Report of the Commission on Barracks and Hospitals. Fire-places so fitted are in use at the Chorlton Pauper Hospital, and the New Surrey Asylum, and are found more economical than ordinary grates. In some English and Foreign asylums, it has been thought necessary to make special provision for warming some parts of the asylum, such as the infirmary and the rooms devoted to violent cases. The most efficient way of so doing is by means of some simple hot-water apparatus, such as has been adopted at the Sussex County Asylum, and in the department for violent women at Broadmoor; but it can scarcely be doubted that all necessary warmth for the rooms devoted to the sick can be obtained from open fires placed in the dormitories as well as day-rooms, and that a stove, or fire-place properly protected, may serve every purpose in the rooms for the violent. Elaborate, and in every way excellent, as are the schemes for warming and ventilation adopted for the rooms devoted to the violent class, in the Frankfort and other Asylums, they are not necessary in this climate.

When open fire-places are employed, either small guards as used at Cupar, or else high fenders, or a simple guard, should be used to prevent accident; but the heavy locked iron guards, which are prison-like and offensive in appearance, should not be used.

**Ventilation.**—Natural ventilation, with such accessories as may be deemed expedient, and the simpler these are the better, can alone be recommended for an asylum in a temperate climate.

The first necessity is to secure a sufficient amount of air, by apportioning a fair amount of cubic space to each patient; and the second, to allow such constant change of this air as is necessary for health, by means of doors, windows, fire-places, and other openings.

Each room should, so far as possible, be made independent of every other in respect of ventilation; and if the windows are placed opposite to each other, and the space between them left unimpeded—if they are made to go up to within a short distance of the ceiling—if they are of the common sash form, opening top and bottom, and kept almost constantly open—and if there is an open fire-place, no accessories whatever are necessary, and the rooms may be kept perfectly sweet and wholesome. But in so much as these requirements, one or more fail, accessory openings for the inlet and outlet of fresh air, will be, more or less, necessary. The best form of accessory openings for the inlet of air are those in connection with chambers around the fire-place, communicating with the outer air, and with the ward, and by means of which pure air is admitted directly from without, and in winter warmed in its passage to the room; perforated zinc panes to the upper windows; small openings in the walls near the ceiling, of perforated brick or iron, so arranged as not to cause draughts; or the well-known contrivance known as Sherringham's Ventilator, which consists of an air-brick inserted in the wall near the ceiling, and affording a direct communication with the open air, draughts being prevented by a valve to direct the air towards the ceiling. For outlet, a ventilating shaft such as recommended by the Commission for improving the sanitary condition of barracks and hospitals, placed in the opposite side of the room to the accessory inlets opening near the ceiling, and passing in the thickness of the wall to 3 or 4 feet above the roof, where it is protected by louvres to prevent the rain beating down, is applicable to all rooms. Mackinnell's Ventilator, consisting of two tubes, one within the other; the inner of which serves as outlet, and the outer as inlet, is applicable to buildings of one story, and to the upper rooms of those having more than one, and is perhaps the best form for this purpose which has yet been invented.

The size of the outlet and inlet should be apportioned to each other, and depend on the cubic space of the room. The Commission on Barracks and Hospitals, after a series of experiments, have recommended an average sectional area of 1 inch to every 55 cubic feet of room space, as the size of the opening for outlet, and 1 square inch for every 60 cubic feet of contents for inlet, as necessary for perfect ventilation; but here, the doors and windows do not seem to be taken into consideration, though the chimney is reckoned as an additional outlet.

The best, simplest, and least expensive form of apparatus for artificial ventilation is the archimedean or revolving screw-ventilator, which is in use at the Prestwich, New Jersey, and other asylums; and for the top wards of the Chorlton Pauper Hospital.



Where special difficulties present themselves in ventilating the single rooms of an asylum, this apparatus may be used, and can be fitted to the top of an ordinary shaft communicating with one or more rooms.

The ventilation in the wards at the Pauper Hospital at Chorlton-on-the-Medlock—one of the most perfect as well as the least expensive of modern hospitals—is thus described by the architect of that institution, and, though more elaborate than is necessary for an asylum, will show how completely natural ventilation with certain accessories may be made to answer almost every purpose. Artificial ventilation is employed only in the top wards, which are faulty in construction.

"In the east and west walls, or the long sides of the wards, are placed a series of large windows, 4 ft. 8 in. wide, and extending from 2 ft. 9 in. above the floor to the ceiling. These windows are in all cases facing one another, and are divided in their entire height into three subdivisions.

"The lower portion, for about three-fourths of their whole opening, consists of an ordinary double-hung sash; the upper fourth is pivoted, and works in a swivel with cords, to open at any desired inclination. On the top of this swivel light, and in fact forming a portion of it, is a continuous hopper-shaped frame, made of cast-iron. This frame extends the entire width of the window. It is glazed at the front and ends, but a space at the top is left open about two inches wide, and the full length of the frame. This long narrow opening is covered with fine wire gauze, and admits a constant but imperceptible stream of the outer air, which is continually passing across the ward close to the ceiling, towards the corresponding opening in the opposite window. A slightly upward direction is given by the sloping form of the hopper, in order that the air may be thrown towards the centre of the apartment, and be so distributed as to avoid diverse currents.

"Any or all of the three divisions may be opened, more or less, at the discretion of the attendant; but when all are opened to their full extent, the ward will in a very short time be flooded with fresh air.

"Besides this, however, there is the opportunity of obtaining a current from the two extreme ends of the ward, and flushing the upper part with fresh air without opening the doors.

"This is effected by means of a glazed louvre, about 6 ft. high and 4 ft. wide, placed at the entrance end, over the door from the staircase, and at the other or balcony end, by means of a large swivel window, similar in arrangement to those already described. The louvre, which is worked by a very simple mechanical contrivance with lever and screw, may be adjusted to admit more or less air as required, but practically they are very rarely closed.

"There are also, at various points in the walls, air shafts or flues, discharging above the roof level; and the ventilation is further assisted by a considerable number of small air grids or channels, built in the walls, at short intervals, close to the ceiling. These grids have a sloping lip on the inside, projecting about five inches from the wall, with an inclination of about 45° to prevent the air falling at once in a cold volume to the lower part of the ward. A corresponding grid is placed in the opposite wall in each case, and the air appears to take a direction generally across the ward, near to the ceiling. The air being thus admitted in very small quantities, and at very numerous places, diffuses itself without perceptible draughts, and displaces the gaseous portion of the contained air, which naturally rises to the top.

"The form of the small air channels is such that they would hardly be observed if not pointed out, and are therefore not likely to be wilfully obstructed, especially as they are close to the ceiling, and therefore out of reach.

"In the floor of each ward, at a distance of six feet from the outer walls, are a number of hit-and-miss gratings, with galvanized iron horizontal tubes or flues, to conduct the fresh air to the foot of the beds, should it be required in foul cases, or when it may not be desirable to open the windows."

"On the ridge of the roof are revolving ventilators of large dimensions, to promote the ventilation of the top wards, which are partly in the roof so that the windows do not reach to the highest part of the ceiling."

"Each ward is lit at night by three suspended rings of gas-burners over which a funnel-shaped cowl is suspended, which terminates in an iron flue communicating with a shaft in the wall, by means of which the products of the gas are carried off, whilst at the same time an upward current is caused, and a further impulse given to the ventilation during the night, when the windows are usually closed."\* In

\* On the subject of artificial ventilation, the remarks of Dr. Bristow and Mr. Holmes, in a report on the hospitals of the United Kingdom—published in the Appendix to the Sixth Report of the Medical Officer of the Privy Council—are so pointed, and so fully in record with all recent experience on this subject, that they are quoted here.

"We have no hesitation whatever in expressing our opinion, founded in all cases on observation and such an examination of recorded facts as we have been able to make, that every pound (and they have unfortunately been many thousands) which has been expended on these costly and elaborate machines has been wasted. The example of Guy's Hospital is familiar to all medical men in London, and the superiority of the old wards, with natural ventilation, to the new ones connected with the artificial system, is an admitted fact. The utter failure of the very ingenious machinery in use at Lariboisière and other hospitals in Paris, to keep the wards in a healthy or even a sweet condition, proves the inefficiency of such contrivances. These systems (at least, those on the principle "par injection") do no doubt keep up a constant supply of air to the wards, yet they do not ventilate them. No amount of cubic feet of space, no plan of building, no artificial system, no combination of all these adjuncts to a good ventilation, has ever been

In the climate of New South Wales, the cubic space allotted to each patient should somewhat exceed that which is fixed for English institutions, and approach more nearly to the space allowed in some American and Continental asylums. The space for single rooms, should not be less than 1,000 cubic feet, and the associated dormitories should average from 700 to 800. For the day-room accommodation it seems probable that 500 or 600 cubic feet will be sufficient, since the patients will spend by far the larger part of the day in the open air. The rooms, both for the infirmary and for temporary seclusion, should contain certainly not less than 1,500 cubic feet.

The height of 12 feet, proposed by the American Association of Medical Superintendents, seems ample for all the purposes of an asylum room.

Every room should have its cubical contents painted on its door.

**Day and Night Accommodation.**—In all asylums, separate day and dining-room accommodation should be provided. If the same rooms are used for both purposes, it will be found almost impossible to lay the dining-table whilst the patients, frequently mischievous and miscondacted, are present, and to conduct the dining arrangements with such order as is requisite. A smell of dinner will also remain in the rooms which the patients are to occupy during the remainder of the day. This is as objectionable in an asylum as in a private house. Besides this, the absence of the patients for two or three hours, at certain times during the day, from the day room will give an opportunity for opening windows, and completely changing the atmosphere of the apartment, and so be conducive to health.

This being granted, it remains to be seen how far it is advisable to substitute a common dining-hall for small dining-rooms in connection with each ward; and the arguments which have led to the adoption of this system in Great Britain seem valid here. They are,—

First, that the change from the asylum ward, the small journey to and fro, and the meeting with other faces, are useful mentally to the patients.

Second, that the formality which dining in a general hall involves, the routine with which it is accompanied, the grace before and after meat, said by the chaplain or the chief attendant, and the good order which is more likely to prevail where the meal can be under the immediate superintendence of the chief officers of the institution, than when it is conducted under the inspection of the attendant only, in the ward, are useful as drill and organization, whilst the example afforded by the good conduct of the more quiet patients acts beneficially on the more unruly.

Third, that by the substitution of a common dining-hall for a number of small ones with their attached sculleries, asylum construction is facilitated, and ventilation is made more perfect and easy. The ward scullery, unless well ventilated and kept with scrupulous care, must always be more or less a nuisance; and the smell of dinner spread through the asylum is neither wholesome nor pleasant.

Fourth, the dinner can be served better, hotter, and with less labour, in dining-hall attached to the kitchen than in separate dining-rooms at a distance from it.

The English and Scotch Commissioners do not appear to consider separation of the sexes at meal-times important, but there are various reasons why separation should, in an asylum, be as complete as possible; and if the building can be so arranged, it will be well that one dining-room should be provided for each sex, and that they should be placed on each side of the kitchen.

It must, however, be remembered that all English asylums in which the common dining-hall system has been adopted are on the continuous-roof plan, and that therefore the patients, in going to and from the dining-hall, traverse only the corridors or special close corridors of communication, and so do not go into the open air. The block plan of construction has been recommended for this Colony, and in this the patients would have to pass from their special blocks to the dining-hall, under verandahs or covered arcades. This, which on account of the climate is felt to be objectionable in England, and appears to have militated against the adoption of the general dining-hall system in France, in the new asylums on the block principle erected there, need not be an objection here, where the cold is never sufficient to be much felt, and rain is by no means frequent.

It will be advisable, then—1st, that day-room accommodation should be provided for each section of the asylum, at the minimum rate of 500 cubic feet for each person. That a general dining-hall, or two dining-halls, one for each sex, should be built conveniently situate with reference to the kitchen, capable of containing three-fourths of the entire number of inmates. Experience has shown in English asylums, that this number may with safety and advantage be allowed to dine in common. At the Sussex Asylum, the number dining together when visited was upwards of 200 males, out of 240, and upwards of 250 females, out of 320. At Stafford, 200 men out of the total number of 240; and at Murthly, 190 out of 320.

2nd.

found to replace open doors, windows, and fire-places; while, provided with the latter, which are the essentials of good ventilation, many old, crowded, defective hospitals have maintained, for a long series of years, an amount of success which the most eminent examples of scientific structure have never found practicable.

"Considering then, the utter failure of artificial systems, and the perfect success of the natural system of ventilation, is it going too far to say, that to expend money in the construction, and in the maintenance and working of such machinery, would, after our present experience, be wantonly to waste and misapply the funds contributed for the benefit of the poor? The experiment was a natural and a most justifiable one, but it has had a fair trial and failed; any further repetition would be culpable."

2nd. That the day-rooms should be used for all the ordinary purposes of living-rooms.

3rd. That all meals should be served in the dining-hall, and that all patients who can safely be trusted should attend, under the charge of one or more attendants. One attendant should always be left in the ward, to look after any patients who may not be able to dine with the rest, and also to see that the day-room is properly ventilated in their absence.

With the information on dormitory accommodation which is to be found in a prior part of this Report, it may not be difficult to suggest a proportion which will be suited for asylums in this Colony. The mass of the population may be taken as in most respects English in their habits and tastes, and privacy, as regards bed-room accommodation, is not considered more necessary than in England.

English asylums, from which the more quiet cases are drafted to the poorhouses, seem to work well if one-fifth to one-seventh of the patients are accommodated in single rooms. Since the quiet cases are all kept in the asylums, in this Colony, a smaller proportionate number will suffice; and if one-tenth to one-twelfth of the patients are accommodated in single rooms, the provision will be ample, supposing the asylums to contain both acute and chronic cases in ordinary proportion. The suggestions of the British Commissioners, that "the single rooms should be chiefly in the wards appropriated to the excited, the sick, and the patients of dirty habits," and that "a few should be available for special cases in other parts," should be closely followed.

The remainder should be placed in associated rooms, the number of beds in which is a matter for further consideration.

That two patients, especially of the male sex, should never be allowed to sleep together in one room is certain, but the exact number which it is most convenient to accommodate in the associated rooms is somewhat doubtful.\*

The English Commissioners (see Appendix A) content themselves with suggesting that "no associated dormitory should be designed to contain less than three beds," whilst the Scotch Commissioners fix the minimum at six, and the maximum at fourteen. It is doubtful if it is ever desirable to make the rooms smaller than to contain six patients; but there are, in several English asylums, rooms made to contain from twenty to thirty or even more patients, which answer admirably. A larger number (such as is contained in some asylums, as for instance, the monster dormitories of Colney Hatch, where one for women, contains eighty-six beds) is not desirable.

It is therefore suggested that the associated dormitories should range in size so as to contain not less than six or more than thirty beds—from six to twenty being the preferable number.

**Airing Courts.**—Two airing courts for each sex are all that are absolutely necessary for an asylum. One of large size should be devoted to the general body of the inmates, and the other smaller will serve for the small proportion of noisy and violent patients. If a third is added for the use of the sick, infirm, and for special cases such as epilepsy, it will be found frequently useful. It may save the more feeble among the patients from accidents which might happen to them in the large general court.

These courts should be outside the asylum, in front, if possible, of the special wards for whose inmates they are intended, and easy of access from them.

They should be planted with trees to afford shade and ornament, and laid out in gardens, and thus made attractive in themselves. In addition, they should if possible command a view of the surrounding scenery.

If the court is on a rapid slope, the upper part of it will command a view over the lower wall, but even when the ground has only a gentle slope, or is altogether flat, by setting the lower and outer side walls in a ha-ha, a view of the surrounding country may be obtained.

The top of the wall should be on a level with the ground inside, and the slope of the ground towards its base should be gradual, so as to prevent accidents by patients falling or rolling down it.

At the Derby Asylum the top of the slope has been cut into a seat, (see Appendix F, Fig. 16), and here the patients sit in a row, and look out on the fine agricultural country beyond.

In every airing court there should be a sun-shed, and a verandah or covered walk, to afford shade and allow patients so inclined to take exercise in wet weather.

The courts should be walled completely round, for it must be remembered that they are used by all classes. If the male and female courts adjoin, the wall separating them should be so high as to preclude all view of one sex by the other; but the remaining walls should be as little prison-like as possible, and should rather be to prevent straying than escape, since the courts will never be left without one or more attendants, who would observe all attempts at escape by climbing, and immediately prevent them.

At the Murthly Asylum, the large yards for male and female patients are guarded only by an ornamental wire fence, and at the Three Counties Asylum, by a handsome iron railing. The patients have thus an uninterrupted view of the country beyond, with a sense of freedom which is seldom felt in an asylum.

A skittle-alley on the male side, and a croquet ground on the female, are also desirable additions to the airing yards.

In

\* Not long since, in an asylum the name of which it is not necessary to mention, two patients, one recently from hospital and wearing a blue uniform hospital dress, and the other who had been for some time in the asylum, were placed in one room in the evening and locked in. The older patient became envious of the blue uniform of his companion, killed him, tore up the boards of the room, squeezed in the body, and was found in the morning alone and arrayed in the coveted garments.



In the females' airing yard, rocking horses and swings are useful. There should be also a good supply of seats fixed in convenient positions. Pet animals and birds should be encouraged, and an aviary or pigeon cote\* may be made ornamental, and both by itself, and its occupants, afford gratification to the patients. In every court there should be a drinking fountain placed in the shade of the verandah. In short, no effort should be spared to make the airing courts a desirable lounge for the patients, to which they will gladly resort to escape from the monotony of indoor life.

In the courts occupied by the more violent and noisy patients, games are useless, the mental condition of the patients precluding them from the use of them, and they might be dangerous as affording weapons of offence. But even these courts should be planted, and laid out in flower-beds, and efforts made to keep them in good order. That much may be done in this way is evident from the beautifully kept garden in the airing court set apart for violent patients at Guislain's Asylum at Ghent. The walks may be asphalted with advantage, as at the Worcester County Asylum.

In all the courts, earth-closets should be provided for both sexes, and urinals for the males. Besides the airing courts, there should be attached to every asylum some general pleasure grounds, in which the patients, especially those of the quiet class, may take longer and more varied walks than are possible in the courts, under the care of the attendants. These grounds should be fenced in with wooden palings, if they are liable to be encroached upon by the general public, but all fencing should be rather to ensure privacy than to prevent escape. They should consist partly of grass-land on which such games as cricket or foot-ball may be played, and which when not in use, may serve as pasture for cows; and if possible, of wood-land in which walks may be cut.

Airing grounds of this kind are useful in asylums entirely devoted to indigent patients; the more quiet of whom, however, get exercise, and some degree of freedom, in working on the farm and garden; but they are indispensable in asylums in which the better class of patients are received.

The paying class of patients are found to chafe exceedingly, when confined within the limits of an airing court; and grounds in which a more prolonged walk can be obtained are for them an especial necessity.

**Fittings and Furniture for Rooms.**—The flooring of all the day and dining-rooms and dormitories in asylums should be of wood. The boards should be tongued; and the English and Scotch Commissioners in Lunacy suggest (see Appendix A) that there should be a disconnection of the floor and joists at all internal doorways by means of a stone sill. In all cases where a fire-proof construction is not adopted, similar separations, at not greater distances apart than 50 feet, should be made in the floor and ceilings.

There is but little necessity for oiling or polishing the floor, except in rooms devoted to dirty patients.

The walls should be plastered or cemented, and subsequently painted or coloured, so as to make the rooms as cheerful and bright as possible. If the walls are painted to a height of about 4 feet, and a coloured wash applied to the upper part, a dark line or pattern border marking the separation, the effect, (if the colours are well chosen) is remarkably good. The lower part, which is more liable to get dirty, can be always washed with soap and water. The upper half can be recoloured at intervals. This plan is cheaper than papering, and, as a rule, serves every purpose.

This mode of colouring may be applied to all the walls, or those in the dormitories may be coloured throughout, or simply whitewashed. All rooms devoted to dirty patients should be whitewashed.

The doors of all single rooms should open outwards, and be so hung as to fold back close to the wall. Most asylum doors may be fitted outside with ordinary handles. These are in use in several American institutions, at Meerenberg, Hamburg, and one or two English asylums. The rooms look less prison-like, and no accident has been found to result.

The locks to all asylum doors should be made without springs, and they should move without sound. Spring locks are at once dangerous and inconvenient. The "creaking of locks" is one of the most objectionable things in an asylum, and a multitude of keys is to be avoided. The keys for the male and female side of the house should be different, and each attendant provided with one key which will unlock all the doors on his or her side of the house. A simple railway key will serve for each attendant to turn on or off water, gas, or to chock the window sashes, close or open shutters, &c., so that each attendant will have two keys only.

The medical officers and chief attendants should have keys which will open and lock all doors, and, by means of extra wards, double lock them. Those for the male and female sides may be made at each end of a single shaft. Additional safety is secured if all the central offices have special locks, in addition to the ordinary ones, of which the officers and chief attendants only carry keys.

The furniture of all day-rooms should be substantial, and made as comfortable as possible. Good polished tables,—Windsor chairs, with and without arms,—multiple arm chairs—should be the chief articles. Sofas and stuffed chairs should be provided for the sick and infirm. Rocking chairs of simple construction are useful; and no effort should be spared to make the room cheerful, by means of plants, in standing or pendent pots; aquaria and fern cases; cases of stuffed birds; singing and other birds, and small animals in cages; pictures and maps for the walls; plaster figures, looking-glasses, and clocks. A small drinking fountain in the day-room or corridor, may be simply contrived, will be much used by the patients, and save trouble.

The

\* At the Leicester Asylum, the aviaries for pheasants, &c. in the courts, are made out of the old wire guards formerly over the windows. Thus swords have been converted into ploughshares.

The day-rooms should be, in fact, as far as possible, the patients' homes; and though in this climate they will be less used than in England, still on wet days and after working hours they will be in requisition, and should be as cheerful and bright as possible. In the day-rooms, or in the passages leading to them, there should be closets for women's shawls, &c., and rows of pegs for bonnets and caps.

The dormitory furniture should consist of bedstead, bed, and such clothes as the temperature renders necessary; a small box for clothes, which will serve as a seat; a washstand and basin, can, and chamber utensil. Wooden bedsteads well polished look smarter and better, and on the whole are preferable for an asylum. If properly made, they present fewer crevices into which vermin can get than iron ones. They can be made or repaired in the asylum, and they are safer for violent patients.

Sacking bottoms are preferable to wood, since with them no palliasse is necessary. The plan most used in England is to have the sacking fixed to iron bars which can be tightened by means of screws. The arrangement is simple, and allows of easy cleaning.

For epileptics it is not necessary, as a rule, to provide beds of special form; ordinary beds made low seem to be the best, since, if the patients roll from them on to the floor they are not injured. For extreme cases, cribs or bedsteads with movable iron or wood sides may be necessary. For dirty cases, webbing screwed to, or sacking screwed or nailed to, a movable wooden frame, for the bottom of the bed, is simplest and best, and with proper night watching few or no special bedsteads need be used.

For beds and pillows, hair is in the main cheapest and best. The original outlay is large, but hair will last for years and require only occasional picking. Next to hair, coir mattresses are best, and in barracks in India have been found durable, cheap, and in all respects preferable to straw. The coir is not injured by washing, and will last eight or ten years, and if sufficiently often teased, is reported to be equal to horse-hair in comfort.

For dirty and wet patients, the mattresses may be made in three pieces, and the centre piece removed when necessary. All three may be made of horse hair or coir, or the centre of sea-grass or straw. Bags filled with sea grass or straw may be used instead of mattresses for this class of cases. The hair, coir, or sea grass can all be washed and dried, and again used. Every wet or dirty patient should be roused at stated times by the night attendant and conducted to the closet. The number of wet beds will be by this means much lessened, and the cleanliness and comfort of the patients much promoted. Mackintosh covers are too costly for ordinary use.

The general cheerfulness of all dormitories is much increased by brightly coloured counterpanes.

The bedding should, after the patient has left the bed, be as much exposed to the air as possible, and may either be folded in barrack fashion, or what is preferable the bed made as far as the under sheet, and the upper sheet then turned down over the blanket and coverlet.

A small box to serve as a seat and to hold spare, or Sunday, and ordinary clothes during the night, should be provided, and placed at the bedside of each patient. The simpler it is in construction and the more easily cleaned, the better.

On the principle that an asylum should be made to differ as little as possible from an ordinary house, washstands with ordinary basins should be placed in all the rooms for the more quiet class of patients. For the associated rooms, multiple stands, placed in the centre of the room, are best. For the more violent patients, lavatories should be provided close to, and easily accessible from, the dormitories. Common earthenware chamber utensils, made without handles, are best; gutta-percha and India-rubber ones soon wear out, but a few should be provided for epileptic patients who break earthenware ones by accident. Metal utensils are difficult to clean and unsightly.

Brushes, combs, and looking-glasses should be provided at each washstand, and lavatory; and, so far as is practicable, every patient should have his or her own towel, which should be kept by the bedside.

In the corridor or passage leading to, or in the dormitories themselves, should be placed a closet for the dormitory stores, extra bedding, spare clothes for patients, &c. One of these will be sufficient for each division of the asylum. A small room may with advantage be set apart for this purpose.

For the common dining-rooms neat plain wooden tables and forms only are necessary. Table-cloths should be laid, and crockery (plates, mugs, cups, &c.) provided. Tin utensils should be as little used as possible. Ordinary knives, not too sharp, and three-pronged forks, of some common metal, should be allowed, for the majority of the patients, whilst the food for the remainder should be cut into small pieces by the attendants, and spoons or forks given to the patients to eat it with.

Immediately after each meal, all the knives should be collected, counted, and locked up.

If the dining-rooms are close to, and served directly from the kitchen, no tins to keep warm the food will be required.

All possible decorum should be observed at meals.

It might be imagined that the amount of breakage would be large if the patients were supplied with crockery plates, mugs, cups, &c., but such does not appear, as a rule, to be the case. At Murthly, tin drinking cups have been substituted for mugs, owing to the great breakage, but usually no complaints of this sort are heard, and crockery is almost universally used.

All the furniture and the minor articles for ward ornamentation, should as far as possible, be made in the workshops of the asylum.

**Staircases**

**Staircases and Stairs.**—Asylum stairs should be of stone or iron. The flights short and straight. With winding, or long flights of straight stairs accidents are liable to occur. The well in the centre should be built up, and if possible, utilized as linen closets or as linen or dust tubes, by means of which the dirty linen or dust may be quickly transmitted from the upper stories to the basement. Wooden or iron handrails should be provided for all stairs, and let into a groove in the wall.

The passages leading from one part of an asylum to another may be of stone or brick; or Minton's unglazed tiles, which are comparatively cheap, may be used.

**Bells.**—Bells to connect one part of an asylum with another are objected to by the majority of superintendents. By means of them, an attendant may be summoned from a ward when his presence is most needed in it, owing to the absence of his associate or some particular disturbance among the patients. When electric bells are placed in the wards to communicate with the central office, they are liable to be sounded by the patients if placed in an accessible position. They can, however, be so protected as to be reached only by an attendant's key. On the whole, with a well organized institution bells are not much needed. The only bell to be strongly recommended is one to connect the superintendent's house (which should be placed at some little distance from the asylum) with the building. This should only be used in case of emergency.

**Special provision for Sick, Violent, and Convalescent Patients.**—Special provision should be made for three classes.

1st. The convalescent and more quiet patients.

2nd. The sick and infirm.

3rd. The violent and excited.

1st. The convalescent and more quiet patients may be, to some extent, accommodated in cottages, as already suggested, or in detached buildings or blocks. These buildings should be of a cheap, simple, and inexpensive character, and consist mainly of associated dormitories and day-rooms, fitted with the necessary offices, and conveniently situated with reference to the wash-house and laundry on the female, and to the workshops and farm buildings on the male side, since the majority of the patients who occupy them will be able to work in some way or other. These buildings need not be costly. The additions to the Prestwich Asylum cost £60 per patient, and to the Old Chester Asylum £39 per patient, whilst wooden buildings of a more temporary character, yet fulfilling all the purposes for which they are intended, have been built at Leicester, at a cost of £12 per patient.

2nd. The proportion of sick and infirm requiring special care in the European institutions is about 10 per cent. of the entire population. The English and Scotch Commissioners (*see Appendix A*) suggest that "suitable infirmaries, in the proportion of at least one-tenth, should be provided, in which the cubical contents of the sleeping-rooms, should be greater than in other parts of the building, and every room, including the sleeping-rooms, should have an open fire-place."

The sick and infirm in the asylums of New South Wales are, as a rule, considerably less than is found in European countries, and if special provision is made for 7 per cent. it will meet all requirements. These infirmaries should be placed near to the administrative department, and to be complete, should consist of one or more associated dormitories—a few single rooms and a day-room. The cubic space should be 1,500 feet to each patient, and special care should be taken that the ventilation is good. There should be a ward closet, a fixed or movable bath, and a gas stove, at which invalid comforts may be made, or kept hot. The floors may be oiled or polished, so as to be non-absorbent and easily cleaned, and the more comfortable the furniture is made, the more it will conduce to the happiness, if not to the recovery of the patients.

The cases to be treated in the infirmary are the sick, the paralytic, and the extreme cases of epilepsy; and to these may be added such of the old and infirm as require special attention.

3rd. On an examination of the different modes of provision for the insane of the more violent class, it is impossible to recommend any of them for adoption as a whole, though there are points in each from which useful hints may be drawn. The practice adopted at Lincoln, Montrose, and other asylums, of distributing the noisy and violent cases as much as possible in the other wards, and which seems, to be eminently successful in these institutions, is worthy of the greatest consideration, and should undoubtedly be carried out whenever practicable; but the practice of separating a certain proportion of the more noisy and violent patients, is adopted in the majority of asylums, and indicates that the opinion of the authorities on this subject is, at present, in favour of separation.

The buildings, however, need possess little of a special character. There should be a full proportion of single rooms, and one of these may be panelled (for, with the experience of American and Continental Asylums as a guide, padded rooms cannot be considered necessary in any asylum) and another cemented. These will serve for the necessary short isolations, and sometimes also for the sojourn of a whole night.

These rooms, with one or two others, should be placed in a small building of one story opening from the main division for this class of patients, and a corridor and one or two small airing courts should be provided in connection therewith, for exercise and isolation in wet weather. These small airing yards should be turfed and planted, and command a view of the neighbouring country, and should not be mere "air tanks" surrounded by high walls.

The single rooms should all possess shutters sliding from below, and capable of being locked, so as partially or totally to cover the windows. In the two special rooms, which

which should have a cubic space of 1,500 feet each at least, the windows may be made to open and shut by means of cords from the corridors. The floors of these rooms should be waxed and polished, so as to admit of easy cleaning. The panelling and cement will both allow of cleansing the walls; and closets or pan-seats in these rooms are scarcely necessary. There should be an inspection-plate in the door, to allow of observation without disturbing the patient.

The entire number of the more violent class, for whom special provision is made in institutions generally, is, as has been seen, about one-tenth of the whole, but this can scarcely be considered necessary; and if the plans of classification subsequently advocated are adopted, and the more violent patients mingled as much as possible with the quieter ones, one-twentieth of the whole will be all, for whom anything like special provision need be made.

**Kitchen, &c.**—One kitchen, in a central position, is all that is required for an asylum, and in it, if properly arranged, all the food for patients, officers, and attendants, can be cooked. A central position is important, so that it may be within as easy reach as possible of all parts of the establishment. A one-storied building, with high roof (in or near which the windows are placed), and reached by covered ways from the centre or administrative block, is, in most respects, preferable to a basement room, in which ventilation will generally be imperfect. In the kitchen itself all the food except vegetables may be cooked. These are best prepared in the scullery adjoining, in which all the washing of plates and dishes is done.

The kitchen should contain a general range, at which the food for patients and attendants is cooked, and a minor range for the officers. The main cooking apparatus should be placed in the centre of the building, the sides being fitted with dressers and shelves. The greater part of the cookery in asylums is best done by steam, which is found to be cheaper and simpler than boiling by ordinary fires. Meat should be cooked in jacketed boilers, but the steam may be admitted direct to the vegetables. Gas stoves are to be preferred to ordinary open coal fires, as simpler, cleaner, and, whenever the price of gas bears the same relation to the price of coal as it does in England, more economical. The evidence on this point, which has been obtained from those asylums in which gas is used, places this question beyond a doubt.

At the Stafford Asylum it was found by experiment that—

50 lbs. of meat cooked by coal cost .....	1s. 3d.
50 lbs. do. by gas cost .....	0s. 8d.

whilst the dripping obtained from the gas-cooking was worth almost twice as much as that obtained when coal is used. The cost of cooking by gas, therefore, was about one-half of that of cooking by coal. The asylum authorities were so convinced of the superiority of gas cooking in every respect, that all roasting, baking, and frying for officers and patients is now done by gas, and the water for making tea and coffee is also boiled by it.

With respect to this mode of cooking, the following particulars are given in the Annual Report of the Lunatic Hospital at York, in 1865:—

“The gas stove for cooking, which, at the date of my last report, had been too short a time in operation to afford any very conclusive data upon which to form an accurate opinion, has fully satisfied our requirements for a useful and economical mode of cooking. The meat has been uniformly well cooked, and its flavour excellent; and there has been a considerable saving, both of trouble and fuel. In the latter, upwards of £25 have been saved.

“The quantity of gas required to cook between six and seven cwt. of meat, and about twenty large meat pies, per week, has been about 1,600 feet, at a cost of 5s. 7d., or not quite 10d. a day.

“The following experiment was also tried:—Two 12½ lb. joints of beef, identical in all respects, were cooked, the one before an ordinary open fire, the other in the gas stove. Both were thoroughly done; but while the former actually lost in weight 3 lbs., the latter only lost 1 lb.; a result obtained subsequently with four joints of mutton. These facts speak for themselves, and they agree very much with the results obtained in an experiment conducted at the Royal Naval School at Greenwich, before the authorities of that institution, and under the direction of M. Soyer:—

“(A.) 184 lbs. of mutton were roasted by gas, and cost 10½d. (gas being at 4s.) Weight, when cooked, 146 lbs.; dripping, 19 lbs.; gravy, 2½ lbs.; actual loss, 8½ lbs.

“(B.) 184 lbs. of mutton were cooked by Rumford's stove, (the most economical way known). Weight, when cooked, 132 lbs.; dripping, 18 lbs.; gravy, none; actual loss, 34 lbs. (Coke, 102 lbs.; coals, 32 lbs., for oven.) Saving by gas—13 lbs. meat, 1 lb. dripping, and 2½ lbs. gravy. In each case the meat consisted of 23 joints of mutton.”

“The following paragraph appeared some time since in the *Builder*:—

“In a large London establishment, in which 200 of the persons employed were boarded, in 1840, the butcher's meat consumed was 400 lbs. per head per year, and it cost £12 11s. 10d.; in 1850 the quantity consumed was 369 lbs., the cost £9 11s. 7d.; whilst in 1860 the quantity was only 271 lbs., the cost being £8 12s. 0d.

“The explanation afforded is this:—In 1840 the butcher's meat consisted of second-rate joints, containing a large quantity of bone. When roasted, it was placed before a large fire, fixed on spits running through the joints, occasioning great waste, and producing indifferent results in the cooking, the outside being generally burnt and the inside not sufficiently done.

“The

"The inferior joints were abolished, and meat only of the best quality, free from bone, was purchased; the spits were laid aside, and the bottle-jack substituted in their place. The open fire for roasting was still retained.

"The balance sheet for this period shows a decrease of 98 lbs. per head of butcher's meat, and a saving of £3 0s. 3d.

"Another ten years passed, during which the open-fire system was abandoned, and the plan of cooking by gas introduced; this caused a further saving of 98 lbs. per head of butcher's meat, and of money £1 0s. 4d., although the price of meat was higher by nearly 3d. per lb."

Bunsen's Burner, in which air is mixed with the gas before combustion, is found to be best for the gas stoves. Owing to grease and dirt getting into the burners, the holes require cleaning every two or three months, but this is easily done by the gas-man belonging to the establishment.

Asylum kitchens should be supplied with all implements and machinery necessary for the proper preparation of the food for the inmates—large tins for infusing tea, which should never be boiled; mincers, or sausage machines, to mince the food for paralytics and other patients, &c. The steam boilers, which are fitted on pivots, and supplied with water from a tap placed over them, as in the French asylums (see Appendix F, Fig. 11) are in every way to be recommended. The kitchens in the modern French asylums at Ville Evrard and St. Anne's, are, in all respects, models.

Adjoining the kitchen should be placed a properly fitted scullery; and a second room for cleaning vegetables is also useful.

Whenever an asylum contains upwards of 400 patients, bread may be economically made in the establishment, one baker being employed, and all assistance necessary being rendered by the patients. It is thought to be economical to make bread in some institutions below this size, but this is doubtful, especially when they are so situated as to render supply from a town easy.

It is worth further inquiry how far aerated bread can be supplied to, or made in an establishment, at a cheaper rate than ordinary fermented bread. That it is cleanly, wholesome, and, when eaten in its fresh state, palatable, there can be no doubt; but further evidence is necessary before it can be recommended for general use. It is supplied by a company to several of the London hospitals, and the report upon it from St. George's is very satisfactory, but so far as it was possible to ascertain it is not made or consumed in any English institution for the insane.

**Asylum Laundries.**—All the dirty linen of an asylum should be washed by the inmates under the direction of one or more paid laundresses.

The laundry should be detached from the main building, and may be placed at some little distance if water supply is thus made more easy, since the patients employed in it and the paid laundresses will all be in good bodily health, and able to walk backwards and forwards at meal and other times.

It should consist of one large room for washing, a receiving room for dirty linen (since soiled clothes should never be kept in the wards of the asylum), mangling, ironing, and folding rooms; and attached should be a special room or shed for very dirty linen, which it is undesirable to wash with the rest. There should, in addition, be a large drying ground.

The washing room should be of one story, with a high open roof with free openings to allow of the exit of steam and foul air. The walls should be of bare stone or brick, any plaster or cement will peel off from the constant moisture and heat. The coppers and machinery should be placed in the centre, and around should be square washing trays, fixed against the wall, and supplied with hot and cold water from taps over them. The water for laundry use should be heated by steam, and the steam pipes may be brought at once to the bottom of each washing tray, and the water so warmed instead of bringing warm water in pipes.

If steam machinery is used, the bands to turn the machines should come up through the floor, and be boxed in as in the Morningside Asylum. This arrangement is safer than that usually adopted in which they come from above.

Drying closets with artificial heat, in which the clothes are dried on wooden or line horses, are necessary in European asylums, since, without them, prolonged wet weather may cause great inconvenience. But in a comparatively dry climate like New South Wales they will not be necessary. With a large drying yard, and a covered shed fitted with movable louvres at the side, such as are used at leather and paper manufactories, the clothes may all be dried in the open air, which is much preferable to a close closet.

Every precaution to prevent accident from fire should be taken in the laundry, and all crimping machines, may, for this reason, be heated by steam, as at Murthly and Montrose. The irons may be warmed at a small gas stove.

In an asylum, the patients should always be kept as fully occupied as possible, and for the majority of female patients there is no better occupation than washing, as giving muscular exercise, and as being a change from the asylum ward. The entire washing, therefore, of the asylum should be done by the inmates, under the superintendence of one or more paid laundresses; the females should do all the ordinary work, whilst the men should turn mangles and wringers, and do other heavy work. No machinery should be used except such as is absolutely necessary.

In the French asylum of St. Yon, fifty or sixty women are kept constantly employed, and the linen for 1,600 people is washed without any machinery. At the Sussex and Gloucester among English, and at Cupar, Montrose, and Murthly among Scotch asylums,



a minimum amount of machinery is used, and these examples should be closely followed. The centrifugal wringer has been found so universally useful that an exception may be made in its favour; but the many contrivances for washing, many of which are excellent in idea and in practice, should as far as possible be done without.

The specially dirty linen should be soaked all night in a small tank made to contain the soap-suds and water from the ordinary laundry. It should be washed the next day in a machine of some simple form, in a special washing-room. In this room should also be washed all the hair or coir from beds wetted or soiled by dirty patients.

Every care should be taken that the soiled linen is kept as little as possible in the wards or rooms. If the laundry is at such a distance as to make it difficult to send the linen to it as soon as dirty, boxes to receive it should be placed somewhere near the wards but outside the building. In the airing courts or grounds is the preferable position.

**Chapel.**—The arguments for a special chapel in connection with every asylum need not be repeated here. The best argument is the existence of such a chapel in the well-ordered institutions of all countries.

It is, however, a matter of debate whether the room appropriated for dancing and amusement should be used as a chapel also, or whether a room should be specially set apart for religious service only; and, if set apart, whether it should be in the main building or detached. The only countries in which the same room is used for purposes of religion and amusement are Scotland and the United States. To some religious denominations a ball-room or a theatre is, in the absence of a building specially provided for the purpose, a fitting house of prayer; but to others, and, perhaps, to the majority, there is something incongruous in this local association of amusement and religion. It is to many, almost impossible to feel reverence in a place which has lately echoed with laughter, caused by some absurd representation on the stage, and in which, perhaps, the scenic decorations still remain; while the ornaments and accessories of religious service are equally out of place in a room given up for the time to merriment.

It is therefore recommended that two rooms should be provided, one fitted for purposes of amusement, and the other consecrated to religious uses only; and with this arrangement the former may serve also as a general dining-room, and save a multiplication of buildings.

For a chapel within the building, the arguments are, that it can be easily reached by all the inmates in all weathers, that the infirm can attend as well as the hale and strong, and that in consequence it is at all times at the service of a greater number. But the arguments to be derived from weather have scarcely any weight in this Colony; and if the block plan of construction is followed, it will be as easy for the majority of the more weakly patients to reach a centrally placed detached chapel, as one in any of the blocks.

For a detached building the arguments are many. It can be made more ecclesiastical in style, the walk to and fro will afford a change from asylum rooms, and the "going to church" is much more assimilated to the condition of ordinary life, when that church is a detached building, to reach which, it is necessary to put on bonnet and hat, and pass beyond the bounds of the ordinary dwelling-house, and the detached chapel or church is more likely to impress its frequenters with reverential feelings, and bring back the thoughts of other years, than a room within the building, however fitted and ornamented.

For these and other reasons a detached church, ecclesiastical in style, is to be recommended. "It should be of easy access, and capable of comfortably accommodating at least three-fourths of the patients; it should have the usual character and arrangements of a church, and contain no special or peculiar provision for the separation of the sexes"—(Suggestions of Scotch Commissioners, Appendix A). The chapel should always have an organ or harmonium as part of its furniture, and the patients and attendants should be trained and practised in choral music. The services should be held at the ordinary times, and in the ordinary manner on Sundays, shortened possibly to accommodate the restlessness of body and mind of many of the insane, but performed with all decorum. Whatever may be the effect on individual patients (and it will probably be as different as in the members of an ordinary congregation) the general impression is almost sure to be that of reverence and order. In some British asylums the Lord's Supper is administered to certain of the patients, and special religious teaching is given. On this an eminent authority remarks,\* "How far any physician is justified in countenancing such measures as these appears to be very doubtful. I am inclined to think that when patients have advanced so far towards restoration as to be entrusted with such high and holy privileges, they should no longer be detained in an asylum, but should be reinstated in society, and in the possession of rights and discharge of duties of an important but less exciting character."

How far one chapel may be used by the members of two different denominations is a question for consideration; such an arrangement seems to work well in the German Asylums, and is not altogether unknown in the ordinary churches of this and other countries; under proper arrangements, and with a conciliatory spirit, it is doubtful if any valid objection can be raised to such a course.

**Amusement Room.**—For minor amusements the day rooms of the institution are sufficient, but a room where the majority of the inmates can be collected for dances, concerts, theatrical performances, gymnastics, lectures, &c., is absolutely necessary in an asylum.

The reasons why the chapel of the institution should not be used for purposes of this kind have already been stated. Either a special room should be provided, or, what will

\* Dr. Brown on "What asylums were, are, and ought to be."

will serve all purposes, the common dining-room should be so fitted as to serve as an amusement room also.

The dining tables can always be removed. The seats will be useful, and a permanent stage or platform can be erected at one end. A cheerful well-lighted room is adapted for both purposes. It should occupy a central position, and should be large enough to contain three-fourths of the inmates.

A piano should form part of the furniture of the amusement room.

**Library.**—It is scarcely necessary to provide a special room for a library. The main stock of books may be kept in cases in the board room, chaplain's room, or amusement room, or, better still, in a room which will serve for purposes of instruction, and be at once library and schoolroom. A good stock of books is almost necessary in an asylum, and there should be a liberal supply of newspapers, small serials, magazines, &c. These are much read, and are always most acceptable to the patients.

**Dead-house and Cemetery.**—The building for the reception of the dead should consist of two rooms at least. One of these should be the reception room, fitted with shelves for the dead, in which they may be seen by their friends. The other, a room for *post mortem* examinations, in which every convenience for the purpose should be supplied,—a central table, hot and cold water, &c. Both rooms should be well ventilated, and lighted entirely from the top so as to prevent overlooking; and the entire building should be placed in a retired position, as much out of sight as possible, with a door opening at once to the road, so that funerals may take place without attracting notice from the asylum inmates.

It is desirable that the dead should be buried in the ordinary cemetery of the town or district, unless the distance is so great as to make it very inconvenient. Special asylum cemeteries are objectionable, as continuing in death, a separation which has only too often, been a long sorrow already. If a special cemetery is made it should be prettily planted and kept, and be thrown open by the authorities for the use of the district in which the asylum is placed, as is done at Ville Evrard in France.

**Accommodation for Officers and Servants, &c.**—For the superintendent himself, and for his wife and family, a residence apart from the asylum is much to be preferred to one within the building. With an assistant physician resident in the asylum, and an efficient and trustworthy staff of attendants, the constant presence of the superintendent is not necessary.

The superintendent's house may be placed sufficiently removed to give it a certain amount of privacy, and yet be within easy reach of the asylum. It is desirable also that a certain extent of kitchen garden should be set apart for the use of the superintendent; since, if fruit and vegetables are taken from the ordinary asylum garden for his use, it is possible to lead to jealousy and misrepresentation.

The chaplain, if resident, should also be provided with a detached house; and the steward or secretary, if married, is fairly entitled to a house, or to a certain allowance in lieu thereof.

The assistant physician, the housekeeper, and the chief attendants should reside in the building. For the assistant physician, housekeeper, and chief attendants, two rooms each should be provided; or, following the liberality which has been adopted in the more recently erected asylums in Great Britain, there may be an additional bedroom.

For the attendants the English system in which they are, as a rule, provided with special dormitories, seems preferable to that adopted in Scotland. It is extremely important to secure in an asylum the services of a good class of attendants, and to such a class a certain amount of comfort and privacy is necessary. The Scotch system, where the attendants sleep in the dormitories with the patients, undoubtedly has advantage in securing the safety of the patients; and in some Continental institutions there appears to be no difficulty in carrying it out. But the innate love of privacy which characterizes people of the British race has interposed difficulties, even in Scotch asylums, in this respect, and the superintendents of these asylums readily admit that a better class of attendants might be secured if separate dormitories were provided for them.

Considering the wearing nature of the attendant's duties, and the consequent necessity to him of sound sleep, and the general safe working of the English system, it seems desirable that, for the majority at least of the attendants, special dormitories should be provided. A few of the junior attendants may sleep in the rooms where such patients as require special care and attention are placed, but the safety of the patients during the night should be mainly intrusted to efficient night attendants.

The dormitories of the attendants should be placed in various parts of the establishment, and so arranged as to command by a window, a view of the associated dormitories. Each room may be made to contain two attendants, giving to each a cubic space of 1,000 feet, and should be comfortably furnished.

The attendants will be occupied almost entirely during the day in the rooms with the patients, but a common room should be provided for the use of such of each sex as are off duty in the evening. This room, if placed near the kitchen, may be used as a dining-room for the attendants and domestic servants. The comfort of the attendant will be much increased by taking his meals in a common room, instead of in the ward after or with the patients, and no difficulty need arise if half take their meals at once, leaving the other half with the patients. The dormitories of the house-servants, laundresses, and cooks, should be so arranged as to be under the supervision of the housekeeper and steward.

The Scotch Commissioners give the following suggestion for officers' and servants' rooms. (See Appendix A.) "A residence should be provided for the medical superintendent, with kitchen and other necessary domestic offices. Apartments of moderate extent should



should also be provided for the assistant medical officer and pupils, the steward, and the matron, but for these officers a separate kitchen is not required. There should also be appropriate accommodation for the domestic servants of the institution."

The rooms absolutely necessary for the administration of an asylum are, a board room in which the commissioners or board of control hold their meetings; offices for the superintendent, chaplain, steward, and housekeeper (the latter of which may be used also as a cutting-out room for clothing); dispensary; store-rooms for bedding and clothing, utensils, groceries, meat, and bread; and rooms in which the friends of the patients can see them without going into the ordinary day rooms.

It is extremely important that the latter rooms should be of large size (one or two for each sex), so as to receive without crowding any number of visitors—that they should be as comfortably furnished as the ordinary day-rooms, and ornamented like them, so that the friends may gather, from seeing them, a general and fair idea of the internal fittings of the institution, and that the patient may feel at home in them, and not associate the visit of his friends with discomfort and a bare barn-like room.

The rooms for visitors may be made further useful as school-rooms, and as libraries or book stores of the institution.

The workshops of the asylum should be in detached buildings, well-ventilated, and of sufficient size to accommodate all the inmates who can be employed in them. Rooms in the basement of a building are objectionable for this purpose, because usually dark, gloomy, and ill-ventilated. The workshops may be built in connection with the blocks occupied by the more quiet class of patients, those likely to be employed in them.

The farm buildings and piggeries should be so far removed from the asylum as not to prove in any way objectionable on sanitary grounds.

#### ORGANIZATION.

**Asylum Government and Inspection.**—In dealing with the question of asylum government it will be well to consider, first, what are the powers which individuals or boards entrusted with such government have to exercise, and then endeavour so to apportion these powers as to render the government simple and effective. In the *Report on Colonial Hospitals and Lunatic Asylums* issued by the Secretary of State for the Colonies in 1864, these powers are divided into four classes:—1st, making rules or regulations; 2nd, financial administration; 3rd, patronage of (a) officers, (b) attendants and servants; 4th, inspection and supervision; and to these may be added—5th, general management and superintendence.

It will be seen at once that these powers are various in their nature, and that they require very different qualifications for their proper exercise.

In the simplest form of asylum government—a form which exists in some of the minor German states, and in some of the British colonies—the whole of those powers are divided between the superintendent of the asylum and the general Government. The superintendent is intrusted with the management and the patronage, so far as attendants and servants are concerned, whilst the general Government appoint the officers, and undertake the management of the finances, the legislation and the duties of inspection, where such are performed. But such a division is only possible in states possessing a small population.

In the next form of asylum government, the general Government—feeling themselves incompetent to perform the various duties of legislation, finance, patronage, and inspection—have called to their assistance special officers to undertake the latter of these duties. These officers are either appointed to make an annual visit, and report on the general condition of the institution to the Government, as in Baden, Hanover, and other German states, or are charged with more frequent visitation, and with powers of regulating the admission and discharge of patients, as in the colonies of New South Wales, Victoria, &c. The other powers are divided between the superintendent and Government as in the first-mentioned form.

In another form of asylum government, the Executive retains only a general power of legislation, and hands over to a board of control appointed by it and more or less variously constituted, the powers of patronage and finance, and the minutiae of legislation. The powers of inspection are either retained by the Executive or handed over to the board of control.

This form of asylum government exists in the state asylums of America, the city asylums of Germany (Frankfort, Hanover, &c.) and the Colonies of Canada and Tasmania.

In a fourth form of government, which exists under various modifications in England, Scotland, France, Belgium, and Holland, there is—

- 1st. A superintendent of the asylum, who is the chief medical officer charged with the management of the internal economy of the institution and the estate, and with the appointment and dismissal, subject to the approval of the Government, of all attendants and servants.
- 2nd. A board of control, consisting of from five to nine members, men of standing and position, who exercise the power of patronage as regards officers, fix the amount of all salaries, and manage the finances, visit the institution at fixed times, examine into the admission of all patients, order all discharges, and report annually upon the general and financial condition of the asylum.
- 3rd. A board of commissioners or inspectors—mainly professional men, physicians and barristers—who inspect the institution at fixed periods, inquire whether the provisions of the law have been properly carried out as to the

the construction, visitation, and management, whether the admission and discharge of patients is regulated according to law, whether divine service is performed, or coercion practised, &c.—reporting annually upon every asylum to the central government.

- 4th. The central Government itself, which either makes all rules for the guidance of the officers and the general conduct of the asylum, or approves rules made by the board of control (without which approval they are not legal), approves or vetoes all plans for the building, enlarging, or improving of asylums, and appoints the inspectors.

In France and Belgium, where centralization is more in force than in Great Britain, the Government issues dietary scales, appoints the superintendent, and also nominates the assistant physician from a list of three furnished by the board of control; all other officers are appointed by the board.

This form of government is by far the most perfect; and, to judge from the general condition of the asylums of those countries where it exists, altogether the best in its general working. The more closely it is followed in New South Wales, the more satisfactory is likely to be the condition of the asylums.

The first step in the adoption of this system is the appointment of a board of control, and such a board has been already advocated by those interested in asylum management in the colony. Drs. Cox, and Brereton, who were in 1865 Visitors to the Asylums, advised the appointment of such a board in a letter to the Colonial Secretary, and the Rt. Rev. Dr. Willson speaks of a board of commissioners for the general management as “absolutely necessary for the permanent well-working of the asylums of the colony.” The evidence to be derived from an examination of asylum government in other countries points conclusively to the necessity of a board of control; such a board existing almost universally in European countries and in the United States of America, and having already been found a success in Canada and Tasmania.\*

It has been objected that, in a colony, the Chief Secretary, the Finance Minister, and the Auditor General, are the proper board of control, and perform with ease and simplicity all the functions of such a board; and that boards of control are only necessary in institutions, which, like the English county asylums, are not state institutions, and so do not come immediately under the direction of the central Government. But the state asylums of America are essentially and entirely Government institutions, as is also the State Asylum for Criminals at Broadmoor; and it has been deemed advisable to place all these under boards of control, appointed by, and responsible to, the central Government. The chief arguments for the appointment of a board of control are, the gradually increasing business which must beset the members of the Government in a large colony, and which may induce or oblige them to place in the hands of subordinates that which should properly be done by themselves, or to postpone indefinitely the settlement of questions which need immediate consideration; and the fact that the Chief Secretary and Finance Minister are not permanent officials, so that a change of ministry may transfer the asylum government from those interested in and possessing considerable special and practical knowledge on the subject, to others who have never given direct and special consideration to it, and with whom the greatest activity can scarcely compensate for want of specific knowledge. However smoothly and easily the asylums in a small colony may be managed directly by the Government, in a large one, proper and prompt asylum management is scarcely possible without committing to the superintendent a very large general direction, and some share in the financial management, which would largely increase his labours and his responsibility, or appointing a board of control; and in all respects this latter seems preferable.

A board of control should be appointed by the Government for each asylum, or for each district, and should consist of not less than five members, one or two of whom should be medical men, and the remainder men of high social standing residing in the district in which the asylum is situated. The necessary expenses of the board should be paid, and such remuneration made to the professional members as may be deemed fair, but the other members should not receive salaries, the position being entirely an honorary one.

The members of the board may either retain their seats permanently, or one or two members may retire annually, and be eligible for re-appointment.

The duties of the board should be:—

- 1st. The control of the finances of the institution, and the preparation of the necessary estimates for the consideration of the Government.
- 2nd. The appointment and dismissal of all officers, viz., superintendent, assistant medical officers, secretary, chaplain, and housekeeper, subject to the approval of the Government.
- 3rd. The visitation of the asylum, and inquiry into its management and the general conduct of officers and attendants.
- 4th. The inspection of the forms of admission sent with all patients, and the ordering of the discharge of all such as are recovered or for whom their friends promise to make provision. One medical member of the board, being always present to examine the patient and affix his signature to the certificate of discharge.

The board should also be charged with the presentation of an annual report to the Government, in which the general and financial condition of the institution under its care is set forth.

On

\*In the *Report on Colonial Hospitals and Lunatic Asylums*, the Asylum in Tasmania is mentioned as “apparently the best in the Colonies.”

On the appointment of a board of control, asylum government will be thus divided:—

*Superintendence and Management.*—The whole internal economy of the asylum will be under the control of the superintendent, and with him should rest the patronage so far as the appointment of attendants and servants is concerned.\*

*Legislation.*—The making of all general laws, for the conduct of the asylum and for the guidance of all officers and attendants, will be the duty of the Government. A general code of laws will serve for the government of all the asylums of the country; and all marked alteration in such laws should be made, or at least approved, by the general Government; whilst minor alterations which are not contrary to their general spirit may be made by the superintendent or board of control.

*Financial Administration.*—will be under the board of control, exact accounts of the financial condition of the asylum being submitted to the Government with the estimates for each year. The estimates should include a sum for incidental expenses, to be spent at the discretion of the board and not exceeded. (The sum placed under the control of the board is fixed, in the case of the English county asylums and the State Asylum, Broadmoor, at £400 for each year).

*Patronage.*—The appointment of the board of control (and the board of inspection, to be hereafter considered,) will rest with the Government. The board of control will appoint all the officers who are immediately responsible to it, the Government approval being necessary to ratify the appointment. The superintendent will appoint the attendants and servants who come immediately under his directions.

There remain to be considered the duties of *Inspection and Supervision.*—In the United States of America, with the exception of Massachusetts and Vermont; in the city asylums of Germany; in Canada and Tasmania, these duties are undertaken by the board of control, and in some of the German asylums by the central Government; but they are duties which require a special knowledge not likely to be possessed by the ordinary members of a Government—even did their own duties allow the necessary time to be devoted to the subject. They are more or less inconsistent with the functions of a board of control, upon whom indeed, as well as upon the superintendent and other officers, the inspection will be to some extent a check. This check is necessary, since abuses may and do exist even under good forms of Government, and these are much more likely to be detected by inspectors unconnected with the institution, than by those who already hold office in it and are therefore not likely to detect deficiencies in the character of officials, which they have failed to discover as a governing board.

Boards of inspection exist, as has been seen, in Great Britain and Ireland, France, Belgium, and Holland. The State of Massachusetts has appointed a board charged, among other duties, with the inspection of asylums; and the State of New York is now meditating a similar step, whilst in Vermont there is a special commissioner charged with the inspection of asylums. For some years past a board charged with the duties of inspection and report has existed in this Colony; but with the institution of asylums in up-country towns, some change in its constitution will be necessary. It is a question for the consideration of the Government how far the existing board may be changed into a board of control for the asylums of the Sydney District, by an addition to its numbers and an alteration in its powers; whilst another board for general inspection is appointed.

The duties of such a board of inspection should be:—

- 1st. The inspection of all asylums public and private at fixed periods, not less than twice a year; at such inspections inquiry should be made as to their management, as to the regularity of admissions and discharges, the number of attendants, the dietary, and the general conduct of the institution.
- 2nd. The frequent inspection of the criminal asylum, which, it is recommended in a subsequent part of this report, should remain under the immediate control of the Government without the intervention of a board of control.
- 3rd. The frequent inspection of the Reception House at Darlinghurst, and the relegation of all patients confined therein to the asylums most fitted to receive them.
- 4th. The examination of all criminal lunatics, either acquitted on the ground of insanity or found to be insane in prison; and the direction as to their maintenance in the prison for observation, or their transfer to an ordinary or criminal asylum.
- 5th. The transference of patients from one asylum to another for any reasons that may be considered good.
- 6th. The registration, visitation, and official guardianship of all lunatics under certificate, residing with friends or with persons paid for their maintenance, with power of inquiry in all cases of detention and ill-treatment by relatives of any insane person, whether under lunacy certificate or not.
- 7th. The examination of all certificates in lunacy, to see that they are in proper form and that all necessary particulars concerning the history, circumstances, social and mental condition of the patient are given.
- 8th. Inquiry into all cases of complaints in asylums, and all cases in which the Lunacy Acts have been infringed.

The

\* The position and duties of superintendent will subsequently be discussed at greater length.

The inspectors should be required to report annually to the legislature upon the condition of all asylums, and should make such special reports and suggestions as may seem fitting. The annual reports should be printed for the information of the people, who may thus, and by means of the reports of the board of control, become acquainted with the condition of what are not the least important of the public institutions.

It will be seen that other duties, beyond mere asylum inspection, are here assigned to the inspectors.

Special reasons, showing the necessity for the performance of the duties mentioned in the 4th and 5th paragraphs, are given in the section in which the provision for criminal lunatics is treated of, and for those mentioned in paragraph 3 in the section on Reception Houses.

The importance of the visitation of all lunatics under certificate residing with friends or persons paid for their maintenance, is fully recognized by the English and Scotch Law. The commissioners in both countries are charged with this duty. By a recent statute for Scotland the commissioners are empowered to visit any lunatic or person treated as a lunatic, not under certificate, who may have resided under private care more than a year, and who has been subjected to compulsory confinement to the house, or restraint or coercion of any kind. The want of inspectors to visit lunatics in private houses and poorhouses, has been lately keenly felt in some of the states of the American Union. Whilst the state asylums are in every respect model institutions, managed with a liberality and an enlightened philanthropy, which leaves little or nothing to be desired, the condition of many of the lunatic wards of poorhouses are a disgrace to humanity, and such cases as that described in the following paragraph are unhappily only too true:—

"The *Philadelphia Medical Reporter* describes the case of a son of a clergyman who has just died insane at the age of 81, having become insane at college at the age of 21. According to this astounding statement, for nearly two years he was not confined, until his father's life had been repeatedly endangered by his violence, when he was restrained with chains for a couple of years, and then was placed in a strong cage in the garret of the house, whence he never came forth while he lived. No clothing could be kept on him; but in severe weather he would allow himself to be covered with a blanket, which lasted only till his propensity for destruction became stronger than his fear of the cold. His cage was not high enough for him to stand erect, and he remained constantly in a sitting posture, leaning back against the timber when he slept. His limbs could not be straightened, his hair was never trimmed, and for cleanliness he received only the attention given to a poorly kept animal. In fact, he had lost all appearance of a human being, and had nearly lost his faculty of speech. No official or legal investigation of his case, or his class of cases, has ever been made by the Government, but he was left in this pitiable but unpitied state, in the midst of a highly enlightened and Christian people, to howl and shriek and groan, and suffer the unutterable horrors of mental madness for sixty years."\*

The exact constitution of the board of inspectors remains for consideration. In the present condition and number of the asylums of New South Wales, the propriety of appointing a special inspector or inspectors of lunatics may be doubtful from financial and other reasons, and whilst the asylums of the country are within easy reach of each other, as at present, the superintendence of one asylum may be combined with the inspection of others; although such an arrangement can never be altogether satisfactory. It will be for the consideration of the Government how far it may be advisable to appoint a special inspector, to follow the example of the Belgian and Canadian Governments, and combine the inspection of the sanitary condition of prisons with that of the general inspection of lunatics, under one individual or board, or to place all state charities—the hospitals and asylums as well as the prisons and reformatories—under one board of inspection, as is done in Massachusetts.

The Massachusetts board is composed of five honorary members, a paid agent, who is medical man, and a paid secretary. The duties of the Board are to "investigate and supervise the whole system of the public, charitable, and correctional institutions of the Commonwealth, and recommend such changes and additional provisions as they may deem necessary for their economical and efficient administration."

The agent and secretary perform the chief duties of inspection, and are assisted by a large staff of clerks.

The scheme of government which has been sketched approaches, as nearly as possible, to that in practice in England, Scotland, Ireland, France, Belgium, and one or two of the foremost states of the American Union. Such a scheme—in which the duties of each individual or board are clearly defined, and there is no theoretical complication of powers—is likely to work smoothly and well; but if one board unites the duties of control and inspection, or the Government continues to exercise the immediate control of the asylums, confusion and mismanagement are to be anticipated.

**Superintendent.**—The physician of every asylum should be superintendent and chief executive officer of the establishment. He should have entire control of the medical, moral, and dietetic treatment of the patients—the power of appointment and discharge of all attendants and servants—and exercise a general supervision and direction of every department of the institution. He alone should be responsible to the governing body for the state and condition of every part of the institution, and he should be the recipient of all their orders. The importance of an undivided authority can scarcely be over-rated. The medical, moral, and general treatment of the patients are so intermingled that it is impossible to separate one from the other. The ordering of work—  
and

\* *British Medical Journal*.

and work, too, of a particular kind—is frequently of as much importance as the ordering of medicine to the inmates; and the physician must feel his hands tied, when the direction of such work, as well as the mere medical remedies, are not immediately under his direction.

Every asylum is, and should be, one great whole. Its attendants and servants—its farm and gardens—its pleasure grounds—its means of amusement—even its furniture, its table service, and its food—are all part and parcel of one system of treatment; and to secure harmony, economy, and successful results, every one of these must be under the same general control. Everything has some direct or indirect connection with the patients, and should tend, in some way, to their restoration to health.

The whole arrangement of the institution being under the superintendence of the physician, its success will be a matter of pride and interest; and if anything should go wrong, on him will be placed the responsibility.

The salary attached to the office of superintendent should be such as to induce a man of education and of standing in the profession to take upon himself this vast charge and its varied and arduous duties. It should approach, if not equal, income obtained by medical men in the highest rank of their profession in the country where the asylum is situate. This will be, at all times, a fairer standard at which to fix the salaries of the medical superintendents of asylums, than a consideration of the sums paid in other countries, where the cost of living, the customs of the country, and the rate of professional remuneration vary considerably. The salaries and allowances of superintendents in England, America, and some of the Continental asylums may not, however, be without interest in this particular, and details on this subject will be found in a prior part of this report.

The rules drawn up by the Government for the guidance of the superintendent, should be liberal in tone, and should not do more than fix the powers and general duties of the office. The rules which exist in some English asylums concerning temporary leave of absence, are an insult to any superintendent really interested in his work. An almost universal rule, which precludes him from the general practice of his profession, is in the main good. At the Gartnavel Asylum, Glasgow, the superintendent is allowed to practise as a consulting physician in cases of mental disease; and in the rules which have recently been drawn up for the government of the Madras Asylum, the superintendent is directed “to abstain from engaging in general practice, except when called on to visit persons afflicted with insanity.” Such an exception might, with advantage, be adopted in this Colony; and, if the words “mental disease” be substituted for “insanity,” the latitude allowed will be beneficially greater.

The permission to engage in consulting practice of this kind, would act for the benefit of the public, rather than the superintendent. The sum arising from such practice, even in the great city of Glasgow, is very small, in comparison with the salary attached to the position of superintendent. But it is important that the public—in places where “mental disease” is not studied or practised as “a specialty” by physicians unconnected with public asylums—should be able to obtain the advice and assistance of physicians, who have made such cases their particular study, and whose opinion is, therefore, likely to be valuable.

**Assistant Medical Officers.**—The assistant medical officers of asylums should be qualified medical practitioners, whose duty consists in assisting the superintendent in the medical and general duties of his office, and representing him in his absence.

Authorities in asylum administrations have fixed the number of medical officers which are necessary for one establishment. Dr. Kirkbride\* says, that “Where there are 250 patients, especially if there is a large proportion of recent cases, two assistant physicians will be required, one of whom should perform all the duties of an apothecary. In some instances one assistant physician and an apothecary will be sufficient.”

Dr. Arlidge†, after quoting the opinions of French and German physicians on this subject, thus sums up the question:—“Allowing the opinions and practice of the eminent men quoted (Jacob, Parchappe, Roller, &c.), and which, in truth, are shared in by every asylum superintendent, their due weight, it would seem not an extravagant arrangement to allot to an asylum accommodating from 150 to 200 patients (recent and chronic cases together) a physician superintendent, and an assistant, and a similar medical staff to an institution for 300 or 350 inmates all in a state of confirmed chronic insanity, imbecility, and dementia. If the population in an asylum for chronic cases is further augmented from 450 to 600—the latter number we hold to represent the maximum, which can economically, and with a just regard to efficient government and supervision, and to the interests of the patients, be brought together in one establishment. The medical superintendent will require the aid of two assistants and a dispenser.”

It will be seen that the number considered necessary by the authorities is greatly in excess of that which exists in the majority of English institutions, where it must at once be admitted the medical staff is greatly deficient in number. It may be safely stated,

\* *Hospitals for the Insane*, p. 44.

† *State of Lunacy*, p. 118.



stated, after a consideration of the opinions of authorities, and an examination of the working of existing asylums both in Europe and America, that the medical staff of an asylum containing acute and chronic cases in the usual proportion, should never consist of less than 1 to every 250 patients; that whenever the asylum population exceeds 250, an assistant physician should be appointed; and that when the number of 500 is reached, an additional assistant is necessary. With this proportion, the dispensing of medicine can be undertaken by the junior assistant, and the services of a dispenser will not be requisite.

The paucity of medical officers at Colney Hatch, which makes individual treatment impossible, and the excessive number at Illenau, which leads to over medication, are almost equally objectionable.

**Consulting Medical Officers.**—With a medical superintendent of education and standing in his profession, and with properly qualified assistant medical officers, the consulting or visiting physician can never be necessary in an asylum.

The medical treatment of patients suffering from mental disease is best entrusted to medical officers residing in the asylum, and watching the ever varying condition of its inmates. It is not possible for any one who sees insane patients only at long intervals, to prescribe properly for them. The regular visits of a non-resident medical officer are calculated to be strongly objectionable to the superintendent, whose fitness for some of the most important duties of his office, are, by the appointment of such a medical officer, directly called in question.

The opinion and assistance of a consulting physician or surgeon is occasionally desirable in an asylum, in difficult cases of accident or disease; and in such cases, it may fairly be left to the superintendent to call to his assistance any physician or surgeon whose advice he deems most worth having; the remuneration for such advice being made according to the usual scale of medical fees, from the asylum funds.

**Chaplain.**—A chaplain is a necessary officer in every hospital for the insane, and where the institution is of large size, and a majority of the inmates of one religious denomination, the chaplain should undoubtedly be resident, holding no other benefice, and devoting himself exclusively to the religious instruction and comfort of the patients.

In smaller institutions, however, the incumbent of a neighbouring church may fulfil all the requisite duties, in addition to those of his parish. In asylums where there are large numbers of other than one sect, paid chaplains, of two or more religious denominations, should be appointed, and every care taken that the services of each are performed with all possible completeness and decorum.

The utmost facilities should be given for the ministration of clergymen of different denominations, who are not paid chaplains of the institution, and the patients of each particular sect should be permitted to attend.

As regards the position of the chaplain, it may be sufficient to quote the language adopted by the Association of Medical Superintendents of American Institutions for the Insane (Appendix A):—"If a chaplain is deemed desirable as a permanent officer, he shall, like all others engaged in the cure of the patients, be entirely under the direction of the medical superintendent."

It is desirable that two services should be held in the chapel of the asylum each Sunday, and on such other days as may be convenient. A certain number of the patients may be sent to the district church, under the care of attendants.

The duties of the chaplain should include the visitation of all the sick of his denomination, and the burial of the dead, so long as the friends of the patient consent to the interment taking place in the asylum cemetery, or in the churchyard or cemetery of the nearest town.

**Officers.**—An officer charged with the immediate direction of the commissariat and clothing department, a secretary, steward, clerk or agent, is necessary in every asylum; and it seems advisable that such officer should be made also the treasurer or receiver of the institution, and be charged with the receipt and disbursement of all minor sums of money, under the orders of the board of control.

This officer should receive such assistance as may be found necessary in the clerical and general duties of his office, and should either reside in the institution, or at some short distance from it. The salary attached to the office should be such as to induce a man of intelligence and character to accept the varied and responsible duties of the position.

The farm and garden should be under the care of a farm bailiff or gardener, receiving orders immediately from the medical superintendent. In some instances the board of control may interest themselves with great advantage in this department of the asylum, but it is advisable that they should do so in junction with the superintendent, and not independently of him.

The kitchen, laundry, domestic offices, and the supervision of the house servants, should be placed in the hands of a "housekeeper," whose duties shall not extend to a supervision of the wards or female servants. The housekeeper should reside in the asylum, and not less than two rooms should be appropriated to her use.

**Attendants.**—One chief attendant or supervisor should be appointed for each sex, to exercise a general oversight of all the patients and their attendants, and form a medium of communication between them and the medical and other officers of the institution. Their duties will be to ascertain how far the general directions and prescriptions of the superintendent are carried out and the patients' comfort and general treatment attended to. Their supervision will extend to all the apartments and airing grounds, to the bedding and utensils, and to the distribution of food and medicine. Care should be taken to secure the services of persons possessing tact, intelligence, and, above all, a special acquaintance with the insane; and they should receive liberal remuneration and good treatment. The position of the chief attendants should be that of officers of the institution, and two rooms within the building should be set apart for the use of each.

Upon the ordinary attendants of an asylum will depend no small part of the success of the institution, and every care should be taken, to secure the services of young, active, and intelligent persons, to instruct them in the duties of their office, and to induce them to remain in it. A fair education is indispensable. Every attendant should be able to read and write, and possess some knowledge of figures. Careful instruction should be given, not only by definite rules for their guidance, but by personal communication by the superintendent and other officers. "Your first attempt ought to be to cure your keepers; you need not proceed to your patients till you have done so," was the advice given to, and recorded by, an eminent asylum superintendent, now Commissioner of Lunacy for Scotland. With all the supervision that can be given, the comfort of the patients must, in every asylum, be mainly dependent on the attendants, and no exertion should be spared in training them for the duties of their office; and when trained and accustomed to these duties, and to the presence and peculiarities of the insane, it is of the utmost importance to retain their services.

Their dietaries should be good, their bed-rooms comfortably furnished, and sufficient leave of absence should be given at short intervals. Relief from the monotonous and wearisome nature of their duties is an absolute necessity, if health of body and elasticity of mind (both of which are essential for the performance of their duty) are to be preserved. The example of securing to the attendant the Sunday to himself, which is set in European and American institutions, may be usefully followed, and marriage should be encouraged if it tends to make the attendant settle to his work. A man and his wife may be employed with advantage in the male wards of an asylum, especially in those devoted to the sick and epileptic.

With every attention to the comfort and well-being of the attendants, strict discipline is necessary. When a patient escapes from an asylum through the negligence of an attendant, he should be made to bear part, if not all, the expense of recapture. Leave-breaking should be met by fine and reprimand, but a system of fines, carried out fully and enforced for minor offences, is liable to prove irritating to the attendant; whilst stopping leave of absence cannot be recommended, because calculated to prove detrimental to mental, if not bodily health. In several British asylums strict discipline is maintained by reprimand and dismissal only.

The proportion of one attendant to ten patients is fixed by almost all authorities on asylum government. The by-laws for the government of the State Asylum at Washington fix this number. By the Association of Superintendents of American Institutions for the Insane, this proportion is regarded as the minimum at all advisable; and in the rules and regulations for the establishment of asylums by the Belgian Government, it is ordered that "there shall be at least one attendant for every ten patients, except in exceptional cases where the Government may recognize that the number may be reduced without inconvenience." Where the asylum contains acute and chronic cases in the proportion usual in Great Britain, the number of attendants should not be less than one to ten or twelve; but in New South Wales, since the asylums contain all the quiet cases which in Great Britain are sent to poorhouses, one to twelve or fourteen will probably suffice.

The staff of attendants should be quite independent of the artisans and servants of the institution. The system of making artisans attendants is for several reasons objectionable. If an artisan is at all a good workman he must be paid higher wages than an attendant, and will be more profitably employed, therefore, at his trade, than in looking after the patients. When he is content to accept the wages of an attendant, it may be stated, with tolerable certainty, that the work which he will do when employed as an artisan will not be such as to greatly profit the institution. The artisans should be only charged with the care of such patients as work with them during working hours.

Although there are objections to dressing attendants in uniform, the advantages are such as to render them of little weight. The smart appearance of the attendants, the care with which their dress is regulated, their immediate recognition by official and other visitors, are strong recommendations in its favour.

A pattern for the men which is not suggestive either of the police or the prison, and some quiet dark colour, relieved by white cuffs and collar, and made as becoming as possible for the women, are therefore recommended. Every attendant should be taken first on trial for some months, and should not wear uniform till a permanent servant of the institution. The keys should be carried in the pocket, or else attached to a cord and tucked beneath the waistband of the apron.

There



There should never be less than two attendants in each ward, and thirty to forty patients under three attendants is a preferable number. The attendants should be made responsible for the cleanliness of the dormitories and day-rooms; but all cleaning will, as a rule, be done by patients under their superintendence.

An efficient night watch should be maintained by specially appointed attendants, to guard against accident during the night, to minister to the sick, and such as suffer from epileptic fits, to soothe the restless and noisy, and to rouse all such as are dirty, at fixed intervals.

One attendant for each sex will be sufficient for this duty in a small asylum; but with over 400 patients, there should either be two attendants, or convalescent patients may be appointed as assistants. The comfort and cleanliness of the patients will be greatly promoted by a well-regulated system of night watching, and the ordinary attendants will secure sound sleep, without which it is impossible that they should perform their duties. If the attendants are disturbed repeatedly at night, they will, in all probability, be irritable and inattentive during the day, and so utterly unfit for the special character of their work.

If no mechanical method of checking the rounds of the night attendant is employed, vigilance should be secured by irregular visitation; or the emptying and re-stuffing of all dirty beds may be made part of the night attendant's duty, and he will so be made careful that their number is as small as possible.

**Domestic Servants and Artisans.**—A certain number of domestic servants and artisans are necessary in every asylum. The domestic servants working in the laundry kitchen, and dairy, and attending on the officers of the institution, should be boarded and lodged in the asylum, and should not be counted as attendants, although they may be made responsible for the conduct of patients who are temporarily employed with them.

The out door servants and artisans should be in every way distinct from the attendants, but like the domestic servants, should be made responsible for the care of all patients employed with them. As many as possible should be lodged in cottages on the asylum estate; and in these cottages under the care of the artisans, may be placed a certain number of the more quiet and convalescent patients. They may be employed at weekly wages, and boarded, or not, as may be most convenient.

Arrangements should be made by which the artisans may relieve the attendants occasionally on Sundays, and so secure to the latter more frequent leave of absence on that day.

The domestic servants who will be most required in the asylum are,—

Laundress and laundry-maids.  
Cook, kitchen, and dairy-maids.  
Housemaids.

The other servants most requisite are,—

Storekeepers.  
Gardener and farm-labourer.  
Baker.  
Engineer and gasman.  
Porters, and

A certain number of artisans, such as carpenter, tailor, shoemaker, upholsterer, painter and glazier, are indispensable in an asylum, to superintend the patients employed in the workshops, and to execute the minor work and repairs which are constantly necessary in a large establishment. To these may be added, basket, mat, or brush maker, printer, blacksmith, mason, &c., &c., as it may be found profitable to employ the patients in these trades, or to execute the minor repairs necessary to the building or its fittings. A bandmaster or chief musician should form part of the staff of every asylum; he should conduct the musical services of the church, instruct the attendants (and such patients as are capable of learning) in music, both vocal and instrumental, and preside at the concerts, dances, and other amusements which should form part of the asylum routine.

**Classification.**—The exact classification which shall be adopted in an asylum, though a portion of asylum organization, has an important bearing on asylum construction, which must depend, indeed, more or less, upon it.

Certain rules have been laid down, by authorities on asylum construction and management, as to the number of classes for which provision should be made.

The English Commissioners in Lunacy direct that "the building shall be so constructed as to admit of the separation of the male and female patients, respectively, into at least three classes". (Appendix A.) And in addition to this, separate buildings are recommended for the working patients, for the idiotic and epileptic, and for chronic cases, making a total of at least six divisions. The Scotch Commissioners give similar directions, substituting imbecile and fatuous, for epileptic, whom it would appear they do not think it advisable to keep apart.

The

The Belgian Government directs provision to be made for,—1st, the quiet,—2nd, the dirty,—3rd, idiots,—4th, epileptics,—5th, convalescent,—6th, excited,—7th, violent,—in every asylum in which the number of patients exceeds 100; and the American Association of Superintendents of Hospitals for the Insane, advise “that every hospital having provision for two hundred or more patients, should have in it at least eight distinct wards for each sex.” (Appendix A.)

The number of sections, divisions, or wards, which shall exist in an asylum, is a totally distinct question from the exact classification which shall be adopted for the patients. The constant association of large numbers of the insane, of whatever class, is more or less objectionable; and it may be at once admitted that at least six divisions should be made in every asylum for 500 patients, if only to prevent the association of large numbers; but how far a definite classification according to the more marked features of their malady shall be made, is a question for further discussion.

The “Relative Connexion” system of the Germans, in which a line is first drawn between curable and incurable, or acute and chronic,—each class being relegated to a separate section of the establishment,—has never found favour in other countries. It is open to abundant objection, and is now falling into disuse in Germany itself.

The system which has found favour with the English Commissioners, consists of a separation of the working classes from those incapable of employment, and their accommodation in distinct blocks of buildings. This system is, in several respects, objectionable. Almost every patient in an asylum should be more or less a worker. Many, it is true, will do little, but there is always a hope that they will do more, and if separated entirely from the workers they lose all the benefit of example, which operates strongly among the insane. At the same time, the workers will feel themselves a distinct class, working under compulsion, patients only in name, dealt with as labourers and artisans, and therefore wrongfully detained in an asylum. Those of the same trade or employment are associated together during the hours of labour, and it is frequently to their mental advantage that such association should then be broken up, and that they should pass to the society of those who are otherwise engaged.

Neither the classification founded upon the durability of the malady, its curability or incurability, or what has been called the industrial system, can be recommended. The only proper classification is a medical one; and if to this is added a consideration of the social condition, and the peculiar psychological individuality of the patient, everything necessary in the way of classification will be attained.

The provision for patients paying for their own maintenance, and for the idiotic, in buildings detached from the asylum, is considered in a subsequent part of this Report, so that these may be excluded from consideration here.

The sick and infirm,—all those aged and worn out, and suffering from extreme dementia, as well as the worst cases of epilepsy, for whom special provision in the shape of furniture, bedding, nursing, is necessary; the cases recently admitted,—as requiring special medical treatment by reason of their mental condition; and the more noisy and violent class,—those less under self-control, and sometimes needing temporary isolation; are the only patients for whom *classification* can be recommended.

For the whole remaining body of the patients, a psychological arrangement rather than a classification should be adopted.

Those cases should be associated which are least likely to injure, and most likely to benefit, each other, no matter what may be the character or form of their disease, or whether supposed to be curable or incurable. Thus the melancholic and the excitable may sometimes be mutually useful; at others kindred spirits may exercise a beneficial effect on each other. Variety is as pleasant to an asylum patient as to any one else, and it would not be found satisfactory, even if it were possible, to have all our associates like ourselves in their mental characteristics. Social position and education may often be advantageously considered in the arrangement of patients; and those who, when sane, occupied the same social standing, will often be most fitting companions in their insanity, and should, if possible, be placed apart from the other inmates, even though all are now on the one dead level of pauperism. The following remarks on this subject by Dr. Browne, are at once eloquent and to the point\* “It is not enough that the furious should be separated from the docile, or the imaginative from the fatuous. The mind of every individual should be carefully studied; its healthy as well as its insane bearings analyzed, and the relations which they may have with, or the influence they may acquire upon, the minds of others calculated, and groups formed in reference to the result. The violent or malicious may often be confided with perfect safety to the acquisitive, or vain, or religious monomaniac. The happy and the affectionate may be associated with the desponding and despairing, and the helpless idiot may become the adopted child of some mother whose only delusion is, weeping for infants which she never bore. Whole families may be formed; a vain idler may be entrusted to the tutelage and example of three or four industrious knitters or oakum teasers, and being encircled by temptation to exertion,

\* *What Asylums were, are, and should be*: By W. A. F. Browne, M.D., one of the Commissioners in Lunacy for Scotland, and formerly Superintendent of the Crichton Institution for the Insane, Dumfries.

exertion, and stimulated by the desire of rivalry, abstraction from the dormant idea is often the consequence. A contented self-satisfied and active-minded maniac is joined to a timid, a lethargic, and a gloomy maniac, and seldom fails to communicate some portion of those qualities which it is our object to infuse."

"The association of lunatics requires to be skilfully managed; but when classes are formed in conformance to the mutual wants, and wishes, and dispositions of the parties, the system is at once beautiful and self-operating."

It must never be forgotten, in making a distinct class of the more violent and noisy patients, that in many instances, the presence of one or two such patients in the quieter wards will be of benefit to themselves, without being hurtful or annoying to the rest; and that they are more likely to be impressed with the behaviour of the other patients, and conduct themselves quietly and well, than to stir up strife and discord. Every trial should be made, by so dividing the cases as to make the number of violent inmates in the ward specially appointed for them gradually less, and so assimilate its character to that of the ordinary division of an asylum.

The separation of three or four of the noisy and violent from the remainder of the inmates of the ward, will frequently completely alter the character of the entire division,—and the plan adopted for this in the New York State Asylum is worth attentive consideration. Off the most noisy ward, which contains twelve patients, is a small ward to contain four only. These are placed under one nurse. The extremely violent, and those who perpetually behave badly and cause tumults and disturbance in the other wards, are here placed together, and removed as soon as their behaviour is such as to induce the superintendent to place them in other wards.

In many instances, whatever the basis of classification, it will not hold good throughout the 24 hours. The habits and requirements of some patients necessitate other provision at night than that which is made for those with whom they are fitly associated during the day. The day association must therefore be broken up, and a night classification, based on the requirements of the patients, made.

A certain number of the convalescent patients should be placed in cottages, either in bodies of ten or twelve, with an attendant, or in the homes of the artisans or labourers of the asylum. By these they will be kindly treated and cared for, and with them they will lead a life differing from the artificial one of the asylum. They will, at the same time, remain under observation, and so re-enter the world gradually, instead of passing at once over the asylum threshold into the business and cares of life. The remainder may fairly be kept for a time in the wards, where their example is good for the other patients, and they will materially assist the nurses.

Separate wards for epileptics have been advocated, because their care and treatment requires special knowledge on the part of the attendants, and some provision for their safety during the fits to which they are subject, and because it has been thought that they are terrifying and annoying to other patients, whilst the fellow feeling which the particular nature of their malady induces, makes them willing to render assistance to one another in its active paroxysms. All these advantages are, however, more or less outweighed by the utter depression which the perpetual contemplation of epileptic fits is liable to cause to all, both patients and attendants. At the same time, a certain number of the epileptic cases are fitted for work, and should be employed with the ordinary patients, whilst the mental condition of the others renders them more fitted for the violent section of the institution. The cases in which the epileptic fits are very frequent should be placed in the infirmary, and the remainder distributed throughout the hospital, according to their mental peculiarities.

The number of patients who may properly be associated in the various divisions of an asylum, has an important connection with the subject of classification. As a general rule, the numbers in each class should be such as to require the services of not less than two attendants. Divisions ranging from 15 to 40 are preferable. In the more violent ward, 15 to 20 patients, under two or three attendants, are quite as many as should be placed together; whilst in the quieter wards, 40 patients, under two or three attendants, are not too many. A small ward, to contain four or five of the most violent patients, is extremely useful.

**Diet.**—The quantity, the quality, the preparation, and the distribution of the diet of the patients, in an asylum, is, as Dr. Conolly remarks,\* a subject in every way worthy of the careful consideration of the managers, officers, and attendants. "All habitual physical discomfort is opposed to mental recovery, and a scanty, ill-cooked, unwholesome diet, creates a chronic uneasiness and dissatisfaction, impairs the health, and increases the mortality of an asylum. There is some reason to suppose that insane patients, shut within the bounds of an asylum, and necessarily leading a monotonous life, require, as prisoners are said to require, a greater quantity of food than persons who are at large. It seems, at all events, to be established in asylums, that a very low diet conduces to a high mortality, and that the deaths diminish when the diet is improved."

A

\* *The Construction and Government of Lunatic Asylums and Hospitals for the Insane*: By John Conolly, M.D., p. 65.

A fair quantity of wholesome nutritious food is necessary, for the quiet and for the health of the inmates. The saying that "a hungry man is an angry man," the truth of which in ordinary life few will be found to deny, is true to a fourfold extent in an asylum; and the quietest hours of the day in asylum wards are those which immediately succeed the breakfast, dinner, and supper of the inmates. Insanity is, in very many cases, a disease of debility; sometimes it is the direct result of semi-starvation, going on for years; and improved diet is often the chief element in the cure of the patient. Statistics have been published, by both English and French writers, which prove more or less conclusively that the recoveries in asylums are positively increased in number by plentiful and nutritious diet; and the effect of feeding on mental, as well as bodily health, has been noticed by most asylum physicians.

But it is not the mere quantity alone of the food which contributes to the health and comfort of the inmates. The quality of the viands should be carefully attended to, and special provision made for such as, from their physical condition, require an extra allowance of ordinary food, and such nutritious diet as concentrated soup, beef tea, eggs, wine, porter, or brandy.

The preparation, and the mode of distribution, are equally important. The food should be so prepared that any officer of, or visitor to, the asylum could dine from it with satisfaction; and it should be served with cleanliness and decorum, and at fixed hours. The taking of food should be made a pleasure. "The first and chief *amusement* is to eat," laughingly remarks Professor Meyer, the Superintendent of the Göttingen Asylum, one of the leaders of the modern school of psychology in Germany, when speaking of the arrangements of the institution under his care. Meals consisting of a liberal supply of wholesome food, served with cleanliness and order, in a well-furnished and cheerful dining-hall, are the best *amusements* which can be afforded to an inmate of an asylum, and will go a long way towards producing content, which is a good step on the road to cure.

The dietaries of English asylums, given in the Appendix, will serve as a useful guide, as to the quantity and variety of food necessary for the insane; and they may be modified so as to suit the climate, and the habits of the people of this Colony.

**Clothing.**—The clothing of the patients in an asylum merits very careful attention, both as one of the means of preserving health, and one of the things reacting on the mind. In some forms of nervous disturbance, the function of animal heat is interfered with, and warm clothing in chilly weather is especially necessary. The clothing should be regulated by the temperature. No pains should be spared to make the dress of the patients, both male and female, as becoming as possible, and a variety of pattern and colour should be used. Uniformity of dress can be desirable only as a check upon escape from the asylum, and its disadvantages much outweigh the trifling advantage which is gained in this particular. A special uniform, unless distinctly military in type, is almost always suggestive of the prison. The style of dress need not be made too miscellaneous; all needful variety may be secured for the men by two or three distinct colours, whilst prints and winseys admit of almost any variety both in pattern and colouring, and such variety is especially pleasing to the female sex. For men employed in agricultural labour, special suits are requisite; and for all the asylum inmates, newer clothes, or some of a different pattern or material, are desirable for Sunday.

The supply of linen should be sufficient, and such minor articles as neckerchiefs should be provided and worn. It has been well remarked by Dr. Conolly\* on asylum management, that "the number of female patients who go about bareheaded is always greatest where there is most neglect." Caps and bonnets should be provided for the female patients, and every care taken that they are worn, and that their hair is attended to and kept in order. All the patients should be supplied with boots or shoes.

Every precaution should be taken to prevent the patients divesting themselves of their clothing or boots. Constant watchfulness on the part of the attendants may do much to prevent this; but in some cases, locks, instead of laces or buttons, to the boots, and patent buttons which can only be undone by an attendant's key, are necessary, instead of those ordinarily worn. The patient must be "clothed," although not in his "right mind." For destructive patients, strong dresses made of linen or canvas, and so lined as to be as comfortable as possible, should be employed for use during the day, and quilted coverlets at night.

Nothing more completely betrays the character of the management of an institution for the insane than the way in which the patients are clothed. Torn and ragged dresses are the surest proof of neglect.

The change of bed-linen should be at least weekly, for the majority of patients. For some, one sheet a week may be sufficient for all the purposes of cleanliness. Body linen should be changed as often as is necessary, and for the majority of patients this will be twice a week.

With the assistance of a small amount of hired labour, the major part of the bedding and clothing required for the patients may be made in the establishment, at a less cost than they can be purchased ready made. It will perhaps be necessary to purchase hats, bonnets, and a few other articles.

Labour

\* *Op Cit.*, p. 60.

**Labour by Patients.**—That labour is an important agent in the treatment of the insane is so universally acknowledged that the point need scarcely be insisted on. It relieves monotony, it abstracts the mind from dominant and frequently hurtful ideas, it preserves health of body, and it promotes in the highest degree restoration to health of mind. Many patients have worked out their own cure. Its regulation therefore is important, and at the same time it is a source of income and profit to the institution, and serves to lessen considerably the cost of maintenance of the inmates.

Every care should be taken that the employment selected for the patients is such as is best fitted for their mental and bodily condition, at the same time that it is real; calculated to utilize the knowledge and the habits which the patients may have acquired when sane, and to benefit the finances of the institution. Sedentary occupations appear to be less favourable to the recovery of the patients than those which are active in character. Fortunately, agricultural occupation is at the same time healthful and profitable. It is in its variety calculated to interest the patients, to soothe their excited, or awaken their dormant faculties, and to contribute to health by sufficient corporeal exercise. The large majority of the working patients of the male sex should be employed either in farming or gardening, or in tending the pigs or cattle belonging to the asylum, the remainder may be employed in the various trades for which their prior life most fits them. Those trades should, if possible, be selected in which the articles manufactured will serve for use in the asylum. Experience proves that the more self-contained an asylum is, the more self-supporting it is likely to become. The boots and shoes, the clothes and bedding, should be made in great part, if not entirely, by the asylum inmates; and all the carpenters', joiners', painters', plumbers', and other work required done by them also.

For the women, the laundry will afford constant employment. It has been objected to washing by hand, that it is unhealthy, that the stooping position, the steamy atmosphere, and the emanations from soiled linen, are detrimental to health; but with a well-ventilated wash-house, and a proper arrangement of wash-tubs, some of these disadvantages may be obviated; and washing, as affording active corporeal exercise, is peculiarly useful to certain classes of the insane. It is astonishing how much excitement evaporates with the steam of the wash-tub. The remainder of the female patients may be employed in knitting and sewing, and in assisting in the kitchen. A certain number of both sexes will necessarily be employed in house-work, in cleaning the rooms and furniture, and in the necessary minor service of the asylum.

In summer-time, a certain number of women may be employed in field work with advantage.

With a proper selection of occupation for the various classes of patients, little danger is to be apprehended from entrusting patients with tools and implements. Accidents from this cause are very few in asylums, and to run some small risk, and so benefit the great mass of patients, is undoubtedly better than to prevent work for fear of accidents. "Nine-tenths of madmen are neither habitually furious nor malicious, and if they pass the ordeal of such an examination as it is in the power of every man acquainted with the human mind to institute, it would be egregious folly to debar them from a privilege which may contribute to their happiness, and cannot, in ninety cases out of a hundred, interfere with the happiness or safety of others. Should accident occur, and even life be sacrificed, one person has suffered for the good of many; such is all life here, outside, as well as inside, the asylum bounds.

The patients supported at the expense of the State may fairly be expected to work for its benefit. The establishment is fully entitled to the proceeds of the labour of all those supported on charity, but a system of compulsory labour cannot be recommended. There will, as a rule, be little difficulty in setting all to work, who should be permitted to do so, and work should be encouraged by a system of remuneration. The lunatic has no claim for remuneration for his earnings in the asylum, where he is cared for and supported. "The amount of these can be as nothing in liquidation of the debt which he owes for peace and protection, and chance of recovery which he enjoys; and it would be ridiculous, and might be even dangerous, to inculcate upon him that he has any such claim."\* But he is likely to take more interest in his occupations if such remuneration is made, and he is able to see a reward for his daily work.

"Payments in money are not advocated, although in some cases strongly desired, and more irresistible than any other temptation; but it is generally more convenient, and equally acceptable to the other contracting party, to pay in another manner."\* Either better diet or clothing may be given, certain luxuries awarded, or a portion of the earnings of every patient set apart to accumulate till restoration takes place, when it may be delivered to him to meet the exigencies of dismissal.

When a workman, learned in a special trade, is found fit for work in an asylum, it will usually be found equally profitable to himself and to the institution to allow him the means of following his avocation. A bookbinder at Prestwich binds all the periodicals, and keeps in good order the library of the institution; and a clockmaker at Illenau keeps all the clocks of the asylum in repair, and makes others for sale.

**Amusements.**—Means of amusement which demand active muscular exercise, and those directed more immediately to mental distraction, are equally useful, and in this respect the methods of amusing the patients adopted in Great Britain may be closely followed.

The

\* *What Asylums were, are, and should be*: By Dr. W. A. F. Browne.



The supply of games in the rooms should be liberal and varied,—out-door exercise, foot-ball, cricket, fives, ball, &c., should in every way be encouraged; but it must never be forgotten that *work*—useful employment—should always be more inculcated than mere amusement, and that *play* will be more appreciated if it comes as a relaxation from active employment, than if it is attainable at all hours. The evening should be the time during which the ordinary in-door and out-door amusements are most practised, and then should be prepared such extra amusements, both in the wards and in the amusement room, which will produce gratification without hurtful excitement, and at which the majority of the asylum inmates may be permitted to assist. The total number who may usually be permitted to attend the associated amusements is one-half to two-thirds or more. These amusements should consist of dances, concerts, lectures and readings, magic lantern exhibitions, conjuring and theatrical performances; and though in the main the amusements in an asylum must be supplied by the inmates themselves, and be more or less of a mutual character, efficient assistance may frequently be obtained from neighbouring towns, by means of small payments, or by appealing to the charity of amateur and professional entertainers. These in many cases are quite ready to lend their services for the amusement of the patients, who often keenly appreciate the excellence of such performance and the kindheartedness which afford them.

Associated amusements should be held so far as possible on fixed days, to which the patients may look forward; and in providing them, it may be well to avoid the pushing system of amusement which is in vogue in some English asylums, in which almost every evening is occupied by some entertainment or another. This tends to produce a dissipated state of the insane, not less than the sane mind, and forces the patients into an unnatural and artificial liking for excitement, and a craving which may not be easily satisfied on their departure from the asylum, or into a feeling of weariness and disgust with pleasure-seeking. Music must at all times be the great source of amusement in all asylums. Its soothing influences, its marked results on mental disease, have been described by almost all writers on insanity. The evidence on this subject, obtained at the Retreat, York—an asylum belonging to, and containing a large number of, members of the Society of Friends, but into which other people not belonging to the sect are occasionally admitted—is interesting. It is found that the members of the society, who are little used to music, and who seldom are able to play themselves, are very difficult to amuse or to “get at” in their alienation, but that music seems at once to work wonders for all not belonging to the society. “Get them to play,” says the matron of the institution, “and they are soothed at once.” A band is a great assistance in asylum amusement, and a band, small or large, may be almost always obtained from among the attendants and officers; new comers being selected with a special eye to their qualifications in this respect. The talents of patients in this direction should never be permitted to lie dormant. Vocal as well as instrumental music should be practised, and in this a large number of the patients can assist.

Advantage should be taken of all amusements outside the asylum, but easily accessible from it; and visits to such entertainments—flower-shows, concerts, readings, &c., may be made the reward for good behaviour or diligent work, and will frequently be marvellously beneficial to the mental health of the patients.

A school for the idiotic and feeble-minded youth is indispensable in every asylum where these form part of the population; and although there is little practical evidence of the good effect of educational processes upon the minds of the adult insane, it is all but invariably admitted that mental occupation directed to some useful end, mechanical mental work, such as simple arithmetic, or learning by rote, is very likely to prove beneficial to certain forms of mental disease. In such cases, which should be carefully selected, this mode of treatment should be pursued to the fullest extent. A teacher, whose especial duty it would be to superintend the scholastic exercises of such patients, might also be usefully employed at other times in reading to or otherwise assisting to amuse and occupy other patients, and in assisting them in their writing letters to their friends, for which distinct hours may be set apart, and which is to be in every way recommended and encouraged.

**Animals and Birds.**—All such animals and birds as can be kept at small expense and little trouble, and serve in any way to amuse and interest the patients, should undoubtedly be kept in asylums; and in New South Wales, kangaroo, wallaby, and numerous kinds of birds, may be added to, or substituted for, those which are to be found in most European and American asylums.

With a farm, it will generally be found an economy to keep cows, instead of purchasing milk; and in all asylums, pigs should be kept to eat the refuse. Additional food may be grown for them on the farm and garden, and they may be profitably bred, fattened, slaughtered, and eaten in the asylum. Their care affords occupation to a certain number of patients, to whom, as well as others, they are almost certain to be objects of interest; pork will be an agreeable change of diet to the inmates; and with properly constructed piggeries placed at a little distance from the asylum, pigs will be in no way a nuisance.

The number and character of the horses kept must depend entirely on the size and wants of the establishment.

The patients may often be made to take the greatest interest in all animals which are the property of the asylum, and especially when these animals are entrusted more or less to their care; all such interest is healthful, as tending to prevent the introspection to which all the insane are liable.

Relief

**Relief on Discharge.**—Some provision for the relief of such of the patients as are in need, on their discharge, is urgently needed in every asylum, and more urgently in a colony than in an older country. The patient is not unfrequently a stranger in the land; kindred and home are far away; the few ties of friendship which he has formed have been swept away by the dire malady which has prostrated his intellect and ruined his fortunes, and he walks away from the asylum gate a free man, once more in his right mind, but without a shilling and without a friend. He has no character from his last place, it has been lost in the turmoil of his disease. The stigma (unhappily) of the asylum is still upon him, and lucky is he if he meet with the Good Samaritan in the way, and is saved from a return of his malady in the trials for work and for bread which his destitute position render immediately necessary to him. A small sum from a special fund at the disposal of the asylum authorities, or a system of discharge on trial, during which a fixed sum, equal in amount to the maintenance rate of the asylum, should be paid to every homeless and needy patient, and would save many from a return to the asylum, and thus be at once a charity to the individual and an economy to the state.

**Asylum Reports.**—It seems advisable that a complete system of reports should be instituted, and that these reports should consist of three kinds.

- 1st. Reports made by attendants and officers.
- 2nd. Reports made by the board of control.
- 3rd. Reports made by the board of inspection.

The reports made by the attendants should include a statement of,—

- The number of patients.
- " admissions, discharges, and deaths.
- " taking medicine, using the bath, and remaining in bed.
- " attending amusements, &c.
- " in seclusion.
- " employed; the kind of employment being specified.
- " having fits, attempting to escape, suffering from accidents, &c.

In all cases, departures from rule and the reasons for them should be reported, and any other particulars which the medical superintendent may deem necessary, may be given.

These reports should be made daily, and given to the chief attendant.

The night attendants' report should include a statement of,—

- " The number wet, dirty, noisy, sick, destructive, taking medicine, and having fits during the night; and should be delivered to the chief attendant in the morning.

From the ordinary and the night attendants' reports, and from matters which have come under personal observation, the chief attendant's report should be compiled. It should be mainly a summary of the reports which he has received, and as such, will comprise a general statement of the condition of the division of the establishment under his charge. This report should be delivered to the medical superintendent every morning. In the Report on Colonial Hospitals and Lunatic Asylums, published by the Secretary of State for the Colonies, is a form of weekly report by chief attendants, and such a weekly summary of his reports may be made with advantage by the chief attendant of each division; this form is given in Appendix D, No. 6, and some of the forms given in this Appendix may be adopted for the daily reports of ordinary night and chief attendants. It will be found useful to print the forms for the different sexes in different colours.

The use of reports of this kind must be obvious to all who have at all studied the question of asylum organization. They are the best means of keeping the attendants in a state of thorough attention, and preventing them slurring over their duties. "An attendant will slur over many things if he is to have himself for his sole judge, which he will do exactly and conscientiously if he has to write down an account of his measures, and of his reasons for them, for the judgement of superior authorities." And they spare to the superintendent a considerable amount of personal inquiry in his government of the asylum, whilst they afford him at the same time materials on which to ground his own reports.

All the reports made by attendants should be kept for the inspection of the boards of control and inspection.

The reports of officers should be made at least annually, and should embrace a consideration of the entire general government of the institution. The report of the superintendent should include a general statement of the working of the institution, and should be accompanied by such statistical and other tables as are necessary to place fully before the board of control and the world the condition of the institution, and supplemented by financial statements prepared by the steward and secretary. The statistical returns should not serve merely to point out the state and condition of the asylum, but should be available also for scientific purposes, and therefore should be made according to one uniform plan. The English Commissioners in Lunacy have, in their Twentieth Report, published forms for asylum medical statistics, with the view of facilitating statistical comparison. These forms have been adopted in some of the English asylums, and are given in Appendix E, tables 1, 2, 3, 4, 5, 6. In the Report on Hospitals



Hospitals and Asylums from the Colonial Office, the importance of uniformity of plan in the preparation of asylum statistics is pointed out, as well as the difficulties attending their preparation and the tendency which the work has to become too cumbrous for any but the practised statistician to manage. With the idea, therefore, of limiting these returns to such as could be furnished by officers of ordinary intelligence without any unreasonable amount of trouble, modified forms of statistical returns have been drawn, of a short and manageable character, for all asylums, and additional forms for larger asylums, both series of which will be found in Appendix E.

For the sake of uniformity, and a comparison with the statistics of English asylums, the forms issued by the English Commissioners in Lunacy, should, if possible, be adopted in a large colony like New South Wales; and if these are supplemented by the tables for larger asylums, issued by the Colonial Office, all necessary statistics will be obtained. It may however be interesting to furnish tables showing the social condition (married or single), and the religious denomination of the patients.

The reports issued by the board of control may be simply an adoption of, or preface to, that of the superintendent, or it may be deemed advisable to describe fully the operations of the board. They should be made annually.

The report of the board of inspection should enter into the general condition of the asylum, and should be accompanied by suggestions for whatever improvement or alterations may be considered necessary.

The reports of the board of control containing the reports of the superintendent and other officers, and the reports of the inspecting board, should be published annually for the information of Parliament and people. Every care should be exercised in these reports that the objects and aims of the institution are fully set forth by the language employed. The importance of a correct nomenclature can scarcely be over-estimated. "The erroneous views of insanity formerly entertained, and the unfortunate modes of treatment which resulted from them, led to the adoption of terms which are now without meaning, and the continued use of which has an unfavourable influence on the best interests of the insane."\*

The terms "lunacy" and "lunatic" which originated from a popular belief in influences that have long since been shown to have no existence, and have now no meaning in reference to the diseases of the mind, should be replaced by "insanity" and "insane."

The "awful word mad-house" has happily almost disappeared; but the term "asylum" remains, and, though in many ways in itself unobjectionable, has been associated with institutions in which every cruelty and abomination were practised, till it has suffered from the contact, and its original meaning, never very expressive of the purpose to which it was applied, has almost disappeared. There is no reason for, and many against its retention; and it should undoubtedly be replaced by the words "Hospital for the Insane", which are expressive of the curative purposes, which every institution for the insane ought to have. The treatment and care are, or should be the object of all institutions in which the insane are accommodated.

All such terms as "cells" and "keepers", which smack of the prison, should never be heard within an asylum, or used when speaking of the provision for those mentally afflicted. When things are known by their right names, and institutions for the insane seen as they should be, no small part of the horror with which they are commonly regarded, and the stigma which unhappily attached to all who have been their inmates, will disappear, and a proper nomenclature in reports intended for the information of the people is therefore of extreme importance.

#### ACCOMMODATION FOR PATIENTS PAYING FOR THEIR MAINTENANCE.

From the fact that insanity is a disease treated in some measure as other diseases, it is possible that the conclusion may be drawn that in this as in other ailments the great middle classes should be left to take care of themselves, and to pay for their medical attendance and such nursing and care as may be requisite. But the least thought will show that insanity differs materially from all other affections to which mankind are liable—in its nature, which renders it unfitted for treatment at home, whilst at the same time it exposes the patient to ill-treatment from the careless, the greedy, and the cruel, since his complaints, often well-founded, are unheeded—in its duration, which in the shortest cases may be counted in months, and the longer in years—and in its pauperizing effects on the patient and all with whom he is connected.

The long duration of the malady, the costly nature of the treatment, whether the patient is kept at home, in which case he requires the more or less constant attendance of a paid nurse or of some member of his family who might otherwise be winning bread by work; or sent to an asylum in which the care and treatment necessary must be paid for at a high price—are a heavy tax upon those in moderate circumstances. It may safely be said that no form of sickness with which we are acquainted leads so directly to pauperism as insanity; and on this account, as well as on account of the abuses which are so liable to occur where the care and treatment of the insane becomes a matter of commercial speculation, it has become a settled opinion in the minds of those who have carefully considered this question, that, for the insane of the middle classes, as well as for the insane poor, some provision should be made in public institutions where they may pay such sums as they are able, for the care and treatment they receive. Public institutions are fitter residences for this class than private asylums, because the patients can as a rule be maintained at a cheaper rate in them, and because they are less

\* Kirkbride: *On Hospitals for the Insane*.

less liable to abuses of various kinds than asylums kept for the profit of one or more individuals, where the desire for gain and the mental powerlessness of the patient, are constant temptations to depart from the way that is right.

Following the example set by the states of the American Union as well as those of Germany, provision should be made in the Government asylums of New South Wales for paying as well as indigent patients. Such provision should consist of either one section of the ordinary asylum, or, if detached houses, which may be built and increased in number as needed. A separate kitchen should be provided, and the fittings of the various rooms made similar in character to those which the patients are accustomed to at home. Especial care should be taken in providing amusements for the patients, since it will be more difficult to find employment for them than for pauper patients. The lectures and concerts which are given in the common amusement room will be available for paying as well pauper patients, and the one superintendence, commissariat, and government will serve for both classes.

It is doubtful whether it is advisable to provide very high-class accommodation in a public asylum. The wealthy classes are generally able to secure for their insane such accommodation as accords with their position, in proprietary asylums, and their care and treatment may fairly be left to private enterprise. Such princely establishments as Ticehurst (where a pack of harriers is kept for the amusement of the patients), and Brislington in England, Saughton Hall in Scotland, and those at Vanvres and Ivry sur Seine in France, are not likely to be soon established in this country, but every comfort and luxury is obtained for insane as well as sane people by those who have wealth at command.

#### CRIMINAL LUNATICS.

It is not proposed to discuss the advisability of a special asylum for criminals. Such asylums have, with the full concurrence of public opinion, been established in Great Britain and Ireland, and in the most populous states of the American Union; and, following the example of kindred nations, New South Wales has already made special provision for the criminal insane.

The Colonial Secretary is empowered to direct that all persons acquitted on the ground of insanity, the jury finding specially that such persons were insane at the time of the commission of the offence, and all persons sentenced or ordered to be kept in any gaol, prison, or penal establishment, who may be shown to be insane, or unfit from imbecility of mind for penal discipline, shall be sent under warrant to the asylum specially provided. But the asylum so specially provided differs in almost every respect from those which exist for a similar purpose in other countries. Instead of being a cheerful residence for the insane, a hospital for those sick in mind, it is simply a small, ill-regulated prison. The classes sent to it include those who have become insane from the long indulgence of criminal propensities; those in whom some degree of imbecility renders a vicious character still more intractable; and those who have done wrong conscientiously believing it to be right, and have become criminal for want of timely protection during their insanity;—those, in fact, criminal before insane, and those insane before they committed criminal acts.

It may therefore be proper to consider—

1st, What classes should be sent to a special asylum;

2nd, What that asylum should be in construction and organization.

Under the term "Criminal Lunatics" are included two distinct classes—First, those who become insane whilst undergoing imprisonment for offences against the law; and, secondly, those who whilst insane commit criminal acts, and are either found insane on arraignment, or acquitted on the ground of insanity. The first class, again, may be subdivided into "convicts," and ordinary prisoners; or those undergoing penal servitude, and those in prison for minor offences.

The "convict" class has its distinctive characters. It consists for the most part of men who have been long the companions of thieves and ruffians, who have given unrestrained license to the brutalizing influence of their passions, who are learned in prison ways and in prison language, and upon whom the stamp of iniquity is plainly visible, the shadow of insanity hiding but little of the natural depravity of the man. These men, on becoming insane, are frequently extremely dangerous, and are besides not fit associates for the ordinary inmates of an asylum ward. By the non-criminal inmates, especially if capable of reflection (and the mind is never totally eclipsed), and by their friends, the presence of such convicts will be felt as a contamination, and the moral effect of the association is calculated to be extremely bad; besides which, these "convicts" are still under sentence, and have frequently a long time to serve, their insane condition not having released them from the consequences of their crime. For these reasons, the convict class of insane are, as a body, proper subjects for a special asylum.

It is difficult to draw a distinct line between the "convict" class and the prisoners in ordinary gaols; but although among the latter may be found men as utterly depraved and of as criminal disposition as among the former, yet they differ in many respects from them as a body. The offences with which they are charged are often less heinous in character, the number suffering imprisonment for the first time is large, they have not so much caught the language and manner of the criminal class, and on becoming insane are less likely to be dangerous and offensive. In many cases, they are, as far as *criminal disposition* is concerned, little removed from their fellow-men, and their presence has not been found objectionable in ordinary asylums, when their antecedents are kept secret from the other patients. This is the experience in America, where all; in Scotland, where the majority; and in England, where a certain number of this class are confined in the ordinary asylums.

A principle of selection from the criminal class should therefore be adopted. Each case should be specially considered—the nature of the crime—the antecedents of the individual—and the peculiar form the insanity assumes, should be taken into account before determining to which asylum the patient should be sent. Crimes classed as offences against the person, and insanity taking the form of homicidal mania, may be considered to make the patient a fit subject for a special asylum.

The second class of criminal insane should be distinguished altogether from that already named. It includes men morally bad, whose madness is the result of a long course of debauchery, and who differ therefore in little from the criminal; but the large mass are, neither before nor after the act which has brought them under the term criminal insane, of *criminal disposition*. There will come under this category men of honour, probity, and delicacy of feeling, who have pilfered from their neighbour, or, to borrow an illustration from an eminent authority on this subject, “who, in obedience to the supposed command of the Deity, with a faith like that of Abraham, have sacrificed with bleeding heart the dearest object of their affection,” and women of true womanly character, who have, during insanity arising from the “pains and perils of child-birth” slain their offspring. They are criminal as regards the act but not as regards the disposition, and they are legally irresponsible. These unfortunates claim our extreme pity. To place them all in association with the convict class is a wrong to the individual; and, happily, experience has proved that the greater number may safely be kept in the wards of ordinary asylums among those who but for timely protection might have done similar acts.

But, unfortunately, there are some among them whose insanity is of such a type that, except under close and watchful guardianship, they would again commit similar crimes to those with which they are already charged. Some also have passed into this class who have only just escaped the gallows, and owe their lives to the clever sophistry of the advocate, the partisan evidence of the physician, or the muddled brains and maudlin sympathy of the jury. These, for the public safety, must be kept in such close confinement as is impossible in an ordinary asylum, without converting it into a prison, and so sacrificing the comfort and imperilling the chances of recovery of the other inmates.

Selection, then, should be exercised here also. The laws of New South Wales have already mercifully omitted those found insane on arraignment from the operation of the Criminal Lunatics Act, and there can be little doubt that they may be safely treated in an ordinary asylum. To these may be added a certain number of those acquitted on the ground of insanity, leaving those who have committed the higher class of offences, such as murder, treason, and offences against the life or person, or who have shown dangerous homicidal propensities, to the safe keeping of a criminal asylum.

The suggestions, then, which it is thought necessary to make as regards criminal lunatics, are,—

First—That all the “convict” class should be sent to the special asylum for criminals.

Second—That all found insane on arraignment, should, as at present, be treated in the ordinary asylums.

Third—That a special selection should be made from the remaining two classes—certain cases only being sent to the criminal, and the remainder to the ordinary asylums, the cases to be selected for the criminal asylums, being those prisoners in ordinary gaols in whom a *criminal disposition* is markedly apparent, their prior history, the nature of their offence, and their mental condition being duly considered; and those of the so-called “Queen’s pleasure men” who have committed treason, murder, or offences against the person, and whose form of insanity is calculated to lead to a repetition of the original offence.

Provision should also be made for the subsequent transfer to the criminal asylums of any person belonging to the class of criminal insane who it may be found difficult or dangerous to maintain in an ordinary asylum, and to the ordinary asylums of such convicts and others of the insane in the criminal asylums as become demented and fatuous, and so no longer need the special provisions of the criminal, and would not be objectionable in ordinary asylum wards.

It is important, even in a financial point of view, that as small a number as possible should be maintained in a criminal asylum, which from its special character and from the larger number of officers and attendants required must always be more expensive than an ordinary asylum. The weekly maintenance rate at Broadmoor is about 25s. per inmate, whilst in ordinary pauper asylums it is, as a rule, under 10s. The charge for Government cases of criminal insane at the private asylum, Fisherton Home, is 17s., whilst pauper patients are received from the counties at 12s. In Tasmania, the cost of maintenance for criminal insane is 15s. 11d. weekly, whilst the ordinary pauper insane cost 11s. 8d.

The number now maintained in the criminal asylum, or who would be placed in the criminal asylum under the operation of the Criminal Lunacy Act, if the accommodation were sufficient, is very large in proportion to the number it is thought necessary to place in the criminal asylums of Great Britain.

In England and Wales, with an estimated population, in 1866, of 21,210,020, the number of criminal insane in the state asylum or awaiting removal to it, was 540, or 1 to 39,277;

In Scotland, with a population of 3,153,413, it was 46, or 1 to 68,552;

In Ireland, with a population of 5,582,625, it was 132, or 1 to 42,292;

Whilst

Whilst in New South Wales, with a population estimated at this time at 447,620, it is 51, or 1 in 8,776—

And the following table, classifying the present criminal lunatics according to their crimes, speaks strongly in favour of a selection of cases being made :—

CLASSIFICATION of the 51 patients who come under the operation of the Criminal Lunacy Act, in the Lunatic Asylums at Parramatta, on the 17th September, 1868.

Crimes.	Males.	Females.	Total.	Found Insane on Arraignment.			Acquitted on the ground of Insanity.			Convicted and Certified to be Insane after Sentence.		
				M.	F.	Total	M.	F.	Total	M.	F.	Total
Murder*	23	...	23	2	...	2	13	...	13	8	...	8
Wounding with intent	5	...	5†	...	...	...	3	...	3	2	...	2
Rape	2	...	2	...	...	...	1	...	1	1	...	1
Cattle stealing	1	...	1	...	...	...	...	...	...	1	...	1
Arson	1	...	1	...	...	...	...	...	...	1	...	1
Horse stealing	3	...	3	...	...	...	...	...	...	3	...	3
Larceny	8	1	9	...	...	...	...	...	...	8	1	9
Burglary	2	...	2	...	...	...	...	...	...	2	...	2
Robbery, being armed	3	...	3	...	...	...	...	...	...	3	...	3
Vagrancy	1	...	1	...	...	...	...	...	...	1	...	1
Idle and disorderly	1	...	1	...	...	...	...	...	...	1	...	1
	50	1	51†	2	...	2	17	...	17	32	1	33

\* Three of the murderers are also serving an imperial sentence, and stand on the books as "British Lunatics."

† One of these stands committed to take his trial for murder.

‡ Of this number, 38 only are at present confined in the Criminal Asylum, owing to want of room.

The discharge of criminal lunatics should be specially regulated. On recovery, all under sentence should be sent, both from the criminal and ordinary asylums, to the prisons from which they were received; and all those whose sentence has expired should be discharged.

The cases of the "Queen's pleasure" class should be specially considered. A certain number may be safely set at liberty, as is proved by the practice at Broadmoor, Dundrum, and Perth. But certain of those whose crime has been homicide, marked by signal atrocity, or who, under treatment, have displayed great malignity of disposition, and according to the best teachings of medical science would be likely to suffer from a second attack of a similar nature, should, even when sane, be kept in confinement. Pitiably though their condition may be, the public safety must be considered before their special welfare, and every precaution taken that no repetition occurs of what has already been done once too often. Certain other cases, it may be necessary, for state reasons, to keep in confinement.

The cases of "convicts" remaining insane after the expiry of their sentence, should in all justice be specially considered also. Where, from the form of the insanity and the character of the individual, the case may be safely treated in an ordinary asylum, it should be sent to one; but, if otherwise, it should be maintained in the criminal establishment. The practices of discharging all convicts still insane on the expiry of their sentence to ordinary asylums, as is done at Broadmoor, and of keeping all (except such as their friends undertake to make special provision for) such in the criminal asylum, as is done at Auburn, New York State, are equally open to objection; the one as unfair to the other inmates of ordinary asylums, and the other as unfair in some cases to the "convict" himself.

The clever prisoner sometimes feigns madness with all the skill of an accomplished actor, and the reckless convict with violent passions, is scarcely at times to be distinguished from the madman. It is important therefore to determine that every case is really one of insanity before it is transferred to an asylum. Every precaution should be taken to detect malingering, and to separate as far as possible those peculiar cases, well known to all who have been connected with prisons, which stand on the debatable ground which separates badness from madness (or rather, in which they both meet), from those in which the insanity is undoubtedly present.

In the English convict prisons, whenever a man becomes awkward, obstinate, or violent—to use the prison term, "refractory,"—he is sent from the public works at Portland or Portsmouth, and from the Pentonville Prison, to Milbank for "observation." This observation is continued for periods varying from a week to six months, or more, till, in fact, the prisoner is either a fit subject for a Lunatic Asylum (so fit, that the medical officers have no difficulty in signing a certificate of insanity), or is so "tamed" that he is sent to his ordinary work and ordinary punishment.

The so-called "observation" consists of placing the prisoner in a special cell, made very strong, lighted either from the roof or high up in the wall, and having attached a separate yard for exercise. Each airing court has a pierced door, so that the warder on duty outside has the prisoner in it almost constantly under observation. If the prisoner tries to tear his clothes, break the door, or is otherwise violent, he is placed in a strait-jacket. If he knocks his head against the wall, a cork cap is put on; sometimes he is hobbled; sometimes his cell is "padded" with cocoa-nut matting, which, whilst sufficiently soft to prevent injury, is also particularly rough and scratchy. No work is allowed, no communication

communication with other prisoners, and no religious services in the church, though the chaplain pays an occasional visit. All braces, shoe-laces, &c., with which he might hang himself, are removed. For bed he has a board instead of the ordinary hammock or iron bedstead. If it appears necessary, the medical officer reduces his diet. He is visited very frequently by both medical officers and warders, and is made to feel that a return to work, to exercise, in connection with the other prisoners, and indeed to all the small pleasures of prison life, depend upon himself. He is under observation and treatment; and the said treatment, though not always of the most pleasant kind, is not strictly punishment. The medical officers report that such treatment does not conduce to insanity, and that the vast majority return to the ordinary prison routine in a longer or shorter period. The cases of supposed feigned insanity are treated in the same way, and often with the same result, but do not escape extra punishment if detected.

There can be no hesitation in recommending a similar course for adoption in New South Wales. Special cells for observation, if they do not already exist, are easily constructed; and there can be no doubt of the importance of a complete investigation of every case before the prisoner is removed to an asylum. If kept even three, four, or five months under observation in the prison, the cases will then reach an asylum almost as quickly as the majority of insane people not criminal, who, from various causes, are detained outside the asylum walls; and if, in addition to this, every case is examined by a specially appointed officer before transfer, few will reach the asylum, but such as are really insane.

At Millbank and Perth Prisons, special wards are set apart for epileptic and weak-minded criminals. The former require some extra watching; and the prison routine, especially where isolation is practised, is thought to conduce to absolute insanity in the latter. Both classes are, therefore, kept apart from the ordinary prisoners, in large, well-ventilated wards; work, eat, and drink in common; and sleep either in cells or dormitories, as seems most fit.

The number of these cases at Millbank is nearly 200.

These precautions to prevent the accession of insanity in a class already strongly predisposed to it, are worthy of the most attentive consideration.

It remains to be seen what an asylum for criminals should be in construction and organization.

On an examination of the Reports on the Asylums at Broadmoor and Perth, it will be seen that they are essentially in their characters places of treatment for the insane, and not merely places for their safe keeping—asylums, and not prisons,—and although at Auburn, U.S., the arrangements for the safe keeping somewhat predominate over those for interesting, amusing, or treating the patients; still, it is essentially, in its construction and organization, an asylum. A stricter discipline, and perhaps a compulsory industry, may be introduced—arrangements may be made for the safe keeping of the inmates; but the main object and intention of all asylums for insane criminals should be their restoration to mental health.

Criminal asylums should be surrounded by a wall, beyond which only such of the insane as can be safely trusted should be allowed to pass, but over which, by placing the asylum on a hill, a full view of the neighbouring country may be obtained. Within this wall should be such an amount of garden-ground as can be cultivated by the inmates of the asylum, and airing grounds for the insane of each sex.

The first necessity in a criminal asylum is classification. The "Queen's pleasure men" are, in every respect, a distinct class from the convict. They should be placed in separate wards, and take exercise in different airing grounds; and only those among them who are extremely violent should be associated in any way with the convict class. The object is to restrain, not to punish, these unfortunate beings. They are pronounced dangerous to society, and are restrained to prevent a repetition of the act which they have committed; but to associate them, well educated and refined as they sometimes are, fully conscious of all their surroundings as they are in many cases, with coarse and ruthless ruffians whose hands are tainted with the most atrocious crimes, would be the direst punishment. But classification should extend further than this. It is well known that the criminal insane are apt to combine for mischief—a peculiarity which is witnessed in no other class of insane, and which seems to depend on their old prison habits—and such combination is always dangerous. It is best met by never allowing the association of a large number—by restricting the number in each division to from fifteen to twenty—and by changing them from one division to another on the slightest appearance of combination for evil purposes. These divisions will serve also as a means of classification according to mental condition.

Temporary association of a larger number may be permitted in an airing-ground for short periods, but not constantly; and it is preferable to separate those of the more violent class completely from the rest, and set apart for them a special court, as is done at Broadmoor.

The accommodation in the asylum should consist of day-rooms and dormitories; the former being used as dining-rooms, since a common dining-hall is not advisable. The single rooms should be sufficient to accommodate about half the entire number. The windows should be protected by light iron bars on the outside; and with this arrangement, the sashes may be of wood, double hung, and made to open freely.

The baths should be placed in each division, so that no unnecessary communication is allowed between the different classes.

One large room will serve for chapel, and for all purposes of amusement.

The attendants should be in the proportion of one to every five or six patients throughout, and in the more violent division there should be one to every four.

The



The dress of the patients should be as little convict-like as possible. Divine service should be performed on Sundays, and every effort should be made to induce the patients to employ themselves usefully.

It has been proposed that industry should be made compulsory in asylums for the criminal insane. There can be no doubt that constant employment has a salutary effect, and tends largely to mental restoration; and from a financial point of view it is also to be encouraged, but it is very doubtful whether occupation of any kind should be made compulsory. The system of rewards for special industry, as practised at Broadmoor, seems much preferable to a system of compulsory labour, which is too suggestive of the prison. If the patients are occupied as far as possible, and given to understand that they will derive an advantage in extra food, or money, for their industry, there are few who will not work. There must always be a difficulty in providing work for the insane of this class, since few can be trusted with tools which might be used as lethal weapons, but a few men may always be employed in gardening; others may be employed at special trades, such as shoemaking, tailoring, &c.; and for the remainder, mat-making, knitting, net-making, or even oakum-teasing, are preferable to idleness. The women may be employed in the laundry, and in knitting and sewing. If money is given for extra work, it may be spent upon minor luxuries by the convict himself, through the attendant, or placed in safe keeping by the officers of the asylum till the patient's discharge.

In most particulars except those above mentioned, a criminal asylum should differ little, if at all, in construction or organization, from an ordinary asylum for indigent patients.

As regards the special government most fitting for an asylum in this Colony, which must necessarily be for some years to come, of small size, it is suggested that it should be separated altogether from the ordinary asylum, and made a special institution,—that it should be placed under the charge of a non-medical superintendent,—that the medical officer of the nearest prison should be responsible for the medical treatment, and pay daily visits,—that the commissariat of the nearest prison should furnish all supplies, the prison chaplain be entrusted with the necessary religious ministrations,—and that the whole establishment should be subject to the frequent visitation of an inspector or other officer appointed by the Government, and not placed like the ordinary asylums, under a board of control.

At Parramatta—the site of the present asylum—there are no obstacles to the carrying out of this system which may not be overcome; and the present criminal asylum, though a model prison, and nothing more, containing scarcely any of the essentials of an asylum, may possibly, with alterations, be made the nucleus of an efficient asylum for insane criminals.

The practice of placing an asylum, even for insane convicts, in connection with a prison, cannot be recommended on general grounds; but it is less objectionable on the whole than uniting it with an ordinary asylum; and union with one or the other is almost necessary, since, for financial reasons, a separate staff of officers and a separate commissariat are not advisable for a small asylum. As the number of inmates increases, and the asylum gradually grows, it may cease to have any connection with the prison, and become a distinct institution like Broadmoor or Dunderburg.

#### ASYLUMS FOR IDIOTS.

Idiots come under the general operation of the laws relating to lunatics, which afford them protection and give them the same legal claims as the insane. But the ordinary wards of asylums are not fit residences for them; their presence in such wards is hurtful to themselves since many are strongly imitative and acquire bad habits and crooked thoughts from those around them, and it is frequently baneful and irritating to the ordinary inmates of the asylum. It is therefore necessary, in dealing with the idiot, to provide him a home apart from the lunatic. The number of the idiot population in a young country will not justify the expense attending the building and organization of a special establishment like those of Great Britain or the United States; and therefore, a division or section of the general asylum should be set apart for idiots only. It seems most advisable, for many reasons, that this section should consist of detached houses or cottages in the asylum grounds, removed from the main building, and kept as distinct as circumstances will permit—sufficiently distinct to maintain a complete separation of the two classes, but near enough to be subject to the superintendence of the chief medical officer of the asylum, and to be fed from the asylum commissariat.\* The main cooking may even be done in the general asylum kitchen, whilst the idiot establishment itself may be so fitted as to be capable of providing for the minor wants of its inmates in this direction.

When a home has been provided with all needful economy, where the idiot may be fed, lodged, clothed, and kept in cleanliness and comfort, away from the prejudicial influences of asylum life, and yet subject to its organization and medical supervision, one large step in the right direction will have been taken. But in establishing such a home, the example of the several States of the American Union may well be followed, and the teaching of the idiot become a matter of state philanthropy, instead of being left to private benevolence, as in England. Such teaching should be directed to develop the germ of mental power which has been accorded to him, to correct faulty habits, and to

\* "I think in the absence of a better plan, a separate cottage, or rather, I should say, a separate house might be organized, keeping the staff as distinct as possible, but under the supervision of the medical superintendent of the lunatic establishment. Nothing is worse than associating idiots with lunatics. The lunatics get annoyed by their presence, and the idiots get entirely neglected."—*Ext. from a letter from Dr. Down, Superintendent of the Earlswood Asylum.*

to improve his physical powers. All human beings are improvable, and each has a right to the means of improvement; this right implies a duty on the part of the others to furnish the means.

"The idiot child whose feeble mental perceptions are strengthened by exercise, who is trained to habits of cleanliness, decency, order, and industry, may remain idiotic and dependent; but is more docile, more happy, more capable, and therefore, a less offensive and more useful member of society than he would otherwise have been." \*

The ordinary child is taught and improved, so that he may become a better man than he would otherwise be, and so the imbecile child should be taught and improved, in order that if he never rises above idiocy he may be better as an idiot. It is important to select trained and judicious teachers. The experience of the American institutions seem to prove that women are much more fitted for this work than men; that they have at once more patience and more tact; and that boys, even when they have attained the age of 17 or 18, never fail to yield to them implicit obedience. It is suggested therefore, that efforts should be made to secure the services of a teacher trained in one of the English schools; and that to her, under the superintendence of the physician of the asylum, the general education of the patients should be intrusted. The girls may be taught sewing, knitting, and household work in the idiot institution itself, and the boys may be employed at trades in the workshops of the general asylum, or employed on the farm and garden.

The main character of the institution should be that of a school, and not an asylum. The greater number of the inmates should pass only a few years of their early life within its walls, and when all that is possible to improve their mental and physical condition has been done they should return to their friends. A few, friendless and homeless, may be allowed to remain permanently within the institution. All those found to be vicious and intractable, and those whose idiocy is complicated with severe epilepsy, may find a home in the ordinary asylum.

The number of idiot children at this time in the asylums of Tarban and Parramatta, is 30; of these 7 are males and 23 females. It is extremely difficult to account for this disproportion in numbers, since in all old countries where in the ordinary population the females considerably outnumber the males, the number of male idiots is invariably found to be larger than the number of the females. In France there are 51.22 males to 48.78 females, and this is about the usual proportion. In idiot schools the proportion of females is generally found to be even less than exists in the general population, since they are more frequently kept at home by their friends, being found teachable to some extent and useful in minor household work.

#### ASYLUMS FOR INEBRIATES.

The necessity for some provision for persons of intemperate habits seems, by the recent Act for Scotland, and by the action taken by the English Commissioners in Lunacy, in obtaining the opinion of counsel upon the legality of allowing such patients to be received as boarders in lunatic hospitals, to be fully recognized in Great Britain; but so far as experience at present goes, the plan of admitting such patients into ordinary asylums is very far from being a satisfactory one.

This class of patients is objected to by almost all asylum superintendents; and a consideration of their peculiarities will suffice to convince any one that ordinary asylums are not fit residences for them, and that their association with the insane is not at all desirable.

The American plan of separate institutions for this class is far preferable in many respects; and such institutions may be expected to render useful service to the community at large. But a consideration of how far such an institution is desirable at present in New South Wales, and whether it should be inaugurated by Government or by private philanthropy, does not come within the scope of this Report.

#### RECEPTION HOUSE.

The Reception House at Darlinghurst, is intended, according to the first and third section of the Act of Council 31 Victoria, No. 19, for the reception of all patients under proper lunacy certificates, pending their removal to a lunatic asylum. No time is however fixed for the duration of the patients' sojourn, and it is important that every care should be taken to make such sojourn as short as possible. The Reception House should not be allowed to become in any way a hospital for the insane; such treatment as is necessary should of course be carried out during the patients' stay, but it should not be continued beyond a few days under the disadvantages of situation, the size, and the inherent character of the institution. Prolonged treatment in such an institution is equally unfair to the superintendents of the ordinary asylums, who receive the patients only after the malady has passed beyond the stage in which it is most under the influence of remedies both medical and moral, and to the patient, whose illness may be prolonged, and his ultimate restoration to health imperilled. Some periodical inspection should be made, to see that the patients are not detained longer than is necessary. Any departure from the law which makes certificates of lunacy necessary before the patient can be received at the Reception House, should only be permitted in very special instances if at all, since such departure may lead to the most serious abuses.

The advantages of the Reception House may fairly be placed at the service of people in good circumstances, who are willing to pay for the accommodation afforded.

FRED<sup>C</sup>. NORTON MANNING, M.D.

October 24th, 1868.

\* Report of Massachusetts Board of State Charities, 1868.



I CANNOT conclude this Report (which has been prepared hurriedly, and under peculiarly disadvantageous circumstances) without an expression of my thanks to all who have assisted me in carrying out the instructions I received from the Government of New South Wales. The Right Honorable the Secretary of State for the Colonies rendered me, with promptness and courtesy, which I cannot too gratefully or respectfully acknowledge, every assistance in his power. To the Commissioners in Lunacy for England and Scotland I am indebted for copies of Statutes and Reports, and for advice which proved most useful. The Inspectors of Lunatics in Ireland furnished me with Reports and other papers, and the Superintendents of the various asylums in England and Scotland received me with marked kindness, and spared no pains to render my visits both profitable and pleasant. In America, Mr. Secretary Seward gave me much useful assistance. From Governor Bullock, of Massachusetts, Dr. Howe, Mr. Sanborn, the Secretary of the Massachusetts Board of State Charities, and the New York Charity Commissioners, I received every possible help; and to the Superintendents of American Asylums I am indebted for an amount of considerate kindness and a hearty hospitality I can never forget. In France, my cordial thanks are due to Dr. Rousillon, Inspector of Asylums, Sir J. Oliffe of the British Embassy, and all the Directors of Asylums I visited, especially to Dr. J. Fabret, Dr. Morel of St. Yon, Rouen, and Dr. Blanche of Paris. In Belgium, to M. Oudart and Dr. Vermeulen, Inspectors of Asylums—the latter of whom accompanied me in my visits to two asylums in Ghent; and to Dr. Ingels, of Guislain's Hospital. In Germany, to Drs. Roller, Ludwig Meyer, and Reye, to whom I owe almost all the information I possess on the subject of German asylums. In Holland, to Dr. Ewerts, who spent a long day in making me fully acquainted with the organization of Meerenberg, and gave me information on the asylum system of Holland. I am indebted for copies of plans to Mr. C. N. Howell, of 3, Lancaster-place, Waterloo Bridge, the Architect of New Surrey Asylum, of whose courtesy this is but scant acknowledgment; to Mr. Stock, of Duke-street, London Bridge, who designed the cottages at the Essex County Asylum; to Mr. Holland, of Prestwich, who designed the additional blocks, and the new hospital at the Prestwich Asylum, and made also the first draft for the New Cheshire Asylum at Macclesfield; to M. Legueux, architect, of Paris, who very politely gave me plans of the new asylums of Ville Evrard; and to Dr. Védie, of the Evreux Asylum, for a tracing of the plan of that institution. The Colonial Architect in New Zealand, Mr. Weaver, supplied me at once with tracing plans of the Auckland Asylum, on stating to him the purpose for which they were intended.

FREDC. NORTON MANNING.

## APPENDIX A.

- I.—Suggestions and instructions in reference to sites, construction and arrangement of Buildings, and plans of Lunatic Asylums, drawn up by the Commissioners of Lunacy, England.
- II.— Ditto ditto ditto Scotland.
- III.—Propositions on the construction and organization of Hospitals for the Insane, agreed to by the Association of Medical Superintendents of American Institutions for the Insane.
- IV.—Bath rules in use in English Asylums, with circular letter by Commissioner in Lunacy, giving general directions with regard to Bathing arrangements.

## APPENDIX B.

- Dietaries in use in English, Scotch, and French Asylums.
- " in the lunatic wards of the poorhouses in Scotland.
- " in the central criminal asylum in Dunderum, Ireland.
- " in the Freiderichsberg Asylum, near Hamburg.

## APPENDIX C.

Programmes of Amusements in English and Scotch Asylums.

## APPENDIX D.

## FORMS.

1. Attendant's Daily Reports.
2. Summary of do.
3. Night Attendant's Reports.
4. Summary of do.
5. Chief Attendant's Reports.
6. Summary of do.
7. Extra Ward Returns.
8. Extra and ordinary Diet Rolls.

## APPENDIX E.

## FORMS FOR ASYLUM MEDICAL STATISTICS.

1. Forms published by Commissioners in Lunacy.
2. Ditto in Report on Colonial Hospitals and Asylums.

## APPENDIX F.

- Fig. 1. Plan of Bath-house at Evreux Asylum.
- " 2. Do. of Water-closet, Washington Asylum.
- " 3. Sketch to explain the *Système D'Arceet*.
- " 4. Position of Water-closet in relation to the Corridor at Cupar Asylum.
- " 5. Do. do. the New Surrey Asylum.
- " 6. Do. do. Prestwich Asylum.
- " 7. Form of Window at the Leicester Asylum, and in the Infirmary at the Sussex, and the Rooms for Excited Patients at Murthly.
- " 8. Gas Lamp at Evreux.
- " 9. Window at the Chester Asylum.
- " 10. Guislain's Window.
- " 11. Kitchen Boiler on a Pivot at Ville Evrard Asylum.
- " 12. Wooden Blocks to teach Position at the Syracuse Idiot Asylum.
- " 13. Do. do. Size do.
- " 14. Do. do. Form do.
- " 15. Plan for a General Bath Room.
- " 16. Ha-ha Fence and Seat at the Derby Asylum.

## APPENDIX G.

## PLANS.

1. Government Asylum, Washington, U.S.
- 2 & 3. Essex County Asylum.
- 4 & 5. Perth District Asylum, Murthly.
- 6 & 7. Chester County Asylum, Macclesfield.
8. St. Ann's Asylum, Paris.
9. Ville Evrard Asylum, near Paris.
- 10 & 11. Cottages, Essex Asylum.
- 12, 13, 14. Surrey County Asylum, Brookwood.
15. Freidrichsberg Asylum, Hamburg.
- 16 & 17. Hospital at Prestwich Asylum.

## APPENDIX A.

## (No. 1.)

## SUGGESTIONS AND INSTRUCTIONS IN REFERENCE TO (1) SITES,—(2) CONSTRUCTION AND ARRANGEMENT OF BUILDINGS,—(3) PLANS—OF LUNATIC ASYLUMS, BY THE COMMISSIONERS IN LUNACY FOR ENGLAND AND WALES.

## No. 1.—SITES.

*General.*

1. The site of an asylum should be of a perfectly healthy character, and offer facilities for obtaining a complete system of drainage. A chalky, gravelly, or rocky subsoil, is most desirable; but if a clayey subsoil only can be obtained, an elevated position is indispensable.

It should not be near to any nuisances, such as steam-engines, shafts of mines, noisy trades, or offensive manufactures; neither should it be surrounded, or overlooked, or intersected, by public roads or footpaths.

*Proportion of land.*

2. The land belonging to the asylum should, when practicable, be in proportion of not less than one acre to four patients, so as to afford ample means for agricultural employment, exercise, and recreation; and should be so situate as to offer facilities for any extension which may become necessary at a future period.

*Form of ground.*

3. The site of the building should be elevated, as respects the surrounding country, and (if to be obtained) undulating in its surface, and cheerful in its position, and having a fall to the south.

*Position and aspect of building.*

4. The building should be placed near the northern boundary of the land; and it is important that the site should afford a plateau of sufficient extent for the structure, and for ready access from the north; the whole of the southern portion of the land being available for the undisturbed use of the patients.

*Locality.*

5. The asylum should be as central as possible to the mass of population in the county or district for which it is to be erected, and should be convenient with respect to its easy access by public conveyance, in order to facilitate the visits of friends and the supply of stores.

*Supply and quality of water.*

6. It is of the utmost importance that there should be a constant and ample supply of good water, of which a careful analysis should be made, with a view of determining the proper materials for pipes and reservoirs, and also in order to ascertain its fitness for the purposes of drinking and washing. The quantity, exclusive of rain water, should, at the driest season, be not less than twenty-five gallons per patient, per diem, and the amount should be accurately gauged.

## No. 2.—CONSTRUCTION AND ARRANGEMENTS OF BUILDINGS.

*General form.*

1. The general form of an asylum should be such as to afford an uninterrupted view of the surrounding country, and the free access of sun and air; and be so arranged as to give the principal day-rooms, on the lowest and middle stories, a southern or south-eastern aspect.

*Entrance and offices to the north.*

2. There should be no road of approach or public entrance on the south side of the asylum.

The general entrance, the porter's room, the reception and visitors' rooms, the committee room, the clerk and steward's office and store rooms, and the other offices, should be placed on the north side of the building.

*Character of building.*

3. As the building is intended for the accommodation of pauper patients, all superfluous external decoration should be avoided; at the same time it should be rendered as cheerful and attractive as due considerations of economy will permit.

*Separation of sexes, and classification.*

4. The accommodation for the male and female patients should be kept distinct on either side of the centre; and the building should be so constructed as to admit of the separation of the male and female patients respectively into at least three classes. As a general rule, the numbers in each class should be such as to require the services of not less than two attendants.

*Stories.*

5. The building may consist of three stories, provided the uppermost story be devoted to sleeping accommodation.

*Buildings for working patients.*

6. Buildings of a cheap and simple character, consisting merely of associated day-rooms and dormitories, without long corridors or other expensive arrangements, should be provided for the use of working patients. These buildings should be placed in connexion with the wash-house and laundry on the female side, and be conveniently situate in reference to the workshops and farm buildings on the male side.

*For idiotic and epileptic patients.*

Provision of an equally simple and inexpensive description should also be made for a portion of the idiotic and epileptic patients, and also for chronic cases.

*Size of chapel and offices.*

7. The chapel, and all offices and parts of the building common to the establishment, such as the kitchen and scullery, the wash-house and laundry, the workshops and store rooms, should be sufficiently spacious to meet the prospective wants of the asylum in case of an increase in the number of patients.

*Position of chapel.*

8. The chapel should not be placed over the kitchen. It should be capable of comfortably accommodating at least three-fourths of the patients. It should have the usual character and arrangement of a church, and contain no special or peculiar provision for the separation of the sexes.

*General*

*General dining-hall.*

9. A general dining-hall, conveniently situate with reference to the kitchen, and capable of being made available for the purposes of recreation, should be provided for the patients of both sexes.

*Officers' residences.*

10. A good residence should be provided for the medical superintendent, with kitchen and other necessary domestic offices.

Suitable apartments of moderate extent should also be provided for the assistant medical officer, the steward, and the matron; but for these officers a separate kitchen is not required.

*Domestic servants.*

There should also be sleeping accommodation for the domestic servants of the institution, with whom might conveniently be associated those patients who habitually work in the kitchen.

*Proportion of single rooms.*

11. The proportion of single rooms throughout the asylum need not exceed one-third. The single rooms should be chiefly in the wards appropriated to the excited and the sick. A few should be available for special cases in the other wards.

*Arrangement of upper stories. Passages and corridors.*

12. In the upper stories, passages of communication of moderate width should be adopted in lieu of wide corridors, and the dormitories should be placed to the south. Generally, long, wide, and expensive corridors should not be constructed, but only so much passage or corridor provided as may be absolutely necessary to connect the several parts of the building.

*Stairs.*

13. The stairs should be built of stone, without winders or long straight flights. The well should be built up, and hand-rails should be provided.

*Staircases.*

14. The staircases should be so arranged that the medical officer, attendants, and others, may pass through from one part to another without necessarily retracing their steps.

*Material for floors. Provision against fire.*

15. All the corridors, and day and sleeping rooms, should have boarded floors; and it is desirable that the boards should be tongued. It is indispensable that they should be of the best wood, and thoroughly well seasoned. The floors of the sculleries, lavatories, and water-closets need not be of wood. There should be a disconnection of the floor and joists at all the internal doorways, by means of a stone sill; and in all cases where a fireproof construction is not adopted, similar separations, at not greater distances apart than fifty feet, should be made in the floors and joists of the galleries or corridors. Provision should also be made for a complete fireproof separation of the timbers of the roof at the same distances, and the parapet should be carried through the roof one foot above the slating.

Oak floors, capable of being cleaned by dry rubbing, are preferable for the corridors and day-rooms.

*Plastering.*

The walls of the galleries and rooms generally should be plastered.

*Number of beds in dormitories.*

16. No associated bed-rooms should be designed to contain less than three beds.

*Height of each story, and dimensions of rooms.*

17. The general height of each story should not be less than eleven feet.

The associated dormitories should not contain less than fifty feet superficial to each bed or patient.

*Dormitories.*

The separate sleeping-rooms generally should be of not less than the following dimensions, viz., nine feet by seven superficial, and eleven feet high. Those appropriated to sick or bed-ridden patients should be of somewhat larger dimensions, and some of these should be provided with a fire-place.

*Size of day-rooms.*

18. The day-rooms, of which there should be at least one in each ward, should contain not less than twenty feet superficial for each patient, and should be calculated for the whole of the patients in each ward, exclusive of corridors or galleries.

*Position of day-rooms.*

19. The day-rooms should be so arranged as to afford ready communication with the grounds, and those appropriated to the aged and infirm should be on the lowermost stories.

*Attendants' rooms.*

20. Rooms should be provided for two or more attendants to each ward, and single attendants' rooms should not be of less dimensions than 120 feet superficial; and, whenever practicable, these should be placed between two dormitories, with glazed doors of communication.

*Windows.*

21. The windows of the day-rooms and corridors should be large and of a cheerful character, and every one be made to open easily, and so as to allow a free circulation of air, but not so far as to expose patients to danger.

The wall below should not be sloped or splayed, but recessed, to admit, if requisite, of a seat.

In the dormitories and single rooms the windows should, as a general rule, not be placed more than four feet from the floor.

*Shutters.*

Sliding shutters should be provided for a majority of the single sleeping-rooms.

*Doors.*

22. The doors of the single rooms should open outwards, and be so hung that when open they will fold back close to the wall.

*Lavatories, baths, and water-closets.*

23. In each ward there should be conveniences for washing the person, a slop-room containing a sink, a store-room or closet, water-closets, and a bath. (In many instances the bath-room may be so arranged as to be available for two or more wards.) It is very desirable that all water-closets, lavatories, &c., should be placed in projections.

*Infirmaries.*

*Infirmaries.*

24. Suitable infirmaries, in the proportion of at least one-tenth of the whole, should be provided, in which the cubical contents of the sleeping-rooms should be greater than in other parts of the building; and every room, including the single rooms, should have an open fire-place.

A small day-room in each infirmary is also desirable.

*Warming.*

25. All the day-rooms and galleries should be warmed by means of open fire-places, or open fire-stoves; and in large rooms two fires should be provided. Fire-places should also be built in all associated dormitories. In large rooms, such as the chapel or general dining-hall, and in the corridor, further provision for warming may be necessary, by means of some simple system of hot-water pipes in connexion with the open fire-stoves or fires.

*Ventilation.*

26. The ventilation generally should be provided for by means of flues, taken from the various rooms and corridors into horizontal channels communicating with a perpendicular shaft, in which a fire-box should be placed for the purpose of extracting the foul air.

*Smoke flues.*

27. In all cases where descending or horizontal smoke flues are used, they should be entirely constructed of brick-work, rendered or pargetted, inside and out; and flues from any of the heating or other furnaces, which are carried up through any of the main walls, should be constructed with a hollow space round them, to prevent the inconvenient transmission of heat into the building during the warmer periods of the year, and to allow of a moderation of the temperature of the building at other periods, when, owing to a change in the atmosphere, it may become inconveniently hot.

*Ventilating flues.*

28. Whenever ventilating flues are constructed of inflammable materials, such as quartering lathed and plastered, a distance of at least twenty feet from their point of connexion with any shaft, furnace, rarefying chamber, or smoke flue, must be constructed entirely of brick, stone, or other fireproof material.

The rarefying chamber for ventilation, together with the adjoining roof, must be entirely fireproof; and a communication should be made with it by means of a slate or iron door-frame.

*Drainage.*

29. The best and most approved system of pipe or tubular drainage should be adopted, with a sufficient fall, so as effectually to carry off to a sufficient distance from the asylum the soil and all other impurities; and the sewage should be collected in closed tanks, and so placed and constructed as to render the contents available for agricultural purposes.

Means of flushing should be provided.

*Airing courts.*

30. The enclosed airing courts need not be more than two in number on each side, and should be of ample extent so as to afford proper means for healthful exercise. They should all be planted and cultivated, and any trees already existing within them should be preserved for shade. The walls should be sunk in a ha-ha.

*Rain water.*

31. The whole of the rain water from the building should be collected in tanks, suitably placed, for the purposes of the wash-house, and, if possible, at such levels as will dispense with the labour of pumping.

Lead is an objectionable material for pipes and reservoirs, as adulterating the water.

*Lightning conductors.*

32. Lightning conductors should be placed on the most elevated parts of the building; and they may be connected with the stacks of iron rain-water pipes, which, in that case, should be fixed so as to answer the double purpose of rain-water pipes and lightning conductors.

*Farm buildings.*

33. Farm buildings, with suitable stables, &c., for visitors' horses, should be provided.

NO. 3.—PLANS REQUIRED.

1. One or more sheets of the Ordnance map, containing the county, borough, or district in respect to which the asylum is to be erected; or some other large map, in which the situation of the proposed asylum, and all the public roads and footpaths in the vicinity thereof, are clearly and fully defined.

Scale of 100 feet to an inch.

2. A general plan of the land (with the block of the buildings and offices), and of the exercise grounds, garden, and road of approach, with the levels of the surface of the ground at the quoins of the building, offices, and fence walls, figured thereon.

Scale of 20 feet to an inch.

3. Plans of the basement, ground, and each other floor of the building and offices; also of the roofs and gutters, and of the principal elevation.

Scale of 10 feet to an inch.

4. Elevation of portions of the principal front, and also of any other parts in which any variation therefrom takes place.

Scale of 5 feet to an inch.

5. Transverse and longitudinal sections, or sufficient portions thereof, to show the construction of every portion of the building.

Scale of 1 foot to  $\frac{1}{2}$  an inch.

6. Plan and section of one separate sleeping-room, dormitory, and eating or day-room respectively, or of part of the same, showing the method of warming and ventilating each; also of the baths and washing-rooms, and water-closets, and the construction of the apparatus for each.

7. An abstract of the draft contract and specification, giving a concise statement of the whole of the intended work; and also a detailed estimate of the building, and the prices at which the different materials and workmanship have been calculated in making the estimate.

8. The thicknesses of the walls, and the scantlings of the timbers of the floors and roofs, to be figured.

9. The general system of heating and ventilation proposed to be adopted throughout the asylum, to be fully described in the drawings and specifications.

10. Each plan to show the several classes and numbers of patients to be accommodated, in the wards, day-rooms, dormitories, cells, galleries, and airing courts, respectively, to which such plan relates.

(No. 2.)

SUGGESTIONS AND INSTRUCTIONS IN REFERENCE TO (1) SITES,—(2) CONSTRUCTION AND ARRANGEMENT OF BUILDINGS,—(3) PLANS,—OF LUNATIC ASYLUMS, BY THE COMMISSIONERS IN LUNACY FOR SCOTLAND.

No. 1.—SITES.

*General.*

1. The site of an asylum should be of a perfectly healthy character, and offer facilities for obtaining a complete system of drainage. A calcareous, gravelly, or rocky subsoil is most desirable; but if a clayey subsoil only can be obtained, an elevated position is indispensable. The land should be capable of profitable cultivation, and it is also desirable that it should afford a supply of water.

It should not be near to any nuisances, such as steam-engines, shafts of mines, noisy trades, or offensive manufactures; neither should it be surrounded, nor overlooked, nor intersected, by public roads or footpaths.

*Proportion of land.*

2. The land belonging to the asylum should, when practicable, be in proportion of not less than one acre to four patients, so as to afford ample means for agricultural employment, exercise, and recreation; and should be so situate as to offer facilities for any extension which may become necessary at a future period.

*Form of ground.*

3. The site of the buildings should be elevated, as respects the surrounding country, and (if to be obtained) undulating in its surface, and cheerful in its position, and having a fall to the south.

*Position and aspect of building.*

4. The principal buildings should be placed near the northern boundary of the land; and it is important that the site should afford a plateau of sufficient extent for the main structure, and for the means of ready access from the north; the whole of the southern portion of the land being available for the undisturbed use of the patients.

*Locality.*

5. The asylum should be as central as possible to the mass of population in the country or district for which it is to be erected, and should be convenient with respect to its easy access by railway or other public conveyance, in order to facilitate the visits of friends and the supply of stores. It should be within such distance of a town as to command the introduction of gas, water, &c., and of one of sufficient size to afford the means of amusement and recreation for the medical staff, the attendants, and such of the patients as might derive benefit from a change in the asylum routine.

*Supply and quality of water.*

6. It is of the utmost importance that there should be a constant and ample supply of good water, of which a careful analysis should be made, with a view to determine the proper materials for pipes and reservoirs, and also in order to ascertain its fitness for the purposes of drinking and washing. The quantity, exclusive of rain water, which should be collected in cisterns on the roof, should, at the driest season, be not less than forty gallons per patient per diem, and the amount should be accurately gauged.

No. 2.—CONSTRUCTION AND ARRANGEMENTS OF BUILDINGS.

*General form.*

1. The general form of an asylum should be such as to afford an uninterrupted view of the surrounding country, and the free access of sun and air; and be so arranged as to give the principal rooms a southern or south-eastern aspect.

*Entrance and offices to the north.*

2. There should be no road of approach or public entrance traversing the grounds. The general entrance, the porter's room, the reception rooms, the committee room, the store rooms, and the other offices, should be so placed as not to interfere with the amenity of the buildings occupied by the patients.

*Character of building.*

3. As the buildings are intended chiefly for the accommodation of pauper patients, all superfluous external decoration should be avoided; at the same time, they should be rendered as cheerful and attractive as due considerations of economy will permit.

*Separation of sexes and classification.*

4. The accommodation for the male and female patients, in the main structure, should be kept distinct on either side of the centre; and this building should be so constructed as to admit of the separation of the male and female patients respectively into at least three classes. As a general rule, the numbers in each class should be such as to require the services of not less than two attendants.

*Stories.*

5. The main building may consist of three stories, provided the uppermost story be devoted to sleeping accommodation.

*Buildings for working patients.—For idiotic and epileptic patients.—Cottages.*

6. Detached buildings of a cheap and simple character, consisting chiefly of associated day-rooms and dormitories, might be provided for the use of working patients. For the females, these buildings might be placed in connexion with the wash-house and laundry; and for the males, be in proximity to the workshops and farm buildings.

Provision of an equally simple and inexpensive description might also be made for a portion of the idiotic, imbecile, and fatuous patients, and also for chronic cases; or cottages might be erected for the accommodation of a large proportion of the working and inoffensive patients, who might be placed either under the care of the families of the attendants, or of cottar tenants of the asylum.

*Situation*

*Situation and size of offices.*

7. All offices and buildings common to the establishment, such as the kitchen and scullery, the wash-house and laundry, the workshops and store-rooms, should be conveniently placed, and be made sufficiently spacious to meet the prospective wants of the asylum in case of an increase in the number of patients.

*Position of chapel.*

8. The chapel should be of easy access, and it should be capable of comfortably accommodating at least three-fourths of the patients. It should have the usual character and arrangement of a church, and contain no special or peculiar provision for the separation of the sexes.

*General dining-hall, library, and reading-room.*

9. A general dining-hall, conveniently situate with reference to the kitchen, should be provided for the patients of both sexes; and also a library and reading-room, capable of serving for the general purposes of instruction and recreation.

*Officers' residences.—Domestic servants.*

10. A suitable residence should be provided for the medical superintendent, with kitchen and other necessary domestic offices.

Apartments of moderate extent should also be provided for assistant medical officers and pupils, the steward, and the matron; but for them a separate kitchen is not required.

There should also be appropriate sleeping accommodation for the domestic servants of the institution.

*Proportion of single rooms.*

11. The proportion of single rooms throughout the asylum need not exceed one-third. The single rooms should be chiefly in the wards appropriated to the excited and the sick, and the patients of dirty habits. A few should be available for special cases in the other parts.

*Arrangement of day-rooms and dormitories.*

12. Passages of communication of moderate width should be adopted in lieu of wide corridors, and the day-rooms and dormitories should be placed on one side, and to the south. Under certain circumstances, the day-rooms or dormitories may occupy the whole breadth of the building.

*Stairs.*

13. The stairs should be built of stone, without winders or long straight flights. The well should be built up, and hand-rails should be provided.

*Arrangement of buildings.*

14. The buildings should be so arranged that the medical officer, attendants, and others, may pass through from one part to another without necessarily retracing their steps.

*Material for floors.—Provision against fire.*

15. All the passages, and day and sleeping-rooms, should have boarded floors; and it is desirable that the boards should be tongued. It is indispensable that they should be of the best wood, and thoroughly well seasoned. The floors of the sculleries need not be of wood. There should be a disconnection of the floor and joists at all the internal doorways, by means of a stone sill; and in all cases where a fireproof construction is not adopted, similar separations, at not greater distances apart than fifty feet, should be made in the floors and ceilings. Provision should also be made for a complete fireproof separation of the timbers of the roof at the same distances, and the parapet should be carried through the roof one foot above the slating.

*Plastering.*

The walls generally should be plastered or lined with Roman cement.

*Number of beds in dormitories.*

16. No associated bedrooms should be designed to contain less than six beds, nor more than fourteen.

*Height of each story, and dimensions of rooms.*

17. The general height of each story should not be less than eleven feet.

The associated dormitories should not contain less than fifty feet superficial to each bed or patient.

*Dormitories.*

The separate sleeping-rooms generally should be of not less than the following dimensions, viz., 9 feet by 7 superficial, and 11 feet high. Those appropriated to sick or bed-ridden patients should be of somewhat larger dimensions, and some of these should be provided with a fire-place.

*Size of day-rooms.*

18. The day-rooms, of which there should be at least one in each ward, should contain not less than 20 feet superficial for each patient, calculated for the whole of the patients in each ward.

*Position of day-rooms.*

19. The day-rooms and work-rooms for females should be so arranged as to afford ready communication with the grounds, and those appropriated to the aged and infirm should be on the lowermost stories.

*Windows.*

20. The windows of the day-rooms and corridors should be large and of a cheerful character, and every one be made to open easily, and so as to allow a free circulation of air, but not in such a manner as to expose patients to danger.

The wall below should not be sloped or splayed, but recessed, to admit, if requisite, of a seat.

*Shutters.*

Shutters should be provided for a majority of the single sleeping-rooms.

*Door.*

21. The doors of the single rooms should open outwards, and be so hung that when open they will fall back close to the wall.

*Lavatories, baths, and water-closets.*

22. In each ward there should be conveniences for washing the person, a slop-room containing a sink, a store-room or closet, and water-closets. It is very desirable that all water-closets, lavatories, &c., should be placed in projections. A bath should be provided in the wards occupied by the dirty patients; but there should be besides general bath-rooms conveniently situated, for the general use of the patients, and the bath should be so placed as to leave all the sides free.

*Infirmaries.*



*Infirmaries.*

23. Suitable infirmaries, in the proportion of at least one-tenth of the whole, should be provided, in which the cubical contents of the sleeping-rooms should be greater than in other parts of the building; and every room, including the single rooms, should have an open fire-place.

A small day-room in each infirmary is also desirable.

*Warming.*

24. All the day-rooms and galleries should be warmed by means of open fire-places, or open fire-stoves; and in large rooms two fires should be provided. Fire-places should also be built in all associated dormitories; but in them and other large rooms, such as the chapel or general dining-hall, and in the corridors and passages, further provision for warming may be necessary.

*Ventilation.*

25. The ventilation generally should be provided for by means of flues, taken from the various rooms and corridors into horizontal channels communicating with a perpendicular shaft, in which a fire-box should be placed for the purpose of extracting the foul air.

*Smoke flues.*

26. In all cases where descending or horizontal smoke flues are used, they should be entirely constructed of brick-work, rendered or pargetted, inside and out; and flues from any of the heating or other furnaces, which are carried up through any of the main walls, should be constructed with a hollow space round them, to prevent the inconvenient transmission of heat.

*Ventilating flues.*

27. Whenever the building generally is not fire-proof, and when ventilating flues are constructed of inflammable materials, such as quartering lathed and plastered, a distance of at least 20 feet from their point of connexion with any shaft, furnace, rarefying chamber, or smoke flue, should be constructed entirely of brick, stone, or other fire-proof material.

The rarefying chamber for ventilation, together with the adjoining roof, should be entirely fire-proof; and a communication should be made with it by means of a slate or iron door-frame.

*Drainage.*

28. The best and most approved system of pipe or tubular drainage should be adopted, with a sufficient fall so as effectually to carry off to a sufficient distance from the asylum the soil and all other impurities; and the sewage should be collected in closed tanks, and so placed and constructed as to render the contents available for agricultural purposes.

Means of flushing should be provided.

*Airing courts.*

29. The enclosed airing courts need not be more than two in number on each side, and should be of ample extent so as to afford proper means for healthful exercise. They should all be planted and cultivated, and any trees already existing within them should be preserved for shade. The walls should be sunk in a ha-ha.

*Rain water.*

30. The whole of the rain water from the building should be collected in tanks, suitably placed, for the purposes of the wash-house, and, if possible, at such levels as will dispense with the labour of pumping.

Lead is an objectionable material for pipes and reservoirs, as adulterating the water.

*Lightning conductors.*

31. Lightning conductors should be placed on the most elevated parts of the building; and they may be connected with the stacks of iron rain-water pipes, which, in that case, should be fixed, so as to answer the double purpose of rain-water pipes and lightning conductors.

*Cottages.*

32. The cottages, if adopted, should be of different sizes, each calculated to accommodate from three to five patients, in addition to the family of the occupier. The male patients should be placed either in single rooms, or in dormitories for three or four, and each cottage should contain a water-closet.

*Farm buildings.*

33. Farm buildings, with suitable stables, &c., should be provided, and also workshops suitable for the employment of the patients, according to the prevalent occupations of the district.

## NO. 3.—PLANS REQUIRED.

1. One or more sheets of the Ordnance map, containing the county, borough, or district in respect of which the asylum is to be erected; or some other large map in which the situation of the proposed sylum, and all the public roads and footpaths in the vicinity thereof, are clearly and fully defined.

Scale of 100 feet to an inch.

2. A general plan of the land (with the block of the buildings and offices) and of the exercise grounds, garden, and road of approach, with the levels of the surface of the ground at the quoins of the building, offices, and fence walls, figured thereon.

Scale of 20 feet to an inch.

3. Plans of the basement, ground, and each other floor of the main building, subsidiary buildings, and offices; also of the roofs and gutters, and of the principal elevation.

Scale of 10 feet to an inch.

4. Elevation of portions of the principal front, and also of any other parts in which any variation therefrom takes place.

Scale of 5 feet to an inch.

5. Transverse and longitudinal sections, or sufficient portions thereof to show the construction of every portion of the building.

Scale of 1 foot to  $\frac{1}{2}$  an inch.

6. Plan and section of one separate sleeping-room, dormitory, and eating or day-room respectively, or of part of the same, showing the method of warming and ventilating each; also of the baths and washing-rooms, and water-closets, and the construction of the apparatus for each.

7. An abstract of the draft contract and specification, giving a concise statement of the whole of the intended work; and also a detailed estimate of the building, and the prices at which the different materials and workmanship have been calculated in making the estimate.

8. The thicknesses of the walls, and the scantlings of the timbers of the floors and roofs, to be figured.
9. The general system of heating and ventilation, proposed to be adopted throughout the asylum, to be fully described in the drawings and specifications.
10. Each plan to show the several classes and numbers of patients to be accommodated, in the wards, day-rooms, dormitories, cells, galleries, and airing courts, respectively, to which such plan relates.

(No. 3.)

ON THE CONSTRUCTION AND ORGANIZATION OF HOSPITALS FOR THE INSANE.

THE Association of Medical Superintendents of American Institutions for the Insane, have unanimously agreed upon the following propositions relative to the Construction and Organization of Asylums; and also requested their publication by the members in their annual reports.

ON THE CONSTRUCTION OF HOSPITALS FOR THE INSANE.

1. Every hospital for the insane should be in the country, not within less than two miles of a large town, and easy accessible at all seasons.
2. No hospital for the insane, however limited its capacity, should have less than fifty acres of land devoted to gardens and pleasure grounds for its patients. At least one hundred acres should be possessed by every State hospital, or other institution for 200 patients, to which number these propositions apply, unless otherwise mentioned.
3. Means should be provided to raise ten thousand gallons of water, daily, to reservoirs that will supply the highest parts of the building.
4. No hospital for the insane should be built, without the plan having been first submitted to some physician or physicians, who have had charge of a similar establishment, or are practically acquainted with all the details of their arrangements, and received his or their full approbation.
5. The highest number that can with propriety be treated in one building is two hundred and fifty, while two hundred is a preferable maximum.
6. All such buildings should be constructed of stone or brick, have slate or metallic roofs, and as far as possible, be made secure from accidents by fire.
7. Every hospital having provisions for two hundred or more patients, should have in it, at least, eight distinct wards for each sex, making sixteen classes in the entire establishment.
8. Each ward should have in it a parlor, a corridor, single lodging-rooms for patients, an associated dormitory communicating with a chamber for two attendants, a clothes-room, a bath-room, a water-closet, a dining-room, a dumb-waiter, and a speaking tube leading to the kitchen or other central part of the building.
9. No apartments should ever be provided for the confinement of patients, or for their lodging-rooms, that are not entirely above ground.
10. No class of rooms should ever be constructed without some kind of window in each, communicating directly with the external atmosphere.
11. No chamber for the use of a single patient should ever be less than eight by ten feet, nor should the ceiling of any story occupied by patients be less than twelve feet in height.
12. The floors of patients' apartments should always be of wood.
13. The stairways should always be of iron, stone, or other indestructible material, ample in size, in number, and easy of ascent, to afford convenient egress in case of accident from fire.
14. A large hospital should consist of a main central building with wings.
15. The main central building should contain the offices, receiving-rooms for company, and apartments entirely private for the superintending physician and his family, in case that officer resides in the hospital building.
16. The wings should be so arranged, that if rooms are placed on both sides of a corridor, the corridors should be furnished at both ends with movable glazed sashes, for the free admission of both light and air.
17. The lighting should be by gas, on account of its convenience, cleanliness, safety, and economy.
18. The apartments for washing, clothing, &c., should be detached from the hospital building.
19. The drainage should be under-ground, and all the inlets to the sewers should be properly secured, to prevent offensive emanations.
20. All hospitals should be warmed by passing an abundance of pure, fresh air from the external atmosphere over the pipes or plates containing steam under low pressure, or hot water, the temperature of which, at the boiler, does not exceed 212 degrees Fah., and placed in the basement or cellar of the building to be heated.
21. A complete system of forced ventilation in connection with the heating, is indispensable to give purity to the air of an hospital for the insane; and no expense that is required to effect this object thoroughly, can be deemed either misplaced or injudicious.
22. The boilers for generating steam for warming the building, should be in a detached structure, connected with which may be the engine for pumping water, driving the washing apparatus, and other machinery.
23. All water-closets should, as far as possible, be made of indestructible materials, be simple in their arrangement, and have a strong downward ventilation connected with them.
24. The floors of both rooms, water-closets and basement stories, should, as far as possible, be made of materials that will not absorb moisture.
25. The wards for the most excited class should be constructed with rooms on but one side of a corridor, not less than ten feet wide, the external windows of which should be large, and have pleasant views from them.
26. Wherever practicable, the pleasure grounds of a hospital for the insane should be surrounded by a substantial wall, so placed as not to be unpleasantly visible from the building.

ON THE ORGANIZATION OF A HOSPITAL FOR THE INSANE.

1. The general controlling power should be vested in a board of trustees or managers, if of a State institution, selected in such a manner, as will be likely most effectually to protect it from all influences connected with political measures or political changes; if of a private corporation, by those properly authorized to vote.

2. The board of trustees should not exceed twelve in number, and be composed of individuals possessing the public confidence, distinguished for liberality, intelligence, and active benevolence; above all political influence, and able and willing faithfully to attend to the duties of their station. Their tenure of office should be so arranged that, where changes are deemed desirable, the terms of not more than one-third of the whole number should expire in any one year.

3. The board of trustees should appoint the physician, and on his nomination, and not otherwise, the assistant physician, steward, and matron. They should, as a board, or by committee, visit and examine every part of the institution at frequent stated intervals, not less than semi-monthly, and at such other times as they may deem expedient, and exercise so careful a supervision over the expenditures and general operations of the hospital, as to give to the community a proper degree of confidence in the correctness of its management.

4. The physician should be the superintendent and chief executive officer of the establishment. Besides being a well-educated physician, he should possess the mental, social, and physical qualities, to fit him for the post. He should serve during good behaviour, reside on, or very near the premises, and his compensation should be so liberal as to enable him to devote his whole time and energies to the welfare of the hospital. He should nominate to the board suitable persons to act as assistant physician, steward, and matron; he should have entire control of the medical, moral, and dietetic treatment of the patients, the unrestricted power of appointment and discharge of all persons engaged in their care, and should exercise a general supervision and direction of every department of the institution.

5. The assistant physician, or assistant physicians, where more than one are required, should be graduates of medicine, of such character and qualifications as to be able to represent and to perform the ordinary duties of the physician during his absence.

6. The steward, under the direction of the superintending physician, and by his order, should make all purchases for the institution, keep the accounts, make engagements with, pay and discharge those employed about the establishment; have a supervision of the farm, garden, and grounds, and perform such other duties as may be assigned to him.

7. The matron, under the direction of the superintendent, should have a general supervision of the domestic arrangements of the house, and under the same direction, do what she can to promote the comfort and restoration of the patients.

8. In institutions containing more than 200 patients, a second assistant physician, and an apothecary, should be employed, to the latter of whom, other duties, in the male wards, may be conveniently assigned.

9. If a chaplain is deemed desirable as a permanent officer, he should be selected by the superintendent, and, like all others engaged in the care of patients, should be entirely under his direction.

10. In every hospital for the insane, there should be one supervisor for each sex, exercising a general oversight of all the attendants and patients, and forming a medium of communication between them and the officers.

11. In no institution should the number of persons in immediate attendance on the patients, be in a lower ratio than one attendant for every ten patients; and a much larger proportion of attendants will commonly be desirable.

12. The fullest authority should be given to the superintendent to take every precaution that can guard against fire or accident within an institution, and to secure this an efficient night-watch should always be provided.

13. The situation and circumstances of different institutions may require a considerable number of persons to be employed in various other positions; but in every hospital, at least all those that have been referred to, are deemed not only desirable but absolutely necessary, to give all the advantages that may be hoped for from a liberal and enlightened treatment of the insane.

14. All persons employed in the care of the insane, should be active, vigilant, cheerful, and in good health. They should be of a kind and benevolent disposition, be educated, and in all respects trustworthy, and their compensation should be sufficiently liberal to secure the services of individuals of this description.

*The above propositions which were adopted in 1852, were supplemented in 1866 by the five following.*

1. The large States should be divided into geographical districts, of such size, that a hospital situated at or near the centre of each district, will be practically accessible to all the people living within its boundaries, and available for their benefit in case of mental disorder.

2. All State, county, and city hospitals for the insane should receive all persons belonging to the vicinage, designed to be accommodated by each hospital, who are affected with insanity proper, whatever may be the form or nature of the bodily disease accompanying the mental disorder.

3. All hospitals for the insane should be constructed, organized, and managed substantially in accordance with the propositions adopted by the Association in 1851 and 1852, and still in force.

4. The facilities of classification or ward separation, possessed by each institution, should equal the requirements of the different conditions of the several classes received by such institution, whether these different conditions are mental or physical in their character.

5. The enlargement of a city, county, or State institution for the insane, which, in the extent and character of the district in which it is situated, is conveniently accessible to all the people of such district, may be properly carried, as required, to the extent of accommodating 600 patients, embracing the usual proportions of curable and incurable insane in a particular community.

(No. 4.)

Office of Commissioners in Lunacy,  
19, Whitehall Place, S.W.,  
8th June, 1857.

Sir,

The Commissioners in Lunacy, having had under their special consideration the subject of the construction, employment, and mode of administration, of baths in asylums, have prepared the accompanying regulations, which they strongly recommend for adoption in all institutions for the insane:—

1. That in no case shall any kind of bath be used as a punishment.

2. That, except for purposes of cleanliness, no bath be used without the authority of one of the medical officers.

3. That no bath be used as a medical agent, or for the purpose of subduing excitement, unless in presence of the medical officer or his assistant, the matron, or deputy matron, or head attendants, and that a record of the employment of the same, and of the exact period of its duration, be kept.

4. Should any new form of bath, or a shower or douche bath, of more than three minutes in duration, be ordered, that the effects in every case be carefully watched by one of the medical officers, and fully reported, with the time of its duration, in the case book.

5. That whenever a wooden frame with a door is used for the douche or shower bath, it be so constructed that the patient be easily seen, and air readily admitted.

6.

6. That, when not in use, the shower bath be kept constantly locked, and the key placed in charge of one of the superior officers.

7. That the days fixed for general bathing be so arranged as to afford to each patient a sufficient supply of warm water. That the matron or her assistant on the female side, and the head attendant on the male side, be present to superintend the process, ascertain by the thermometer the temperature of the water, see that it is properly changed, and an adequate supply of towels, matting, seats, &c., is provided, and especially to observe the bodily condition of the patients, and to report to the medical superintendent any wounds, bruises, or eruptions, or other matters requiring attention.

8. That the hot and cold water taps be so placed, constructed, or protected, as to prevent patients turning on the water, and that the bath be fully prepared, and the temperature ascertained, before a patient is placed in it.

I am, Sir,  
Your obedient servant,  
JOHN FORSTER,  
Secretary.

#### ESSEX COUNTY ASYLUM.

##### *Rules for the Bath Room.*

1. Every patient shall bathe at least once a week, and oftener if necessary.
2. The temperature of the bath must not be lower than 90, nor higher than 98 degrees, unless ordered specially by the medical officer.
3. The attendants are not to allow the patients to have the use of the keys of the baths, nor to bathe themselves, but one attendant is always to be present, who shall use a thermometer to test the temperature of the bath before any patient is permitted to enter it.
4. More than three or four patients are not to be bathed in the same water, but a less number if the supply of water is sufficient; and whenever more than one is so bathed, the warmth of the bath is to be kept up by the addition of fresh hot water, sufficient to maintain the temperature at from 90 to 98 degrees, but no additional hot water must ever be added to a bath during the time a patient is in it.
5. Under no circumstances is a shower or other cold bath to be administered without the special order of the medical superintendent, or in his absence of the medical assistant; and whenever such a bath is given, it shall be in the presence of the matron or head female attendant, or of the male head attendant, as the case may be.
6. All shower baths ordered for medical purposes will be recorded in the case books, by the superintendent or his assistant, showing the date and duration of the shower bath, and the name of the patient subjected to it, and the reasons for its having been ordered; and any attendant placing a patient in a shower bath without a special order shall be guilty of misconduct.
7. The attendants are requested to be careful in seeing that there is an adequate supply of towels, seats, &c., and that each bather is made thoroughly dry before dressing, also that his nails are attended to, and his hair properly cut, and also carefully to observe the bodily condition of each patient, and to report to the medical superintendent or assistant, any wounds, bruises, or eruptions, or other matters requiring attention.
8. In no case whatever is one patient to be allowed to assist another when in the bath, but in every instance the attendant must be present.

D. C. CAMPBELL, M.D.,  
Medical Superintendent.

#### COUNTY ASYLUM, STAFFORD.

##### *Rules to be observed in using the warm bath.*

Gallery No.	Bathing days,
-------------	---------------

1. Every patient to be put into a warm bath at least once in a week, on the day specified above, unless orders are given to the contrary.
2. No patient to be put into a bath in less than an hour and a half after each meal.
3. The water to be changed for every patient, and the bath to be about half filled.
4. The temperature of the water to be about 96° Fahrenheit; and no patient to be put into a bath at less than 90° or above 130° Fahrenheit—unless ordered by the medical officer.
5. Previous to using the bath, the attendant must see that the water is the proper temperature; that the floor of the bath-room is covered with matting; and that each patient is undressed and dressed in the bath-room without any unnecessary exposure to cold.
6. No patients to remain less than five minutes in the bath. During this time their persons are to be thoroughly cleansed with soap and water, and upon coming out of the bath, the attendant is to carefully rub them dry with clean towels.
7. When there is not a sufficient supply of hot water to enable all the patients in a gallery to be bathed on the same day, one half shall be bathed one day and the remainder the next; a list of the names of those not bathed being kept by the attendant, to prevent any patient being omitted.
8. The bath and bath room are to be kept thoroughly clean, and to be used only for the purposes for which they are intended.
9. The hot and cold water, and also the waste water taps, are always to be turned off after being used, and the key to be kept by the attendant.
10. No attendants, on any excuse, to leave a bath-room while a patient is in the bath, or to trust the key of the bath out of their possession.

##### *Rules to be observed in using the Shower Bath.*

1. The shower bath to be administered only by the order of the medical officer.
2. The medical officer, matron, or head attendants, always to be present during the time of using it.
3. The time for remaining in the shower bath never to exceed three minutes.
4. The patient to be thoroughly dried after having the bath.
5. The bath to be used only as a medical agent. The keys for turning the taps of the warm bath, and the keys of the shower baths, to be kept locked up, and out of the reach of patients.

#### COUNTY ASYLUM, PRESTWICH.

##### *Rules to be observed as to bathing the patients.*

- | Female ward, No. | Bathing day, | at |
|------------------|--------------|----|
|------------------|--------------|----|
1. Every patient shall be bathed once a week (unless there is a special medical order to the contrary), and as much oftener as is necessary. Every patient shall be bathed immediately on admission, unless it is ordered otherwise by the medical officer.

2. Every bath to be previously prepared by the assistant matron (or in her absence, the matron), the temperature of the water not to exceed 96°, nor to fall below 90° Fahrenheit, unless specially ordered. The assistant matron (or in her absence, the matron) to see that the patients are properly bathed, their persons cleansed with soap, carefully rubbed dry after the bath, and that they are not unduly exposed to cold during dressing or undressing.

3. The water to be changed for every patient.

4. The assistant matron (or in her absence, the matron) to be present whilst the patients are bathed.

5. The bath taps, of both cold and hot water, to be kept at all times locked, under charge of the attendants, and inaccessible to the patients.

6. An immediate report to be made to the medical officer by the assistant matron, of any bruises, sores, or eruptions existing upon the person of any patient when bathed.

*The shower bath.*

7. The shower bath to be administered only by the special order of the medical officer.

8. The matron shall at all times be present at the administration of the shower bath.

9. No patient shall remain longer than one minute in a shower bath, excepting by the order, and in the presence, of a medical officer, and then for not longer than three minutes.

10. The key of the shower bath not to be accessible to the attendants, but to be kept by the matron and medical officer.

11. Every patient after using the shower bath to be carefully rubbed dry, and quickly dressed, without undue exposure to cold.

**BROOKWOOD ASYLUM.**

*Baths.—Regulations for the guidance of the attendants.*

1. Every patient to be bathed immediately after admission, and once a week afterwards, unless exempted by medical order. Should there be the slightest doubt as to the advisability of bathing any patient, owing to sickness, feebleness, or excitement, immediate reference to be made to one of the medical officers.

2. The name of every patient not having the customary bath to be inserted in the daily report sheet.

3. In preparing a bath, the cold water is always to be turned on first.

4. Before the patient enters the bath, the temperature is to be ascertained by the thermometer, and is not to be less than 88 degrees, nor above 98 degrees. In case of the thermometer becoming inefficient from injury, &c., all bathing operations to be suspended until another be obtained.

5. Not more than one patient to be bathed in the same water. Any infringement of this rule to be entered in the daily report sheet.

6. Under no circumstances whatever are two patients to occupy the bath at the same time.

7. During the employment of the bath, the room is never to be left without an attendant. At all other times the door is to remain locked, and the floor to be kept dry.

8. Under no pretence whatever is the patient's head to be put under water.

9. In the bath the body of each patient is to be well cleansed with soap. After coming out of the bath, especial care must be taken to dry those patients who are feeble and helpless, and to clothe them as rapidly as possible.

10. The keys are never to remain on the bath taps, nor are they to be employed by patients. When not in use, they are to be locked in the attendants' room.

11. Any marks, bruises, wounds, sores, local pain, evidences of disease of any kind, complained of by the patients, or noticed by the attendant during any of the bathing operations, to be immediately reported to one of the medical officers, and also to be entered in the daily report sheet.

12. Any deficiency in the supply of warm water, soap, towels, &c., to be entered in the daily report sheet.

13. The attendants are to bear in mind that, except under medical order, the baths are to be employed solely for the purposes of cleanliness.

14. Neither the cold nor the shower bath is ever to be employed, except under medical order, and then only in presence of one of the officers. When not in use the door of the latter is to remain locked, and the key to be kept in the dispensary.

15. It is the duty of the head attendant to be present at all baths employed under medical order, and to take care that the duration does not exceed the time specified in such order. He is also to supervise the whole of the ordinary bathing operations, to ascertain that the rules are rigidly carried out, and to report to the medical superintendent every infringement that may come to his knowledge.

T. N. BRUSHFIELD, M.D.,  
Medical Superintendent.

June, 1867.





## DINNER.

	Male Patients.	Female Patients.
Sunday .....	Bacon and greens, with fruit or suet pudding.	Roast pork.
Monday .....	Mutton broth or bread and cheese (3 oz.).	Meat pudding (boiled), or fruit pudding.
Tuesday .....	Meat and potato pie.	Meat and potato pie.
Wednesday .....	Roast beef or pickled pork.	Meat stew and dumpling.
Thursday .....	Irish stew.	Plum pudding and treacle sauce.
Friday .....	Meat and potato pie, or plum pudding and treacle sauce.	Meat pudding (baked), or bacon 4 oz., with suet pudding 4 oz.
Saturday .....	Mutton broth.	Mutton broth, or Irish stew.
	Bread, beer, and vegetables daily.	

Extra diet for sick.—Mince-meat, steak, mutton chop, fowl, fish, eggs, mutton-broth, beef tea, essence of beef, milk, arrow-root, rice pudding, batter pudding, sago, barley water, gruel, oranges, biscuits, calf's foot jelly, porter, bitter ale, port wine, sherry, brandy, gin, whisky, rum, lemonade, soda water.

Extra diet for working patients.— $\frac{1}{2}$  pint beer, 2 oz. bread, 1 oz. cheese, at 11 a.m., and  $\frac{1}{2}$  pint beer at 4 p.m., the laundry patients  $\frac{1}{2}$  pint tea. Tobacco and snuff given as indulgences.

Attendants' and servants' diet.—Men, 1 lb. uncooked meat; women,  $\frac{3}{4}$  lb. ditto; 1 lb. vegetables, 1 lb. bread, 2 pints beer daily. 2 oz. tea,  $\frac{1}{2}$  lb. sugar,  $\frac{1}{2}$  coffee,  $\frac{1}{2}$  butter, 1 lb. cheese, weekly.  $\frac{1}{4}$  lb. meat may be exchanged for pudding or pie, at the discretion of the housekeeper.

Cocoa for one hundred patients.— $3\frac{1}{2}$  lb. cocoa,  $6\frac{1}{2}$  lb. treacle, 3 gallons milk, or more, if the dairy yields it.

Coffee	ditto	$1\frac{1}{2}$ lb. coffee, $\frac{1}{2}$ lb. chicory, 5 lb. treacle, 2 gallons milk.
Tea	ditto	1 lb. tea, 4 lb. sugar, and 2 gallons milk.
Mutton broth	ditto	The liquor of the cooked meat, bones, &c., 25 lb. meat, 3 lb. Scotch barley, oatmeal, rice, 10 lb. Turnips, cabbage, parsnip, leek, onion, artichokes, or other vegetables, herbs, salt, and pepper.
Meat pie	ditto	Dripping crust, 31 lb. flour, 50 lb. potatoes, 13 lb. meat.
Meat pudding	ditto	25 lb. meat, 30 lb. flour—boiled or baked.
Meat stew	ditto	25 lb. meat, in a stew with potatoes and other vegetables mixed with rice and barley.
Plum pudding	ditto	Flour, $46\frac{1}{2}$ lb., suet, $6\frac{1}{2}$ lb., raisins, $7\frac{1}{2}$ lb.

## LANCASTER COUNTY ASYLUM, PRESTWICH.

## ORDINARY DIET TABLE.

Breakfast.		Dinner.	Supper.
<i>Males.</i>			
Monday .....	$1\frac{1}{2}$ pint milk porridge, 6 oz. bread, or 1 pint tea, 6 oz. bread, $\frac{1}{2}$ oz. butter.....	Pease soup $1\frac{1}{2}$ pint (containing 4 oz. meat for each patient), 6 oz. bread, $\frac{1}{2}$ pint beer	1 pint tea or coffee, 6 oz. bread, $\frac{1}{2}$ oz. butter.
Tuesday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, $\frac{1}{2}$ pint beer	
Wednesday .....		Roast meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, $\frac{1}{2}$ pint beer	
Thursday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, $\frac{1}{2}$ pint beer	
Friday .....		Boiled meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, $\frac{1}{2}$ pint beer	
Saturday .....		Irish stew, $1\frac{1}{2}$ pint (containing 4 oz. meat for each patient), 6 oz. bread	
Sunday .....		Boiled meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, $\frac{1}{2}$ pint beer	
<i>Females.</i>			
Monday .....	$1\frac{1}{2}$ pint milk porridge, 6 oz. bread, or 1 pint tea, 6 oz. bread, $\frac{1}{2}$ oz. butter.....	Pease soup, $1\frac{1}{2}$ pint (containing 4 oz. meat for each patient), 6 oz. bread, $\frac{1}{2}$ pint beer	1 pint tea or coffee, 6 oz. bread, $\frac{1}{2}$ oz. butter.
Tuesday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, $\frac{1}{2}$ pint beer	
Wednesday .....		Roast meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 4 oz. bread, $\frac{1}{2}$ pint beer	
Thursday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, $\frac{1}{2}$ pint beer	
Friday .....		Boiled meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 4 oz. bread, $\frac{1}{2}$ pint beer	
Saturday .....		Irish stew, $1\frac{1}{2}$ pint (containing 4 oz. meat for each patient), 6 oz. bread	
Sunday .....		Boiled meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 4 oz. bread, $\frac{1}{2}$ pint beer	
EXTRA DIET TABLE FOR PATIENTS EMPLOYED.			
<i>Males.</i>			
Monday .....	$1\frac{1}{2}$ pint milk porridge, 8 oz. bread, or 1 pint tea, 8 oz. bread, $\frac{1}{2}$ oz. butter.....	Baked lobscouse (containing 4 oz. meat for each patient), 8 oz. bread, 2 oz. cheese, $\frac{1}{2}$ pint beer	1 pint tea or coffee, 6 oz. bread, $\frac{1}{2}$ oz. butter.
Tuesday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, 2 oz. bread, 2 oz. cheese, 1 pint beer	
Wednesday .....		Roast meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 8 oz. bread, 2 oz. cheese, 1 pint beer	
Thursday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, 2 oz. bread, 2 oz. cheese, 1 pint beer	
Friday .....		Boiled meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 8 oz. bread, 2 oz. cheese, 1 pint beer	
Saturday .....		Irish stew (containing 4 oz. meat for each patient), 8 oz. bread, 2 oz. cheese, $\frac{1}{2}$ pint beer	
Sunday .....		Roast meat (7 oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, 1 pint beer	
<i>Females.</i>			
Monday .....	$1\frac{1}{2}$ pint milk porridge, 6 oz. bread, or 1 pint tea, 6 oz. bread, $\frac{1}{2}$ oz. butter.....	Baked lobscouse (containing 4 oz. meat for each patient), 6 oz. bread, 1 oz. cheese, $\frac{1}{2}$ pint beer	1 pint tea or coffee, 6 oz. bread, $\frac{1}{2}$ oz. butter.
Tuesday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, 2 oz. bread, 1 oz. cheese, 1 pint beer	
Wednesday .....		Roast meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, 1 oz. cheese, 1 pint beer	
Thursday .....		Meat pies (containing 4 oz. meat for each patient), 1 lb. vegetables, 2 oz. bread, 1 oz. cheese, 1 pint beer	
Friday .....		Boiled meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 6 oz. bread, 1 oz. cheese, 1 pint beer	
Saturday .....		Irish stew (containing 4 oz. meat for each patient), 6 oz. bread, 1 oz. cheese, $\frac{1}{2}$ pint beer	
Sunday .....		Roast meat ( $5\frac{1}{2}$ oz. uncooked and free from bone), 1 lb. vegetables, 4 oz. bread, 1 pint beer	



LEICESTER AND RUTLAND COUNTY ASYLUM.

ORDINARY DIET.

Breakfast.

Males, coffee or cocoa, 1 pint, with 6 oz of bread, and  $\frac{1}{2}$  oz. butter.  
Females, coffee or cocoa, 1 pint, with 5 oz. of bread, and  $\frac{1}{2}$  oz. butter.

Dinner.

Sunday... } Meat { Males, 6 oz. cooked, free from bone, } Vegetables in season,  
Monday... } with 3 oz. of bread. } 12 oz.  
Wednesday... } Females, 5 oz. cooked, free from bone, }  
Thursday... } with 3 oz. of bread. }  
Tuesday, Irish stew, males and females, 16 oz., with 3 oz. of bread, 1 oz. cheese.  
Friday, soup day—males, 1 $\frac{1}{2}$  pint, 6 oz. of bread, 1 oz. cheese; females, 1 pint, 4 oz. bread, 1 oz. cheese.  
Saturday, meat pie—males, 1 lb., 3 oz. bread; females, 1 lb., 3 oz. bread.  
\*\* Males and females  $\frac{1}{2}$  pint beer daily, excepting Fridays.

Supper.

Males—tea, 1 pint, 6 oz. bread,  $\frac{1}{2}$  oz. butter; females, tea, 1 pint, 5 oz. bread,  $\frac{1}{2}$  oz. butter.  
Patients employed in the wards and laundry are allowed for luncheon, 4 oz. bread, 1 oz. cheese, and  $\frac{1}{2}$  pint beer, extra.  
Those employed in workshops and farm—4 oz. bread, 1 oz. cheese, and 1 pint beer, extra.  
Extra diet at the discretion of the medical superintendent.

Scale, per gallon, for

Coffee—2 $\frac{1}{2}$  oz., 1 pint new milk, 4 oz. sugar.  
Tea—1 oz., 1 $\frac{1}{2}$  pint new milk, 3 $\frac{1}{2}$  oz. of sugar.  
Soup—1 $\frac{1}{2}$  lb. of legs and shins, 2 oz. oatmeal, 2 oz. pease, with carrots, onions, and herbs.  
Irish stew, per lb., 2 oz. meat, 10 oz. potatoes.

Attendants and male servants.

Weekly—1 $\frac{1}{2}$  oz. tea, 3 oz. coffee,  $\frac{1}{2}$  lb. butter,  $\frac{1}{2}$  lb. cheese,  $\frac{1}{2}$  lb. moist sugar.  
Daily—1 $\frac{1}{2}$  pint ale, 8 oz. cooked meat, 12 oz. vegetables, 1 lb. bread.

Nurses and female servants.

Weekly—1 $\frac{1}{2}$  oz. tea, 3 oz. coffee,  $\frac{1}{2}$  lb. butter,  $\frac{1}{2}$  lb. cheese, 3 oz. loaf sugar, 8 oz. moist sugar.  
Daily—1 pint ale, 6 oz. cooked meat, 12 oz. vegetables, 1 lb. bread.

LINCOLN COUNTY ASYLUM.

ORDINARY DIET.

WEEK DAYS.	Breakfast.					Dinner.										Supper.												
	Males.			Females.		Males.					Females.					Males.		Females.										
	Bread.	Cocoa.	Porridge.	Bread.	Cocoa.	Bread.	Beer.	Suet Pudding.	Cooked Meat.	Pie.	Soup.	Stew.	Vegetables.	Bread.	Beer.	Suet Pudding.	Cooked Meat.	Pie.	Soup.	Stew.	Vegetables.	Bread.	Butter.	Tea or Coffee.	Bread.	Butter.	Tea or Coffee.	
Sunday .....	6	1	5	1	...	4	6	...	...	12	...	...	...	4	5	...	...	...	...	8	6	...	1	5	...	1		
Monday .....	6	1	5	1	6	...	...	...	...	1	...	...	...	5	...	...	...	...	1	...	...	6	6	...	1	5	...	1
Tuesday .....	6	1	5	1	...	4	6	10	...	...	...	8	...	...	...	1	10	...	...	...	8	6	...	1	5	...	1	
Wednesday .....	6	1	5	1	...	4	6	...	...	...	12	...	...	4	5	...	...	...	...	8	6	...	1	5	...	1		
Thursday .....	6	1	5	1	6	...	...	...	...	...	12	...	...	5	...	...	...	...	12	...	6	6	...	1	5	...	1	
Friday .....	6	1	5	1	...	4	6	...	...	...	12	...	...	4	5	...	...	...	...	8	6	...	1	5	...	1		
Saturday .....	6	1	5	1	...	1	10	...	...	...	8	...	...	1	10	...	...	...	...	8	6	...	1	5	...	1		
TOTAL .....	42	4	3	35	7	12	3½	12	21	20	1	12	52	10	3½	12	18	20	1	12	40	42	3½	7	35	3½	7	

Cocoa for 250 patients.—7 $\frac{1}{2}$  lbs. cocoa, 15 lbs. treacle, 9 galls. milk.  
Porridge do. do. 18 lbs. oatmeal, 20 galls. milk, 12 galls. water.  
Soup do. do. The liquor of the cooked meat, uncooked bones, 28 lbs. beef, 14 lbs. rice, 14 lbs. pease, 7 lbs. pearl barley, herbs, salt, pepper, &c.  
Stew do. do. 28 lbs. beef, 168 lbs. vegetables in the liquor of the meat cooked previously.

EXTRA DIET.

Out-door workers, 4 ozs. bread, 2 ozs. cheese, and half a pint beer, at 11 a.m.  
Kitchen, laundry, and washerwomen, 2 ozs. bread, 1 oz. cheese,  $\frac{1}{2}$  pint beer, at 11 a.m.; and 4 ozs. bread,  $\frac{1}{2}$  oz. butter, and 1 pint tea, at 4 p.m.  
Ward-cleaners, 4 ozs. bread, 2 ozs. cheese, at 8 p.m. on Tuesdays and Fridays.  
Tobacco and snuff are given as rewards to the industrious.

ATTENDANTS' DIETARY.

Females.—10 $\frac{1}{2}$  lbs. bread, 3 $\frac{1}{2}$  lbs. cooked meat, 10 $\frac{1}{2}$  pints beer,  $\frac{1}{2}$  lb. fresh butter,  $\frac{1}{2}$  lb. coffee, 1 lb. sugar, 2 ozs. tea, 1 lb. cheese, 3 $\frac{1}{2}$  pints milk, vegetables—weekly.  
Males.—10 $\frac{1}{2}$  lbs. bread, 5 $\frac{1}{2}$  lbs. cooked meat, 14 pints beer,  $\frac{1}{2}$  lb. fresh butter,  $\frac{1}{2}$  lb. coffee, 1 lb. sugar, 2 ozs. tea, 1 lb. cheese, 3 $\frac{1}{2}$  pints milk, vegetables—weekly.

## NEW SURREY ASYLUM.

## DIET SCALE.

	Breakfast.						Dinner.												Supper.								
	Males.			Females.			Males.						Females.						Males.		Females.						
	Bread.	Butter.	Cocoa.	Bread.	Butter.	Cocoa.	Meat (uncooked).	Irish Stew.	Soup.	Meat Pie.	Vegetables.	Bread or Dump- ling.	Beer.	Meat.	Irish Stew.	Soup.	Meat Pie.	Vegetables.	Bread or Dump- ling.	Beer.	Bread.	Butter.	Tea.	Bread.	Butter.	Tea.	
oz.	oz.	pt.	oz.	oz.	pt.	oz.				oz.	oz.	pt.	oz.					oz.	oz.	pt.	oz.	oz.	pt.	oz.	oz.	pt.	
Sunday .....	6	1	5	6	1	5	1	8	...	...	16	4	7	...	...	...	...	12	3	1	6	1	5	6	1	5	6
Monday .....	6	1	5	6	1	5	1	8	...	...	16	4	7	...	...	...	...	12	3	1	6	1	5	6	1	5	6
Tuesday .....	6	1	5	6	1	5	1	8	stew	...	16	4	7	stew	...	...	...	12	3	1	6	1	5	6	1	5	6
Wednesday ...	6	1	5	6	1	5	1	8	...	...	16	4	7	...	...	...	...	12	3	1	6	1	5	6	1	5	6
Thursday .....	6	1	5	6	1	5	1	8	soup	...	16	4	7	...	soup	...	...	12	3	1	6	1	5	6	1	5	6
Friday .....	6	1	5	6	1	5	1	8	...	...	16	4	7	...	...	...	...	12	3	1	6	1	5	6	1	5	6
Saturday .....	6	1	5	6	1	5	1	8	...	...	16	4	7	...	...	...	...	12	3	1	6	1	5	6	1	5	6
Weekly Total..	42	24	7	35	24	7	45	...	...	...	92	30	34	38	...	...	...	68	22	24	42	24	7	35	24	7	

## EXTRA FOR WORKERS.

Males.....4 ozs. bread.....1 oz. cheese..... $\frac{1}{2}$  pint beer daily.  
 Females.....3 ozs. " .....1 oz. " ..... $\frac{1}{2}$  pint beer daily.

Half at breakfast, and half at dinner-time.

## WORCESTER ASYLUM.

## ORDINARY DIET TABLE.

Days.	Breakfast, 7 a.m.		Dinner, 1 p.m.				Supper, 6 p.m.	
	Males.	Females	Males.		Females.		Males.	Females
Sunday ...	1 pint coffee, 6 oz. bread, $\frac{1}{2}$ oz. butter.	1 pint coffee or tea, 5 oz. bread, $\frac{1}{2}$ oz. butter.	5 oz. roast meat, cooked, without bone; 4 oz. bread, $\frac{1}{2}$ pint beer, vegetables.		4 oz. roast meat, cooked, without bone; 3 oz. bread, $\frac{1}{2}$ pint beer, vegetables.		1 pint tea, 6 oz. bread, $\frac{1}{2}$ oz. butter.	1 pint tea, 5 oz. bread, $\frac{1}{2}$ oz. butter.
Monday ...			3 oz. meat, raw, and without bone, stewed or hashed, with 6 oz. of suet pudding; 4 oz. bread, $\frac{1}{2}$ pint beer, vegetables.		3 oz. meat, raw, and without bone, stewed or hashed, with 5 oz. suet pudding, 3 oz. bread, $\frac{1}{2}$ pint beer, vegetables.			
Tuesday ...			5 oz. boiled meat, without bone; 4 oz. bread, $\frac{1}{2}$ pint beer, vegetables.		4 oz. boiled meat, without bone; 3 oz. bread, $\frac{1}{2}$ pint beer, vegetables.			
Wednesday			1 pint Irish stew, containing 3 oz. uncooked meat, without bone; 4 oz. bread, $\frac{1}{2}$ pint beer.		1 pint Irish stew, containing 3 oz. uncooked meat, without bone; 3 oz. bread, $\frac{1}{2}$ pint beer.			
Thursday..			16 oz. beefsteak pie, including 4 oz. uncooked meat, without bone, with vegetables, $\frac{1}{2}$ pint beer.		12 oz. beefsteak pie, including 3 oz. uncooked meat, without bone, with vegetables, $\frac{1}{2}$ pint beer.			
Friday ...			5 oz. boiled meat, without bone; 4 oz. bread, $\frac{1}{2}$ pint beer, vegetables (varied by substituting fish, and puddings of fruit and rhubarb. when in season).		4 oz. boiled meat, without bone; 4 oz. bread, $\frac{1}{2}$ pint beer, vegetables (varied, same as males).			
Saturday ..			1 pint pease-soup, containing 3 oz. meat, 6 oz. bread, $\frac{1}{2}$ pint beer.		1 pint pease-soup, containing 3 oz. meat, 6 oz. bread, $\frac{1}{2}$ pint beer.			

Luncheon and extra allowance :—For patients working in the wards, kitchen, laundry, workshops, farm, or garden—4 oz. bread,  $\frac{1}{2}$  oz. cheese,  $\frac{1}{2}$  pint beer, at 10 o'clock;  $\frac{1}{2}$  pint cider or beer, at 4 o'clock.

## LUNATIC ASYLUMS.

185

## STAFFORD ASYLUM.

DIET TABLE.

	Breakfast.					Dinner.													Supper.																							
	Males.		Females.			Males.							Females.						Males.		Females.																					
	Cocoa with Milk and Sugar.	Bread.	Coffee with Milk and Sugar.	Bread.	Butter.	Cooked Meat, free from bone.	Bread.	Beer.	Soup.	Meat Pie.	Rice or other Puddings.	Potatoes.	Other Vegetables.	Cooked Meat free from bone.	Bread.	Beer.	Soup.	Meat Pie.	Rice or other Puddings.	Potatoes.	Other Vegetables.	Bread.	Cheese.	Beer.	Bread.	Butter.	Tea, with Milk and Sugar.															
pt.	oz.	pt.	oz.	oz.	oz.	oz.	pt.	pt.	oz.	oz.	lb.	Not weighed, but served out at discretion.													oz.	oz.	pt.	pt.	oz.	oz.	lb.	Not weighed, but served out at discretion.					oz.	oz.	pt.	oz.	oz.	pr.
Sunday .....	1	8	1	6	2	6	6	2	...	...	...	2	...	5	6	2	...	...	...	...	2	8	2	2	6	2	1															
Monday .....	1	8	1	6	2	...	6	2	1	...	10	...	...	...	4	2	1	...	6	...	2	8	2	2	6	2	1															
Tuesday .....	1	8	1	6	2	...	6	2	...	14	...	...	...	...	3	...	10	...	...	...	2	8	2	2	6	2	1															
Wednesday .....	1	8	1	6	2	6	6	2	...	...	...	2	...	5	6	2	...	...	...	...	2	8	2	2	6	2	1															
Thursday .....	1	8	1	6	2	...	6	2	1	...	10	...	...	...	4	2	1	...	6	...	2	8	2	2	6	2	1															
Friday .....	1	8	1	6	2	6	6	2	...	...	...	2	...	5	6	2	...	...	...	...	2	8	2	2	6	2	1															
Saturday .....	1	8	1	6	2	...	6	2	...	14	...	...	...	...	2	...	10	...	...	...	2	8	2	2	6	2	1															
Total Weekly Amount ...	7	56	7	42	21	18	36	51	2	28	20	21	...	15	32	31	2	20	16	21	...	56	14	51	42	31	7															

EXTRAS.

Full diet, consisting of 6 ounces of meat, with ale, wine, or brandy, in cases of illness or debility.  
Soup, arrowroot, eggs, bacon, &c., if necessary.

To working patients—Bread, cheese, beer, and tobacco, as indulgences.

Total amount of meat consumed by each patient weekly.—Males, 30 ounces, cooked and free from bone. Females, 24 ounces, cooked and free from bone.

To make soup for 100 patients.—The liquor in which the meat of the previous day has been boiled, 12½ lbs. of meat, consisting of legs and shins of beef, 1½ lb. of rice, 3 lbs. of onions, 3 lbs. of leeks, 6 oz. of salt, 2 oz. of pepper, 3½ quarts of pease, with herbs, &c., consisting of carrots, turnips, cabbage, celery, parsley, and parsnips, according to the season, and sufficient water to make 100 pints.

To make cocoa for 200 patients.—9 lbs. 6 oz. of cocoa, 6 lbs. and 4 oz. of sugar, 9 quarts of milk, and sufficient water to make 200 pints.

To make coffee for 200 patients.—3½ lbs. of coffee, 6¼ lbs. of sugar, 9 quarts of milk, and sufficient water to make 200 pints.

## MIDDLESEX COUNTY LUNATIC ASYLUM, COLNEY HATCH.

ORDINARY DIET TABLE.

	Breakfast.								Dinner.																Supper.							
	Males.				Females.				Males.								Females.								Males.			Females.				
	Bread.		Cook.		Bread.		Cook.		Bread.				Cook.				Bread.				Cook.				Bread.		Cook.		Bread.		Cook.	
	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt	oz	pt				
Sunday ...	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Monday ...	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Tuesday ...	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Wednesday	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Thursday	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Friday .....	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			
Saturday...	6	1	5	1	4	5	12	1	4	5	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12	1	4	5	12			

Patients employed upon the farm and garden, in the workshops, or domestic offices, receive the following extra diet:—

Male patients.—Bread and cheese and  $\frac{1}{2}$  pint beer at 11 a.m.;  $\frac{1}{2}$  pint beer at 4 p.m.; bread and butter and 1 pint tea at 5 p.m.

Laundry-women, and patients employed in the kitchen.—Bread and cheese and  $\frac{1}{2}$  pint beer at 11 a.m.

\* Wards 10, 14, and B. 3, have batter pudding, made with 2 ounces meat, 8 ounces flour, and 1 ounce suet.



## BRISTOL BOROUGH ASYLUM.

## ORDINARY DIET TABLE.

	Breakfast.	Breakfast	Dinner.		Tea.	
	Males.	Females.	Males.	Females.	Males.	Females.
Sunday ...	6 oz. bread $\frac{1}{2}$ oz. butter 1 pt. coffee	5 oz. bread $\frac{1}{2}$ oz. butter 1 pt. coffee	4 oz. cold corned beef. 16 oz. vegetables. $\frac{1}{2}$ pint beer.	3 oz. cold corned beef. 12 oz. vegetables. $\frac{1}{2}$ pint beer.	6 oz. bread $\frac{1}{2}$ oz. butter 1 pint tea	5 oz. bread $\frac{1}{2}$ oz. butter 1 pint tea
Monday ...	ditto	ditto	8 oz. roast beef (weighed uncooked). 16 oz. vegetables. $\frac{1}{2}$ pint beer.	8 oz. roast meat (weighed uncooked). 12 oz. vegetables. $\frac{1}{2}$ pint beer.	ditto	ditto
Tuesday ...	ditto	ditto	1 pint Irish stew. 4 oz. bread. $\frac{1}{2}$ pint beer.	1 pint Irish stew. 4 oz. bread. $\frac{1}{2}$ pint beer.	ditto	ditto
Wednesday	ditto	ditto	4 oz. hot corned beef. 16 oz. vegetables. $\frac{1}{2}$ pint beer.	3 oz. hot corned beef. 12 oz. vegetables. $\frac{1}{2}$ pint beer.	ditto	ditto
Thursday	ditto	ditto	16 oz. meat pie or pudding. potatoes. $\frac{1}{2}$ pint beer.	12 oz. meat pie or pudding. potatoes. $\frac{1}{2}$ pint beer.	ditto	ditto
Friday ...	ditto	ditto	1 pint pease-soup. 4 oz. bread. $\frac{1}{2}$ pint beer.	1 pint pease-soup. 4 oz. bread. $\frac{1}{2}$ pint beer.	ditto	ditto
Saturday	ditto	ditto	10 oz. raisin or suet pudding with sweet dip. $\frac{1}{2}$ pint beer.	8 oz. raisin or suet pudding with sweet dip. $\frac{1}{2}$ pint beer.	ditto	ditto

Lunch, for working patient, 4 oz. bread,  $\frac{1}{2}$  oz. cheese,  $\frac{1}{2}$  pint beer; 3 p.m., men,  $\frac{1}{2}$  pint beer, women,  $\frac{1}{2}$  pint tea. Work ward and laundry, hot supper once a fortnight. Rhubarb or fruit pie added occasionally in the season, or fresh salad. Irish stew and pease-soup are supplied according to the wish of each patient.

## NORTHAMPTON GENERAL LUNATIC ASYLUM.

## ORDINARY DIET TABLE FOR PAUPER PATIENTS.

*Breakfast.*

Males—6 oz. of bread,  $\frac{1}{2}$  oz. of butter, and 1 pint of coffee.

Females—6 oz. of bread,  $\frac{1}{2}$  oz. of butter, and 1 pint of tea.

*Dinner.*

Sundays, Tuesdays, and Thursdays. { Males—11 ozs. of uncooked meat, 12 ozs. uncooked vegetables; 3 ozs. of bread, and  $\frac{1}{2}$  of a pint of beer.  
Females—9 ozs. of uncooked meat, 12 ozs. uncooked vegetables, 3 ozs. of bread, and  $\frac{1}{2}$  pint of beer.

Monday & Friday { Males—1 $\frac{1}{2}$  lb. of Irish stew, 3 ozs. of bread, and  $\frac{1}{2}$  of a pint of beer.  
Females—1 lb. of Irish stew, 3 ozs. of bread,  $\frac{1}{2}$  pint of beer.

Wednesday & Saturday { Males—16 ozs. of meat pie or suet pudding, and  $\frac{1}{2}$  of a pint of beer.  
Females—12 ozs. of meat pie or suet pudding, and  $\frac{1}{2}$  pint of beer.

Supper the same as breakfast.

## SCALE FOR ARTICLES UNDERMENTIONED.

*Per gallon.*

Tea—1 oz. of tea, 3 ozs. of sugar, and  $\frac{1}{2}$  a pint of milk.

Coffee—3 ozs. of coffee, 5 ozs. of sugar, and  $\frac{1}{2}$  of a pint of milk.

*Per pound.*

Meat pie—2 ozs. of uncooked meat, 12 ozs. uncooked potatoes, 5 ozs. of flour, with dripping.

Irish stew—2 ozs. meat, 10 ozs. uncooked potatoes, seasoned with pepper, salt, and onions.

The liquor of the previous day's boiled meat is added to the Irish stew.

Suet pudding—4 ozs. of bread, 2 $\frac{1}{2}$  ozs. of flour, 2 ozs. of suet,  $\frac{1}{2}$  of a pint of milk, and 1 oz. of sugar.

## EXTRAS TO INDUSTRIOUS PATIENTS.

The female pauper patients employed in the laundry have meat diet daily, pudding four times a week, and 5 ozs. of bread, 1 oz. of cheese, and 1 pint of beer extra daily.

The workers on the farm, artisans, and ward helpers have 5 ozs. of bread, 1 oz. of cheese, and  $\frac{1}{2}$  of a pint of beer daily, with the addition to workers on the farm during the summer, and to artisans all the year round, of  $\frac{1}{2}$  pint of beer at 4 o'clock.

Tobacco and snuff are also allowed to the industrious patients.

## MONTROSE ROYAL ASYLUM.

## LOWEST SCALE OF DIETARY.

*Breakfast.*

Males—2 pints porridge and  $\frac{1}{2}$  pint sweet milk, or

$\frac{1}{2}$  „ coffee and 8 ozs. bread and butter.

Females—1 $\frac{1}{2}$  pints porridge and  $\frac{1}{2}$  pint sweet milk, or

$\frac{1}{2}$  „ coffee and 6 ozs. bread and butter.

*Dinner.*

*Dinner.*

Sunday—Broth, bread, and 4 ozs. cooked meat, without bone.

Monday—Rice and milk and bread, or broth.

Tuesday—Broth, potatoes, or vegetables, and 4 ozs. cooked meat.

Wednesday—Broth and bread.

Thursday—Broth, potatoes, or vegetables, and 4 ozs. cooked meat.

Friday—Broth, bread, and 4 ozs. fish.

Saturday—Pease-soup and bread.

*Supper.*

Males—2 pints porridge and  $\frac{1}{2}$  pint sweet milk, or

$\frac{1}{2}$  " tea, and 8 ozs. bread and butter.

Females— $\frac{1}{2}$  pint tea, and 6 ozs. bread and butter.

Working patients get 3 ozs. bread, 1 oz. cheese, and  $\frac{1}{2}$  pint beer at 11 a.m., for lunch.

8 ozs. oatmeal for males, and 6 ozs. for females, for porridge.

2 " barley for each patient, for broth.

3 " rice, for rice and milk, for each patient.

4 " split pease, for pease-soup, do.

$\frac{1}{2}$  " sugar, for tea or coffee, do.

$\frac{1}{2}$  " butter, do. do. do.

$\frac{1}{2}$  " coffee for each patient.

$\frac{1}{2}$  " tea, do.

Overhead flour bread used for dinner—males 8 ozs., and females 6 ozs.

When potatoes for dinner, 1 lb. allowed for each patient.

When vegetables, males get 6 ozs. bread, and females 4 ozs.

## EDINBURGH ROYAL ASYLUM.

## DIET TABLE.

*Breakfast.*

## Males.

6 ozs. oatmeal or 2 pints porridge, and  $\frac{1}{2}$  pint skimmed or butter milk; or,  
 $\frac{1}{2}$  oz. coffee,  $\frac{1}{2}$  oz. sugar, 7 $\frac{1}{2}$  ozs. bread, and  $\frac{1}{2}$  oz. butter.

## Females.

6 ozs. oatmeal or 1 $\frac{1}{2}$  pint porridge, and  $\frac{1}{2}$  pint skimmed or butter milk; or,  
 $\frac{1}{2}$  oz. coffee,  $\frac{1}{2}$  oz. sugar, 5 ozs. bread, and  $\frac{1}{2}$  oz. butter.

*Dinner.*

Sunday—4 ozs. rice,  $\frac{1}{2}$  oz. sugar, and  $\frac{1}{2}$  pint sweet milk.

7 $\frac{1}{2}$  ozs. bread for males, and 5 ozs. for females.

Monday—7 ozs. uncooked meat, boiled in broth, with 2 ozs. barley.

7 $\frac{1}{2}$  ozs. bread or 1 $\frac{1}{2}$  lb. potatoes (males), and 5 ozs. bread or 1 $\frac{1}{2}$  lb. potatoes (females).

Tuesday—7 ozs. uncooked meat, stewed or roasted, and 8 ozs. vegetables.

Bread or potatoes, as on Monday.

Wednesday—Broth made with 2 ozs. meat boiled down in the broth.

8 ozs. dumpling—of flour, suet, and currants.

Bread or potatoes, as above.

Thursday—7 ozs. uncooked meat made into Irish stew.

Bread or potatoes as above.

Friday—Pease-soup, made from 2 ozs. meat and 4 ozs. pease.

Bread or potatoes, as above.

Saturday—7 ozs. meat and broth, as on Monday.

Bread or potatoes, as above.

*Supper.*

## Males.

6 ozs. oatmeal or 2 pints porridge, and  $\frac{1}{2}$  pint skimmed or butter milk; or,  $\frac{1}{2}$  oz. tea,  $\frac{1}{2}$  oz. sugar, 7 $\frac{1}{2}$  ozs. bread, and  $\frac{1}{2}$  oz. butter.

## Females.

$\frac{1}{2}$  oz. tea,  $\frac{1}{2}$  oz. sugar, 5 ozs. bread, and  $\frac{1}{2}$  oz. butter.

*Luncheon.*

## For workers.

Bread, 2 $\frac{1}{2}$  ozs.; cheese, 1 oz.; beer,  $\frac{1}{2}$  pint.

## FIFE AND KINROSS DISTRICT LUNATIC ASYLUM.

## DIETARY.

*Dinner.*

Saturday and Monday.—Beef, 6 ozs.; potatoes, 1 lb.; broth, unlimited.

Sunday.—Rice and milk, unlimited; 4 ozs. bread, 2 ozs. cheese.

Tuesday.—Irish stew, 5 ozs. meat, 1 $\frac{1}{2}$  lb. potatoes, 4 ozs. bread.

Wednesday.—Pork, 8 ozs.; 1 lb. potatoes.

Thursday.—Pease-soup, unlimited; 6 ozs. bread, 2 ozs. cheese.

Friday.—8 ozs. fresh fish, or 4 ozs. salt do., with 1 $\frac{1}{2}$  lb. potatoes.

*Breakfast.*

Porridge and milk, unlimited.

*Tea.*

Bread and butter, and tea.

4 ozs. bread, 1 oz. cheese, with  $\frac{1}{2}$  pint beer, for working patients.

DIET

DIET TABLES for Lunatic Wards of Poorhouses, issued by the Commissioners in Lunacy for Scotland.

Breakfast.		Dinner.	Supper.	
Males.	Females.		Males.	Females.
6 ozs. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk.	5 ozs. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 6 ozs. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.	On three days in the week— 1 $\frac{1}{2}$ pint barley broth. 4 ozs. cooked meat, exclusive of the meat in the broth. 8 ozs. bread, or 1 lb. potatoes. The potatoes and meat shall occasionally be served as Irish stew, with the proper quantity of onions; or as meat and potato pudding. On one day in the week— The preceding dinner, with pease-soup instead of broth. On one day in the week— 1 $\frac{1}{2}$ pint pease-soup or broth. 12 ozs. meal pudding or suet dumpling for males, 10 ozs. for females. On one day in the week— 1 lb. potatoes or 4 ozs. rice. 8 ozs. sweet milk. 2 ozs. cheese. 6 ozs. bread. On one day in the week— 6 ozs. cooked meat. $\frac{1}{2}$ lb. vegetables. $\frac{1}{2}$ lb. potatoes. 6 ozs. bread.	6 ozs. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 8 ozs. bread, with tea or coffee.	5 ozs. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 6 ozs. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.

Broth shall be made with 2 ozs. of meat, exclusive of bone, 2 ozs. of barley,  $\frac{1}{2}$  oz. of pease, 1 $\frac{1}{2}$  of carrots, turnips, or other vegetables, for each ration of 1 $\frac{1}{2}$  pint.

Pease-soup shall be made from 2 ozs. of meat, exclusive of bone, and shall contain in each ration of 1 $\frac{1}{2}$  pint, 2 ozs. of whole or split pease, 1 $\frac{1}{2}$  ozs. pease-flower, 1 oz. vegetables and seasoning.

12 ozs. of meal pudding shall contain 6 ozs. oatmeal, 2 $\frac{1}{2}$  ozs. suet,  $\frac{1}{2}$  oz. onions.

12 ozs. of suet dumplings shall contain 6 ozs. flour, and 2 $\frac{1}{2}$  ozs. suet.

The ration of coffee shall contain  $\frac{1}{2}$  oz. coffee,  $\frac{1}{2}$  oz. sugar, 1 oz. new milk.

The ration of tea shall contain  $\frac{1}{2}$  oz. tea,  $\frac{1}{2}$  oz. sugar, 1 oz. new milk.

On one day in the week, 8 ozs. of fish may replace 4 ozs. of meat; but fish shall be served at least once a month.

Out-door workers shall receive an extra allowance of 2 ozs. of cheese, or 3 ozs. of meat, with 3 ozs. of bread, and half a pint of beer.

The medical officer shall prescribe whatever other extra diet appears to him to be necessary.

Should the scarcity of any articles of diet render it advisable to depart temporarily from the scale laid down in the table, the medical officer shall take care that substances of equally nutritive value are supplied in their stead.

#### CENTRAL CRIMINAL LUNATIC ASYLUM, DUNDRUM, IRELAND.

##### DIETARY.

Meals.	Dietary.	Number on each Description of Diet.		
ORDINARY.		M.	F.	T.
Breakfast ...	1 pint tea or $\frac{1}{2}$ pint milk, and 8 ozs. bread; or $\frac{1}{2}$ pint milk with 1 quart stirabout.....	70	32	102
Dinner*.....	1 quart of soup and 10 $\frac{1}{2}$ ozs. bread; or $\frac{1}{2}$ lb. meat and 2 $\frac{1}{2}$ lbs. potatoes; or on fast days, 1 quart cocoa and 10 $\frac{1}{2}$ ozs. bread; or $\frac{1}{2}$ lb. ling and 2 $\frac{1}{2}$ lbs. potatoes .....			
Supper .....	1 pint tea, or $\frac{1}{2}$ pint milk, and 8 ozs. bread .....			
EXTRA.				
Breakfast ...	Tea and eggs, with bread and butter .....	14	9	23
Dinner .....	Beef tea, chops, or steaks, with bread, vegetables, porter, beer, &c....			
Supper .....	Tea, bread and butter, &c.....			
HOSPITAL DIET				
	Includes porter, spirits, wine, arrow-root, &c., &c., as ordered .....	84	41	125

\* On Mondays and Wednesdays, soup, consisting of 17 lbs. of coarse beef and 3 ox heads. On Saturdays, soup, consisting of 28 lbs. of mutton.



## DIET TABLE FOR LUNATICS SUPPORTED BY THE DEPARTMENTS.

Drawn up by order of the Minister of the Interior, France.

Division of the Day.	Nature of Provisions.	Men.		Women.	
		Quantities before preparation.	Quantities after preparation.	Quantities before preparation.	Quantities after preparation.
Daily .....	1. White bread for soup .....	.....	3 oz. ....	.....	3 oz.
	2. Medium bread .....	.....	22 " .....	.....	18 " .....
	3. Wine .....	.....	1 gill .....	.....	$\frac{1}{2}$ gill.
	Thin broth .....	.....	1 pint .....	.....	1 pint.
Breakfast .....	or milk .....	.....	1 " .....	.....	$\frac{1}{2}$ "
<i>Feast Days.</i>					
Dinner .....	1. Thick broth for soup .....	.....	$\frac{1}{2}$ pint .....	.....	$\frac{1}{2}$ pint.
	2. Boiled meat .....	10 oz. ....	5 oz. ....	8 oz. ....	4 oz.
Supper .....	1. Dried vegetables .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint.
	or fresh " .....	12 oz. ....	8 oz. ....	12 oz. ....	8 oz.
	or potatoes .....	12 " .....	12 " .....	12 " .....	12 "
	or rice .....	1 $\frac{1}{2}$ " .....	7 " .....	1 $\frac{1}{2}$ " .....	7 "
	2. Cheese .....	.....	1 $\frac{1}{2}$ " .....	.....	1 $\frac{1}{2}$ "
	or prunes .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint.
<i>Fast Days.</i>					
Dinner .....	1. Thin broth for soup .....	.....	1 pint .....	.....	1 pint.
	2. Dried vegetables .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ " .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ "
	or fresh " .....	21 oz. ....	14 oz. ....	21 oz. ....	14 oz.
	or potatoes .....	21 " .....	21 " .....	21 " .....	21 "
Supper .....	1. or salt fish .....	7 " .....	5 " .....	7 " .....	5 "
	2. Dried vegetables .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint.
	or fresh " .....	12 oz. ....	8 oz. ....	12 oz. ....	8 oz.
	or potatoes .....	12 " .....	12 " .....	12 " .....	12 "
	2. Cheese .....	.....	1 $\frac{1}{2}$ " .....	.....	1 $\frac{1}{2}$ "
	or prunes .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint.
	or preserve .....	.....	2 $\frac{1}{2}$ oz. ....	.....	2 $\frac{1}{2}$ oz.

## QUATRE MARES, NEAR ROUEN.

## DIET TABLE FOR LUNATICS MAINTAINED AT THE COST OF THE DEPARTMENTS.

Division of the Day.	Description of Provisions.	Men.		Women.	
		Quantities before preparation.	Quantities after preparation.	Quantities before preparation.	Quantities after preparation.
Daily .....	1. White bread for soup .....	.....	3 oz. ....	.....	3 oz.
	2. Medium bread .....	.....	22 oz. ....	.....	18 oz.
	3. Cider & water in equal parts .....	.....	2 pints .....	.....	1 $\frac{1}{2}$ pint
	Thin broth .....	.....	1 pint .....	.....	1 pint
Breakfast .....	or milk .....	.....	$\frac{1}{2}$ pint .....	.....	$\frac{1}{2}$ pint
	or cheese .....	.....	1 $\frac{1}{2}$ oz. ....	.....	1 $\frac{1}{2}$ oz.
	or butter .....	.....	1 oz. ....	.....	1 oz.
	or fruits in season .....	.....	6 oz. ....	.....	6 oz.
Dinner .....	Sunday, } 1. Meat soup .....	.....	1 pint .....	.....	1 pint
	Tues. & Th. } 2. Meat for boiling .....	8 oz. ....	4 oz. ....	6 oz. ....	3 oz.
	Monday .....	.....	1 pint .....	.....	1 pint
	2. Soup (à la graisse) .....	.....	.....	.....	.....
	3. Meat for ragout .....	4 oz. ....	.....	3 oz. ....	.....
	with fresh vegetables .....	6 " .....	.....	6 oz. ....	.....
	or potatoes .....	8 " .....	.....	8 oz. ....	.....
	or dried vegetables .....	$\frac{1}{2}$ pint .....	.....	$\frac{1}{2}$ pint .....	.....
	Wednesday .....	.....	1 pint .....	.....	1 pint
	2. Salt fish .....	6 oz. ....	4 $\frac{1}{2}$ oz. ....	6 oz. ....	4 $\frac{1}{2}$ oz.
	or fricassee eggs .....	.....	2 .....	.....	2
	or potatoes .....	1 lb. ....	.....	1 lb. ....	.....
Supper .....	or fresh vegetables .....	14 oz. ....	10 oz. ....	14 oz. ....	10 oz.
	or dried vegetables .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint .....	$\frac{1}{2}$ pint
	or rice .....	1 $\frac{1}{2}$ oz. ....	7 oz. ....	1 $\frac{1}{2}$ oz. ....	7 oz.
	Fast days .....	.....	1 pint .....	.....	1 pint
	Thin broth for soup .....	.....	.....	.....	.....
	As on Wednesday .....	.....	.....	.....	.....
	Sun., Wed. } 1. Pork .....	.....	2 oz. ....	.....	2 oz.
	other days } 2. Rice .....	1 $\frac{1}{2}$ oz. ....	7 oz. ....	1 $\frac{1}{2}$ oz. ....	7 oz.
	3. or preserved pears or prunes .....	.....	3 oz. ....	.....	3 oz.
	or thin soup .....	.....	1 pint .....	.....	1 pint
	or cheese .....	.....	1 $\frac{1}{2}$ oz. ....	.....	1 $\frac{1}{2}$ oz.

## FRIEDRICKSBERG ASYLUM, HAMBURG.

## DIET SCALE.

First breakfast.—Coffee, with milk and sugar. One portion of white bread (wheat bread).

## Second breakfast—

Men ... 1 slice rye bread, with butter, and slice of white bread; warm beer, as needed.  
Women... do. do. do. 1 portion warm beer.

## Dinner—

Sunday ... Beef soup, with rice, stewed meat with potatoes and gravy.  
Monday ... Do. with peeled barley, beef, rice, and plums.  
Tuesday ... Do. with rice, beef, potatoes, and green beans.  
Wednesday... Do. with peeled barley, beef, potatoes, and gravy, with raisins.  
Thursday ... Do. with rice, beef, potatoes, and carrots. For females, omelette instead of beef.  
Friday ... Beef soup, with peeled barley, beef, rice, and plums.  
Saturday ... Do. with rice, herrings, potatoes, and plums.

## Afternoon—

Coffee, with milk and sugar, 1 slice rye bread, with butter, and a slice of white bread.

## Evening—

Twice a week... Tea, 8 portions.  
Do. ... Groat soup, 1 portion.  
Do. ... Buckwheat soup, 1 portion.

Once a week... Beer, soup, 1 portion.

## General remarks on the quantity of the different articles.

Coffee... To 275 portions,  $2\frac{1}{2}$  lb coffee,  $\frac{1}{2}$  lb chicory, 2 lb sugar.

Tea ... To 8 portions,  $\frac{1}{2}$  oz. tea and  $\frac{1}{4}$  oz. sugar.

1 portion white bread,  $\frac{1}{2}$  lb.

1 portion rye bread, for bread and butter,  $\frac{1}{2}$  lb.

1 portion of meat—

Working men,  $2\frac{1}{2}$  ozs. (boiled).

Non-working men,  $2\frac{1}{2}$  ozs. do.

Working women,  $2\frac{1}{2}$  ozs. do.

Non-working women, 2 ozs. do.

Dinner soups... To 275 portions, 11 lbs. rice or peeled barley.

## Evening soups—

Groat soup ...  $1\frac{1}{2}$  oz. groats, and  $\frac{1}{2}$  oz. butter, each person.

Buckwheat soup...  $\frac{1}{2}$  oz. buckwheat, do. do.

Beer soup ... To 250 portions,  $\frac{1}{2}$  tun of beer, 8 lbs. sugar, 42 lbs. rye bread, 9 lbs. white bread, and some dry carraway seeds.

Warm beer—To 120 portions,  $\frac{1}{2}$  tun of beer, and  $2\frac{1}{2}$  lbs. sugar.

Potatoes— $1\frac{1}{2}$  lbs. per day for each person.

Vegetables—as much as needed.

Bread (per day)—1 lb. rye,  $\frac{1}{2}$  lb. white bread.

Butter—To 40 portions, 1 lb.

## APPENDIX C.

## PROGRAMMES OF AMUSEMENTS IN BRITISH ASYLUMS.

## DERBY COUNTY ASYLUM.

## THURSDAY EVENING ENTERTAINMENTS.

On Thursday, February 25th, Dr. Hitchman will continue a series of

*Biographical Readings on the Worthies of Derbyshire.*

February 25th—Sir Francis Chantry.

March 3rd—John Flamstead.

March 10th—Thomas Linacre.

March 17th—Sir Richard Arkwright.

March 24th—James Brindley.

March 31st—Joseph Wright.

Quadrilles, country dances, music, songs, and recitations, as usual.

Patients' Entertainment. Christmas Eve, 1866. By special desire, and under the immediate inspiration of the Moon, Her Majesty's servants of the Theatre Royal, Mickleover, will produce a drama, dear to all maternal and paternal hearts, and very suggestive as to "elegant accomplishments" and "scholastic reports," entitled—

"*Nursery Chickweed*," or "*The Heartless Art of 'Taking in' Children*."

In addition to the above performance, the Manager has condescended to allow two Romans, from the banks of the Tiber, to appear in their native costume, and as "*Tall Talk*," "*Fustian*," and "*Rant*," are unknown to the peaceful inmates of the asylum, except through the reported speeches of certain insane demagogues who are permitted to be at large, the said Romans will be allowed to indulge in a classical quarrel.

## PROGRAMME.

Part First.—To commence at 6 o'clock p.m.

Air.....	"Auld Lang Syne"	Band.
Country Dance.....	"Rory O'More."	Band.
Song.....	"West Countryman."	W. B.
Country Dance.....	"The White Cockade."	Band.
Quadrille.....	"The Edinboro."	Band.
Song.....	"Maggie's Secret."	L. Y.
Country Dance.....	"The Fairy."	Band.
Polka.....	"The Moss Rose."	Band.
Duet.....	"The Gipsy Countess."	M. M. & M. L.

Quadrille

\* The Hamburg tun is a purely local measurement, and it has been found impossible to ascertain its exact English equivalent.

Quadrille.....	"The Young Recruit." (Pianoforte.).....	M. W. H. & L. I.
Song.....	"Sweet be thy repose.".....	A Visitor.
Glee.....	"When the Winds Whistle Cold.".....	M. A. P., M. L. & W. H. R.
Country Dance.....	"Haste to the Wedding.".....	Band.
Song.....	"The Death of Nelson.".....	W. H. R.
Recitation.....	"Lord Ullin's Daughter.".....	J. E.
Song.....	"Come, O Sleep!".....	M. A. P.
Cornet Obligato.....	.....	W. H. R.
Carol.....	"King Christmas.".....	E. H., J. U., W. B., J. R., J. M., & Chorus.
Country Dance.....	"MacGregor.".....	Band.
Galop.....	"Jolly Dogs." (Pianoforte.).....	Visitors.
Song.....	"When the Swallows Homeward Flee".....	M. A. P.
Solo Pianoforte.....	"Come where my Love lies dreaming.".....	M. W. H.

An interval of 15 minutes for lemonade, cake, and oranges.

#### Part Second.

A brief recitation from Shakespeare's Play of *Julius Caesar*. Scene III.—Within the tent of Brutus.

Cassius .....	W. H. R.
Brutus .....	J. H.

Song.....	"The Sound of the Horn.".....	F. A.
Comic Song.....	"She danced like a Fairy.".....	A Visitor.
Solo Pianoforte.....	"Le Jet D'Eau.".....	A Visitor.
Glee.....	"The Fisherman.".....	S. A., J. U., J. M., & J. R.
Solo Pianoforte.....	"What Bells are those.".....	A Visitor.
Solo Flute.....	"The last Rose of Summer.".....	J. A.
Solo Cornet.....	"Ivy Green.".....	A Visitor.
Solo Pianoforte.....	"Orazione.".....	A Visitor.
Overture.....	"The Exhibition.".....	Band.

To be followed by the laughable Farce of  
*Nursery Chickweed.*

Dramatis Personæ.

*Jonathan Chickweed*, by Adolphus Takehewyne, Esq., Dotheboys Hall, Yorkshire.

*Barnes, a Miller*, by Henry Fitzgerald Tollmeal, Esq., Grabham Cottage, Bucks.

*Mr. Walton*, by J. Brickville, Esq., Hawthorn Place, Mayfair.

*Mr. Horatio Mountsorrel*, by Maximilian Montezuma, Esq., late of Mexico.

*Mrs. Mountsorrel*, by Miss Clementina Vere de Vere, Springville, Montgomeryshire.

*Nelly*, by Miss Adelaide Louisa Therese Ticklewhit, Funnyhampton, Middlesex.

Comic Song.....	"Work, Boys, Work.".....	A Visitor.
Quadrille.....	"The Great Globe." (Pianoforte.).....	W. H. & L. I.
Quadrille.....	"The Lancers.".....	Band.
Polka.....	"King Pippin.".....	Band.
Country Dance.....	"We won't go Home till Morning.".....	Band.
Quadrille.....	"The Burlesque.".....	Band.
Country Dance.....	"Ap Shenkin.".....	Band.
Quadrille.....	"La Poste.".....	Band.
Country Dance.....	"Sir Roger de Coverly.".....	Band.
	"God save the Queen."	

#### GLOUCESTER COUNTY ASYLUM.

CHRISTMAS ENTERTAINMENTS, 1867-68.

A Grand Concert will take place in the Ball-room on Tuesday Evening, December 24, 1867, to commence at 6 p.m. precisely.

#### PROGRAMME.—PART I.

1.—Minuetto and Allegro.....	First Grand Symphony .....	Haydn.
2.—Part Song.....	"The Chough and Crow" .....	Bishop.
3.—Song.....	"Ben e ridicolo," (Miss Clarke).....	Randegger.
4.—Solo, Clarinet.....	"Thema and Variations"—(Mr. J. Fowler) .....	J. Moor.
5.—Song.....	"Nazareth"—(Mr. J. P. Wilton) .....	Gounod.
6.—Overture.....	"Cheval de Bronze".....	Auber.
7.—Comic Song.....	"Champagne Charlie"—(Mr. J. H. Simpson) .....	Alfred Lee.
8.—Galop.....	"Morning Bell.".....	

An interval of a quarter of an hour.

#### PART II.

1.—Grand selection from "Les Huguenots" .....	.....	Meyerbeer.
	Solos for Violin, Clarinet, Cornet, Violoncello, and Flute.	
2.—.....	"They offer rank"—(Miss Clarke) .....	Stephen Glover.
3.—Part Song.....	"Ah! could I with fancy stray".....	J. L. Hatton.
4.—Solo, Violin.....	"Ah! non Giunge, with Variations"—(Mr. F. Mann) .....	Bellini.
5.—Song.....	"Sweet Spirit, hear my Prayer"—(Miss Wood).....	Wallace.
6.—Comic Song.....	"When George the Third was King"—(Mr. J. P. Wilton).....	Howard Paul.
7.—Quadrille.....	"Pretty Bird".....	C. Coote.
8.—Song.....	"May Dew"—(Mr. E. Toller) .....	Sterndale Bennett.
9.—Valse.....	"Faust".....	Gounod.
10.—Comic Song.....	"What will Mith Wobinthon Thay?" (Mr. J. H. Simpson).....	C. Solomons.
Conductor.....	.....	Mr. J. Fowler.

#### PART III.

*Christy Minstrels' Entertainment,*

By the inimitable Negro Melodists, Messrs. F. Clarke and Addison, who recently had the honor of appearing before his Royal Highness the Emperor of Timbuctoo, will sing some of their new and popular Negro Songs, &c.

Carriages to be ordered at 9 p.m.

THE

## THE GRAND ANNUAL BALL AND CHRISTMAS TREE,

With a distribution of upwards of 1,000 presents, will take place in the Ball-room, on Friday, January 3rd, 1868, commencing at 6 p.m. precisely.

*The Christmas Tree.*

There are trees in the land both fair and grand,  
In the field, or the vale, or the hill;  
There's the stately oak and the silvery beech,  
And the willow over the rill:  
But search as you may, for a year and a day,  
Never a one will you see,  
Be it grand or fair, that can compare  
With our glorious Christmas tree!  
Then hurrah! to the tree that we love,  
A merry song sing we!  
To the tree, all trees of the world above.  
Hurrah for our Christmas tree!

You may search if you please, far over the seas,  
You may read in the cleverest book,  
But you never will know, wherever you go,  
Nor find wherever you look,  
Be it thick, be it tall, be it thin, be it small,  
Of low or of high degree,  
Any plant with the fame of so noble a name  
As that of the Christmas tree!

Then hurrah! to the, &c., &c.

Did ever you know, in the wide, wide world,  
With all its fruits and flowers,  
Apple, cherry, or pear, a tree that could bear  
Such marvellous fruit as ours?  
Wherever you've been, no fruit have you seen,  
No! and you never will see,  
Though you look where you will, and go looking on still,  
Like that of our Christmas tree.

Then hurrah! to the, &c., &c.

And its tapers as bright as the sweet starlight  
Throw out a hundred gleams—  
And pray do you know any tree that can show  
A fruit of silvery beams?  
And so we declare, contradict if you dare!  
That all the world must agree,  
Such a tree there is none, 'neath the moon or the sun,  
As our glorious Christmas tree!

Then hurrah! to the, &c., &c.

*Our own Fireside.**Programme of the Dances.*

1.—Country Dance.....	<i>Four hands across.</i>	8.—Valse.....	<i>Hilda.</i>
2.—Polka.....	<i>Guck-auglein.</i>	9.—Quadrille.....	<i>Pretty Bird.</i>
3.—Quadrille.....	<i>Paul-y-tool-y-tech-nic.</i>	10.—Galop.....	<i>Barlesque.</i>
4.—Valse.....	<i>Rosebud.</i>	11.—Lancers.....	<i>Second Set Lancers.</i>
5.—Lancers.....	<i>New Lancers.</i>	12.—Polka.....	<i>Muleteer.</i>
6.—Galop.....	<i>Orypens.</i>	13.—Quadrille.....	<i>Semiramide.</i>
7.—Country Dance.....	<i>Three hands round.</i>	14.—Galop.....	<i>Overland Mail.</i>

Conductor of the Band.....Mr. J. Fowler.

The distribution from the Tree will take place at half-past 8 o'clock.  
Carriages may be ordered at 9.30.

## THE GRAND CHRISTMAS DRAMATIC PERFORMANCE

will take place at the Theatre of the above institution, on Friday, January 31st, 1868, on which occasion will be represented (for the third time at this institution) the celebrated Drama of the

*Dream at Sea,*

In Three Acts, by J. B. Buckstone, Esq.

## Characters:

Trevanion.....	Mr. J. Fowler.
Richard Penderell.....	Mr. J. Bryan.
Launce Lynwood.....	Mr. E. Toller.
Black Ralph.....	Dr. Arthur Strange.
Alley Croaker.....	Mr. J. P. Wilton.
Tommy Tinkle.....	Mr. J. H. Simpson.
Red Norris.....	Mr. B. Shadgett.
Williams }.....	Mr. F. Clarke.
Trewoof }.....	Mdlle. Clare Le Roy.
Anne Trevanion.....	Miss Florence Montgomery.
Biddy Nutts.....	Miss Elsie Vernon.
Margaret (wife of Black Ralph).....	Master Williams.
Jack } Children of Ralph.....	Miss Warne.
Polly }	

Wreckers, miners, wedding guests, &c., by distinguished Amateurs.

## Act 1.

- Scene 1.—The Rock of the Armed Knight on the coast of Cornwall. Storm. Wreck of the vessel, and rescue of Richard Penderell.  
" 2.—Old Hall in the house of Gilbert Trevanion.  
" 3.—Interior of Ralph's hut.  
" 4.—Large room in Trevanion's house. Wedding festivities. Appearance of Black Ralph. Death of Anne.

## Act 2.

- Scene 1.—Interior of Ralph's hut.  
 " 2.—Room in Trevanion's house.  
 " 3.—The Churchyard of St. Buryan on the cliffs—night.  
 " 4.—Launce Lynwood's hotel by the sea shore.

## Act 3.

- Scene 1.—Hall in Gilbert Trevanion's House.  
 " 2.—The Logan Rock.  
 " 3.—Pendeen Vau, or the Haunted Cave. Rescue of Anne and death of Ralph.

The performance will conclude with the Laughable Farce of the

*Boots at the Swan!*

(First time of performance) by Charles Selby.

- Mr. Henry Higgins, a gentleman with an unfortunate name and fervent attachment to Emily Trevor ..... Mr. J. Bryan.  
 Frank Friskley, a cavalry captain, with a genius for invention, a propensity for profession, and an attachment for everything but his regiment ..... Dr. Arthur Strange.  
 Peter Pippin, a promising young gentleman in livery, with an inquiring mind and an unfortunate attachment ..... Mr. F. Clarke.  
 Jacob Earwig, "the Boots at the Swan," a free and easy youth, with a talent for pantomime, a refined taste, and a strong attachment to refreshment ..... Mr. J. H. Simpson.  
 Miss Cecilia Moonshine, a romantic lady, a victim to sentiment and light reading, with a fond attachment to extraordinary novelties ..... Mdlle. Ethel de Vismes.  
 Emily Trevor, a young lady with a fortune in perspective, and a confessed attachment to Mr. Henry Higgins ..... Miss Elsie Vernon.  
 Sally Smith, a genteel housemaid, with a good character from her last place, and a slight attachment to a fancy baker ..... Mdlle. Clare le Roy.

Acting Manager, Mr. J. H. Simpson. Scenic Artist, Madame Gassini.  
 Stage Manager, Dr. Strange. Stage Decorators, Messrs. Warne, Mills, and Jenner.  
 Machinists, Messrs. Clutterbuck, Jennings, and Summers.  
 Leader of the Band, Mr. F. Mann.

Doors open at half-past 5. Performance to commence at a quarter to 6 precisely.  
 Carriages may be ordered at a quarter to 10 o'clock.

## MONTROSE ROYAL ASYLUM.

## GRAND CHRISTMAS PANTOMIME.

Positively for the last time this season, on the evening of Friday, 24th Jan., at seven o'clock. Prodigious success! The most brilliant Pantomime of the season.

*Bluebeard, or Harlequin and the Magic Mangold Wurzel!*

The Burlesque is written expressly for the Royal Phaëtonic Theatre, by our own Penny-a-liner, author of "Greybeard; or Harlequin and the Turkey Gizzard;" "Hokey-Pokey Wankey-Fun; or, Harlequin and the Goose's Merry Thought"; and "King Higglety-Pigglety; or, Harlequin and the Magic Pease-Soup." Overtures, splendid orchestral combinations, and other entirely new music, by Commodore Blowhard, H.M.S.

Scenery unparelled, by ..... Signor Daub.  
 The Ballets arranged by ..... Maddle. Wheelabout.  
 The extraordinary and incomprehensible machinery elaborated by ..... Mr. Screwdriver.  
 The gas, magnesium, oxy-hydrogen, and electric illuminations, transformation effects, and frightful explosions (of laughter), by ..... Signor Solderpipe.  
 The dresses and properties entirely new, and got up with the most reckless disregard of expense, by ..... Miss Threadneedle.  
 Tricks and magic business by ..... Messrs. Jalup and Fiddlestick.  
 Balloons, locomotive engines, Armstrong guns, Snider rifles, gun cotton, sticking plaster, nitro-glycerine, seidlitz powders, and other combustibles, not hitherto produced in any pantomime, by ..... Mr. Gammon, late of Spinnage and Company.  
 The Stage arrangements are under the new Stage Manager ..... Mr. Bristol Birdseye.  
 The whole being superintended by Barnum Blarney, Esq., P.U.F.F., &c., &c., late of U.S., now Manager (in the summer time), of the Imperial Opera House at Davis' Straits.  
 The following well-known pantomimic artists having been trained from infancy to tumble head-over-heels (after being brought up on the bottle) under our immediate supervision, are guaranteed as greatly superior to anything in the same line north of the Equator:—

Clown	.....	Mr. Letterbag.
Pantaloon	.....	Mr. Sarsaparilla.
Columbine	.....	Miss Wheelabout.
Harlequin	.....	Mr. Last.

Jokes, practical do., and other comic business, by everybody in particular.

*Burlesque!*

Act. I.—Scene First—An apartment in a Turkish Palace. Bluebeard asleep on the sofa. Guards and pages around him.  
 Curtain rises to the tune of "Come where my love lies dreaming."

## Grand Medley Chorus,

By nobody in particular, followed by the pathetic business, in which many fine sentiments, and selections from the newest Operas will be produced.

Scene Second.—Interior of the paternal abode. Filial obedience, &c., &c.

By-and-by, grand march and procession of the Far-famed Penny Whistle Band, which has been engaged at an enormous outlay.

Solo on the penny whistle, from Don Giovanni, by Signor Mario.

Act II.—Scene—Grand apartment in Bluebeard's Castle. Where Fatima puts her foot in it. In this Act innumerable murders will be committed in the most cold-blooded manner conceivable, quite eclipsing Boucicault and other sensational pretenders.

Finale—Terrific combat. Bluebeard up a tree.

Gorgeous

## Gorgeous Transformation Scene!

(Behind the curtain.)

This part of the performances being invisible, the spectators are expected to behold it with profound amazement.

Oranges and gingerbeer.

*Harlequinade!*

Scene I.—A fashionable perfumer's, in a well-known locality. "Sunnyside Hornpipe," by Harlequin and Columbine. General row. Perfumer comes to grief. The bobbies shaved, and otherwise maltreated.

Scene II.—Somewhere else. Bobbies eat rat-pie. Highway robberies, burglaries, child murder, and other harmless recreations.

Montrose thoroughly drained at last!

After everybody is murdered, all make friends again, and dance the "New Hillside Hoolachin."

Magic Box,

Out of which will be produced something for nobody, and nothing for everybody.

*Grand Finale!*

Dances by the entire company, in which the Provost and Magistrates of Montrose, and gentlemen of the Press, are expected to join.

To avoid crushing, the doors will be opened three days before the performance commences, and parties who wish reserved seats may apply, if they choose, to the King of Abyssinia.

The performance will commence somewhere between Four p.m. and Five a.m.

All the seats in the Boxes, Pit, and Galleries, being already engaged, the gentlemen of the Press will be accommodated on the couples, where, to obviate crowding, they must sit stridelegs. The Hotel attached to the Theatre being quite full, apartments have been secured for strangers from a distance in the Old Royal Hotel, adjoining the Militia Stores, where the sleeping rooms are large and airy. Attendance indifferent. Cold, shower, douche, and plunge baths in the morning.

Apply to Mr. Hird, Hotel-keeper.

## MONTROSE ROYAL ASYLUM.

## ROYAL PHAETONIC THEATRE.—ENGAGEMENT OF OPERATIC TROUPE.

The Manager has much pleasure in announcing that he has completed an engagement with the celebrated Japanese Operatic Troupe of the Prince Satsuma, who have not hitherto appeared on any other stage in Europe or America.

On the Evening of Friday, 25th November, the Manager has secured the services of

**PROFESSOR ANDERSON!!!**

The Wizard of the North-east, who will exhibit some of his most surprising effects!

The performance will commence with the serio-comic duetto,

**LOCHIEL!**

Lochiel ... .. Her Wideawake.

Wizard ... .. Professor Anderson.

*To be followed by selections from some of the most Ancient Operas of Modern Times.*

At 8.45 p.m. precisely, will be performed, the far-famed

**BALLET DES QUATRES ECOSSAIS!**

The renowned Pianists, Mademoiselle Pussie and Signorina Jamsina, will again electrify creation with the equatorial Fantasia of "The Complete Remedy," and the great sensation Nocturne of "Up in the Morning early."

For the last time this season, will be performed, that touching and pathetic tragedy,

**BOX AND COX:***Married and Done For.*

Being a warning to all unprotected males to avoid ginger wine, tea and turn out, and other female snares.

Doors open at Six in the Morning; but it is quite uncertain at what hour the performance will commence. A medical staff will be in attendance, in the event of any one splitting his sides. Life buoys kept on the stage, lest any of the performers should be drowned with applause.

Special Trains will be run on all the principal Lines, and Return Tickets, including admission to the Theatre, may be applied for at any of the Stations on the Scottish North-Eastern Railway—though it is not at all likely they will be obtained.

Spectacles, False Hair, and Goloshes strictly prohibited.

The prices of admission will be regulated by the state of the Barometer; but no money will be refused at the door.

**THE CHRISTMAS PANTOMIME!**

Will be produced shortly, and families wishing private Boxes for the season should apply early to the Carpenter. Opera Glasses, which must be left with the Ticket-collectors after the performance, may be obtained from all the principal Opticians, at prices varying from six guineas to ten and sixpence.

## GENERAL ASYLUM, NORTHAMPTON.

PROGRAMME OF CONCERT, THURSDAY; DECEMBER 12th, 1867.

## Part I.

Valse—(The Quadrille Band.)	"Bouquet de Roses."	Hermann.
Glee—(The Glee Class.)	"See our Oars with Feather'd Spray."	Sir J. Stevenson.
Song—(Mrs. Nugent.)	"Thine is my heart."	Schubert.
Comic Song—(Mr. Whiting.)	"The Victimized Old Man."	A. Lloyd.
Trio—(Mr. Austin, Mr. Yorke, and Mr. Arkell.)	"To all you Ladies now on Land."	Calcott.
Song—(Miss Holt.)	"Home, Sweet Home."	Sir H. Bishop.
Glee—(The Glee Class.)	"Since first I saw your face."	Ford, 1609.
Duet—(Mr. Austin and Mr. Arkell.)	"Home to our Mountains."	Verdi.
Song—(Mr. Bandy.)	"The Village Blacksmith."	Weiss.
Comic Song—(Mr. W. Arkell.)	"The broken-hearted Shepherd."	Whymark.
Song—(Mr. Austin.)	"Thou art so near, and yet so far."	Reichardt.

## Part II.

## Part II.

Pianoforte Solo—(Miss Axford.)	Selection from "Norma."	Bellini.
Glee—(The Glee Class.)	"Oh! who will o'er the Downs?"	Pearsall.
Song—(Mr. Yorke.)	"The Birds will come again."	Thomas.
Duet—(Miss Holt and Miss Collier.)	"In my Fairy Garden."	Romer.
Comic Song—(Mr. Whiting.)	"Sweet Rosa Jane."	Nash.
Quartet—(Miss Holt, Miss Collier, Mr. Austin, and Mr. Arkell.)	"Farewell to the Forest."	Mendelssohn.
Piccolo Solo—(Mr. Bandy.)	"Rule Britannia," variations.	
Glee—(The Glee Class.)	"Here in Cool Grot."	Lord Mornington.
Song—(Mr. Austin; Bassoon Obligato, Mr. Ward.)	"I think then of Thee."	Lachner.
Comic Song—(Mr. Arkell.)	"Not for Joseph."	A. Lloyd.
Solo and Chorus—(The Glee Class.)	"God save the Queen."	

Conductor—Mr. W. Arkell.

To commence at 7 o'clock.

## THE ASYLUM, BOOTHAM, YORK.

PROGRAMME OF CONCERT ON WEDNESDAY EVENING, NOV. 27TH, 1867.

## Part 1st.—Sacred.

Anthem	"In Jewry is God known"	Whitfield.
Recit.	"And God created man"	Haydn.
Air	"In native worth"	Do.
Duet	"Come ever smiling liberty"	Handel.
Chorus	"Lead on, lead on"	Do.
Recit.	"So will'd my father"	Do.
Trio and Chorus	"Disdainful of danger"	Do.
Solo and Chorus	"O Thou that tellest"	Do.
Chorus	"Hallelujah"	Do.

## Part 2nd.—Secular.

Pianoforte Duet		Mozart.
Glee	"Queen of the Valley"	Calcott.
Trio	"Down among the Lilies"	Glover.
Madrigal	"Who shall win"	Pearsall.
Song	"When sorrow sleepeth"	Land.
Glee	"Blow, thou winter wind"	Stevens.
Song	"Scenes of my youth"	Benedict.
Motett	"To Thee, Great Lord"	Rossini.
Finale	"God save the Queen"	

To commence at 7 o'clock.

## MONTROSE ROYAL ASYLUM.

## GRAND CONCERT.

The Members of the Montrose Choral Society will give a Concert of Vocal and Instrumental Music, on Friday Evening, the 30th March, 1866.

## PROGRAMME.

## PART I.

Chorus	"Gloria"	Mozart.
Solo	"But Thou didst not leave his Soul in Hell"	Handel.
Chorus	"Lift up your Heads"	
Chorale	"Sleepers, wake! A Voice is calling"	Mendelssohn.
Cornet Duet	"All's well."	

## PART II.

Chorus	"O! Hail us, ye Free"	Verdi.
Song	"Maggie's Secret"	Claribel.
Song	"Auld Joe Nicholson's Bonnie Nannie"	Scott.
Chorus	"From our Home, gracious Lord"	Verdi.
Song	"The Anchor's weighed"	Braham.
Duet	"The Gondolier's Good Night"	Nelson.
Song	"Cam' ye by Athol?"	Dunkeld.
Glee	"The Winds whistle cold"	Bishop.
Song	"Down the Burn, Davie"	Crawford.
Solo and Quartet	"Ellen Vane"	Blockley.
Song—Comic	(By a Gent.)	Smith.
Quartet	"Sleep, Gentle Lady"	Bishop.
Chorus	"Away, away, the Morning freshly breaking"	Auber.

Finale "God save the Queen."

Pianist.....Miss M. Mitchell.

Mr. R. H. Warren, Conductor.



## PERTH DISTRICT ASYLUM, MURTHLY.

## COURSE OF LECTURES FOR THE WINTER, 1867-68.

I.—Friday, 22nd November, 1867.

"Sponges and Zoophytes."

II.—Friday, 12th December, 1867.

"Jelly Fishes, Actinæ, and Corals."

III.—Friday, 10th January, 1868.

"Star-Fishes and their Allies."

IV.—Friday, 31st January, 1868.

"Crustacea (Crabs, Lobsters, &amp;c.)"

V.—Friday, 14th February, 1868.

"Insects and Spiders."

VI.—Friday, 28th February, 1868.

"Fishes."

Each Lecture to be illustrated by drawings, living and prepared specimens.

## YORK ASYLUM.

## PROGRAMME OF ENTERTAINMENTS FOR THE SESSION 1867-8.

1867.

Thursday, Oct. 10.—Vocal and Instrumental Concert.

Saturday, Oct. 12.—Meeting of Discussion Club.

Thursday, Oct. 17.—Lecture—"The Reindeer," by S. W. North, Esq., F.A.S.L.

" Oct. 24.—Magic Lantern Exhibition.

Saturday, Oct. 26.—Meeting of Discussion Club.

Thursday, Oct. 31.—Miscellaneous Reading, by J. G. Fitch, Esq., M.A., one of H.M. Inspectors of Schools.

" Nov. 7.—Ball.

Saturday, Nov. 9.—Meeting of Discussion Club.

Thursday, Nov. 14.—Lecture—"A Voyage to St. Petersburg," by T. T. Lambert, Esq.

" Nov. 21.—Lecture—"On the Composition of some of the Heavenly Bodies," by Dr. Procter, F.C.S.

Saturday, Nov. 23.—Meeting of Discussion Club.

Thursday, Nov. 28.—Vocal and Instrumental Concert.

" Dec. 5.—Ball.

Saturday, Dec. 7.—Meeting of Discussion Club.

Thursday, Dec. 12.—Lecture—"The Occupations and Amusements of the Hindoos," by the Rev. A. Stead.

" Dec. 19.—Lecture—"Instinct and Intelligence of Animals," by the Rev. H. V. Palmer.

Saturday, Dec. 21.—Meeting of Discussion Club.

Thursday, Dec. 26.—Reading by Dr. Needham.

1868.

Thursday, Jan. 2.—Lecture—"York Minster, what it has seen and heard," by the Rev. Canon Raine, M.A., Secretary to the Surtees Society.

Saturday, Jan. 4.—Meeting of Discussion Club.

Thursday, Jan. 9.—Annual New Year's Ball.

" Jan. 10.—Servants' Ball.

" Jan. 16.—Lecture—"Among the Manganja," by the Rev. L. J. Procter, M.A., one of the two survivors of the Universities' Mission to Central Africa.

" Jan. 23.—Magic Lantern Exhibition.

Saturday, Jan. 25.—Meeting of Discussion Club.

Thursday, Jan. 30.—Lecture—"On Forest Trees," by the Rev. Canon Hey, M.A.

" Feb. 6.—Ball.

Saturday, Feb. 8.—Meeting of Discussion Club.

Thursday, Feb. 13.—Vocal and Instrumental Concert.

" Feb. 20.—Lecture—"Dr. Arnold, his character and doings," by J. G. Fitch, Esq., M.A.

Saturday, Feb. 22.—Meeting of Discussion Club.

Thursday, Feb. 27.—Ball.

" Mar. 5.—Miscellaneous Reading, by Dr. Needham.

" Mar. 12.—Vocal and Instrumental Concert.

Saturday, Mar. 14.—Meeting of Discussion Club.

Thursday, Mar. 19.—Lecture—"Spenser's Faery Queen," by the Rev. G. Rowe, M.A., Principal of the Training College.

" Mar. 26.—Ball.

Saturday, Mar. 28.—Meeting of Discussion Club.

Thursday, Apr. 2.—Lecture—"The Atlantic and Pacific Oceans," by W. Wallen, Esq.

The Lectures commence at six p.m., the Discussion Meetings at half-past six, the Balls at seven, and the Concerts at half-past seven o'clock.

## APPENDIX D.

## FORMS FOR REPORTS, &amp;c.

(No. 1.)

## ATTENDANTS' DAILY REPORTS.

## DERBY COUNTY ASYLUM, MICKLEOVER.

Male Ward, No. .... Date .....

Beds .....	Patients who have had an attack of epilepsy .....	
Patients in the ward at bed-time .....		New patients admitted .....
House .....		Patients received from other wards .....
Garden .....		Patients discharged .....
Farm .....	Deceased .....	
Patients employed } during the day {	Escapes .....	
Shoemakers' shop	Casualties .....	
Tailors' "	Ward attendants absent or employed	
Plumbers' "	out of the ward during the day .....	
Horse-hair "	Temperature at 9.0 a.m. (Gallery) .....	
Patients in seclusion .....	Length of time in seclusion .....	

Signature of attendant.....

## WORCESTER COUNTY ASYLUM.

Daily Return.—Male Ward.

No. of Patients.....186

Employed.	No.	Name of Patients.
Tailors and upholsterers.....	Attended chapel .....	Admitted.....
Shoemakers and saddlers .....	" ball.....	Removed.....
Carpenters and turners .....	" field games .....	Escaped .....
Blacksmiths, engineers, and gas makers .....	" excursions .....	Dead .....
Painters, glaziers, and plumbers .....	Under medical treatment .....	Under seclusion, and for period what.....
Masons, slaters, and plasterers..	" seclusion .....	Injuries and violence to patients, and by whom
Bakers and brewers.....	Remained in bed .....	
Clerks .....	Admitted .....	
Hair and sea grass pickers .....	Removed .....	
Assisting attendants in wards.....	Escaped .....	
" gardeners .....	Empty beds .....	
" farm servants .....		

Names of patients under medical treatment.....

" " having fits, and their number .....

Attendant on leave of absence for to-morrow .....

Signature.....

## COUNTY OF GLOUCESTER ASYLUM.

FEMALE DIVISION, No.

ATTENDANT'S EVENING REPORT,

Date

day of

186

No. of patients attending chapel .....

## Medical Treatment.

Names of patients having had shower baths .....

" " warm ditto .....

" " the wet sheet.....

" taking medicine .....

" in bed .....

" refusing food .....

## Recreations.

Number.

No. of patients reading and writing.....

" attending school .....

" ball, musical entertainment, &amp;c.....

" taking exercise beyond the grounds.....

Names " unable to walk in the airing grounds.....

" refusing ditto ditto .....

" writing letters .....

Number.

No. of patients.....

" admitted .....

" discharged .....

" transferred to other divisions .....

" received from ditto .....

Deceased o'clock in the presence of .....

Escaped .....

Attempt at escape .....

Behaviour

*Behaviour of patients.*

Injuries received by attendants or patients (of what nature) .....  
 Destructiveness (of what nature) .....  
 Otherwise badly behaved (such as violence to attendants, or patients, &c.) .....

*Occurrence of fits.**In seclusion.*

Name ..... Placed in, at ..... o'clock.  
 Removed from, at ..... o'clock.

The attendant, in secluding a patient, must immediately report the same to the head attendant, who will at once apply to the superintendent (or in his absence, one of the assistant medical officers) for authority to continue the seclusion. The attendant, immediately after, is to enter the same upon the slate kept in the superintendent's study for that purpose.

*Employments.*

Patients with	No.	Patients at	No.
Matron .....		Kitchen .....	
Storekeeper .....		Laundry and wash-house .....	
Workroom .....		Bed-making .....	
Needlework .....		Scrubbing .....	
Fancy-work .....		Washing culinary articles, &c. ....	
Knitting .....		Sweeping and dusting .....	

Names of patients refusing to attend to their ordinary occupation .....

No. of beds .....  
 " Vacant single rooms .....  
 " Vacancies in dormitories .....  
 " Double-bedded rooms .....  
 Fresh employed .....

Attendant in charge.

BROOKWOOD ASYLUM. Daily Report. Male Ward, No. \_\_\_\_\_ day of \_\_\_\_\_ 186

EMPLOYED.	MORN.	AFTER.	UNEMPLOYED.	MORN.	AFTER.	NAMES OF PATIENTS UNEMPLOYED.
Under the gardener .....			Unable from excitement ...			
" farm bailiff .....			" depression ...			
Assisting joiner .....			" sickness, infirmity, or old age			
" engineers .....			Able, but unwilling .....			
" in laundry .....			Secluded .....			
" plumber .....						
" painter .....						
" tailor .....						
" shoemaker .....						
" mat-maker .....						
" upholsterer .....						
" baker .....						
" bricklayer .....						
" in domestic offices .....						
Coal-carriers .....						
Helpers in wards .....						
			Total...			
			Exercising in airing court			
			" outer grounds			
			" beyond boundaries			
			No. employed in useful work			
			No. engaged in recreation, &c.			
			No. totally unemployed ...			
			Total No. on Ward List...			
Engaged at school .....			In bed during the day ...			
" in reading and writing			Wet or dirty by day .....			
" at in or out door games			Wearing locked dresses or boots			
			" strong or special dresses			
			Refusing food .....			
			Taking medicine .....			
At chapel .....						

Admitted .....  
 Discharged .....  
 Died—State time, and in whose presence .....  
 Removed to or from other wards .....  
 Seclusion—State time, and under whose order .....  
 Epileptic attacks—  
 State number of fits .....  
 Attendants absent—  
 State time .....  
 Attendants on leave to-morrow .....

## NAMES.

All accidents, bruises and wounds, acts of violence, attempts to escape or to commit suicide, articles lost, injured or destroyed, repairs to be executed, all special ward occurrences taking place between 6 a.m. and 8 p.m., to be fully reported. (Repairs not executed within a week, to be noticed to that effect.)

Signed \_\_\_\_\_ Attendant in charge.

(After being filled up, this sheet is to be left in the head attendant's room by 9 p.m.)

ESSEX COUNTY ASYLUM.  
WARD No.                      MALE ATTENDANT'S REPORT,

186

Number of Patients employed, and their occupations.										Walked &c., beyond the Airing Court.
Garden and Farm.	Bricklayer, Mason, Plasterer.	Carpenter, Painter, Glazier.	Picking Hair, Matting, &c.	Engineer and Smith.	Tailor.	Shoemaker.	Household Work.	Reading, Writing, Drawing, &c.	Total Number employed.	

	Names of Patients Unemployed.	In Bed.	In Seclusion.	Why?
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

<p>Number of patients in the morning.....</p> <p>Removed from Wards No.        during</p> <p>the day.....</p> <p>Received during the day .....</p> <p>Deduct,—</p> <p>Removed to Wards No. ....</p> <p>Discharged .....</p> <p>Died.....</p> <p>Number remaining ...</p> <p>Number of beds made up .....</p> <p>      "      "      occupied .....</p> <p>      "      "      empty .....</p> <p>Examined,</p>	No.	<p>Total number of patients employed .....</p> <p>Ditto unemployed .....</p> <p>Ditto in the ward .....</p> <p>Patients removed to other wards to sleep</p> <p>Patients received from other wards to sleep</p> <p>Signed,</p> <p style="text-align: right;">Attendant.</p>
<p>No.</p>	No.	<p>No.</p>

## List of Clothing, &amp;c., Destroyed

186

Articles, &c., Destroyed.	By whom.	Remarks.

Carpenters', Engineers' or Bricklayers' Work, necessary to be done.

## RETURN of Patients struck or injured, and other casualties.

Name of Patient struck or injured.	Nature of Injury, and how obtained.

Temperature of Water.

N.B.—The knives and forks, pots and porringers, were counted by me, at        o'clock, and found correct.

Hour        Degrees.

1st time

2nd "

3rd "

Attendant.

Male Ward No.



(No. 4.)  
WEEKLY SUMMARY OF NIGHT ATTENDANTS' REPORTS.  
ESSEX COUNTY ASYLUM.

Ward No.

Male Night Attendant's Report during the Week ending

186

SUNDAY.	MONDAY.	TUESDAY.	WEDNESDAY.	THURSDAY.	FRIDAY.	SATURDAY.
Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.	Wet and dirty. Bedding changed, and how often. Mattresses left dirty. Noisy and destructive. Found in fits, and in what position. Received medicine, stimulants, &c. No. of visits.

(Signed)

Night Attendant.

(No. 5.)  
CHIEF ATTENDANTS' REPORTS.  
ESSEX COUNTY ASYLUM.

186

Females.	Females.	Total Males & Females.
Number of female patients in the house in the morning .....		
"          "          admitted during the day.....		
"          "          Deduct,—		
"          "          dismissed recovered .....		
"          "          "          improved .....		
"          "          "          unimproved.....		
"          "          "          died .....		
"          "          "          remaining .....		
Female Patients employed, and their Occupations.	Female Wards.	Total Females employed.
	1 2 3 4 5 6 7 8 9 10	
Laundry and wash-house .....		
Kitchen .....		
Needlework and knitting .....		
Household work .....		
Reading, writing, &c. ....		
Total Females employed .....		
Total Females unemployed .....		
"          attended chapel .....		
"          under medical treatment { In bed .....		
"          "                                  { Not in bed .....		
"          in seclusion .....		
"          walked, &c., about grounds .....		
"          "          in airing courts.....		
"          "          beyond grounds ...		

Chief Attendant's Signature

LUNATIC ASYLUMS.

203

COUNTY AND CITY OF WORCESTER PAUPER LUNATIC ASYLUM.

HEAD ATTENDANT'S GENERAL DAILY RETURN.

186

Names of patients admitted from  
" " removed to  
" " dead  
" " under medical treatment ailments  
" " " seclusion for what period  
" " " shower bath for what period  
" " escaped from  
" " having fits number of fits  
" " injuries and violence by whom  
" " dirty habits  
Attendants on leave of absence for to-morrow

Employed.								Remarks.
Occupation.	1st Ward.	2nd Ward.	3rd Ward.	4th Ward.	5th Ward.	Hos- pital.	Total.	
Tailors .....								
Shoemakers .....								
Carpenters.....								
Smiths .....								
Upholsterers.....								
Painters .....								
Saddlers.....								
Masons .....								
Plasterers .....								
Slaters .....								
Bakers .....								
Brewers.....								
Clerks.....								
Plumbers .....								
Glaziers.....								
Turners .....								
Weavers.....								
Mat-makers .....								
Cotton pickers .....								
Hair do .....								
Oakum do .....								
Assisting attendants.....								
Do gardener .....								
Do farm servant.....								
Total .....								
Unemployed .....								
Total .....								
Admitted .....								
Removed .....								
Dead .....								
Escaped.....								
Attended chapel .....								
Do. school .....								
Do. ball .....								
Do. field games .....								
Under medical treatment.....								
Do. surgical do .....								
Do. seclusion .....								
Do. shower bath .....								
Wet and dirty habits .....								
Remained in bed .....								
Empty beds .....								

Signature,

Head Attendant.





## LUNATIC ASYLUMS.

205

## In Seclusion.

Date of seclusion.	Cause.	Time.	Date of seclusion.	Cause.	Time.

## In Restraint.

Date of restraint.	Cause.	Time.	Date of restraint.	Cause.	Time.

## Dangerously Suicidal Patients.

--	--

## Severely Epileptic Patients.

--	--

Requisitions not complied with.

## Unable to wash and dress themselves.

--	--

## Wet and Dirty Patients.

--	--

## Accidents.

--	--

## Improving Patients.

--	--

Observations.

Chief Attendant.

FORM OF WEEKLY REPORTS BY HEAD-ATTENDANTS OR MATRONS IN LUNATIC ASYLUMS, drawn up by one of the English Commissioners in Lunacy, for the Report on Colonial Hospitals and Asylums, and issued by the Colonial Office.

## 1. State of wards.

furniture and bedding.

## 2. Number of patients restrained.....

"	"	secluded .....	} And why
"	"	wearing locked .....	
"	"	or strong dresses .....	
"	"	confined to bed .....	
"	"	to the house .....	
"	"	airing courts .....	
"	"	premises .....	
"	"	unemployed .....	
"	"	not associated at meals .....	
"	"	who do not attend church .....	
"	"	who do not attend meetings for recreation .....	
"	"	who do not wash, dress, or feed themselves...	
"	"	who are wet, or wet and dirty .....	

(No. 7.)

## EXTRA WARD RETURNS.

## BROOKWOOD ASYLUM.

Female No.

Ward.

A List of Articles made and repaired during the Week ending

186

Names of Articles.	M.	T.	W.	Th.	F.	S.	Total	Names of Articles.	M.	T.	W.	Th.	F.	S.	Total
Aprons and pina-fores .....								Pocket-handkerchiefs ..							
Articles knitted and netted .....								Sheets .....							
Bed-ticks .....								Shifts .....							
Blankets .....								Shirts .....							
Bolster ticks .....								Stays .....							
Bonnets .....								Strong rugs .....							
Boots and shoes ..								Table-cloths .....							
Counterpanes .....								Tea-cloths, dusters, &c .....							
Drawers .....								Towels .....							
Flannel jackets .....								Women's day caps ..							
Flannel shifts .....								Do. night ..							
Gowns .....								Women's stockings ..							
House flannels .....															
Men's day caps .....															
Men's stockings ..															
Men's working frocks .....															
Neckerchiefs .....															
Night-gowns .....															
Petticoats .....															
Pillow-cases .....															

Attendant.

## ESSEX LUNATIC ASYLUM.

WARD No.

Stock List—Attendants' use.

Bedding.		Soap dish .....
Bedstead .....		Looking glass .....
Hair mattress .....		Poker .....
Straw ditto .....		Shovel .....
Counterpanes .....		Tongs .....
Blankets .....		Fender .....
Sheets .....		Table cloth .....
Pillow .....		
" case .....		Sundries.
Chamber .....		Knife and fork .....
Round towel .....		Plates .....
Bath ditto .....		Tea spoon .....
Piece carpet .....		" cup and saucer .....
		" pot .....
Furniture.		Slop basin .....
Chair .....		Sugar ditto .....
Dressing table .....		Cream jug .....
Chest of drawers .....		Kettle .....
Wash-hand stand .....		Candlestick .....
" jug .....		
" basin .....		

Steward or Matron.

Attendant.

N.B.—The attendants are not allowed to wear, or to keep in their bed-rooms, any clothes issued for the use of the patients, nor to have any bedding there which is not included in the above list.

## LUNATIC ASYLUMS.

207

ESSEX LUNATIC ASYLUM.

WARD NO. FEMALE.

Stock List.	Patients' Use
1. 100 mg tablets	1. 100 mg tablets
2. 50 mg tablets	2. 50 mg tablets
3. 25 mg tablets	3. 25 mg tablets
4. 10 mg tablets	4. 10 mg tablets
5. 5 mg tablets	5. 5 mg tablets
6. 2.5 mg tablets	6. 2.5 mg tablets
7. 1 mg tablets	7. 1 mg tablets
8. 0.5 mg tablets	8. 0.5 mg tablets
9. 0.25 mg tablets	9. 0.25 mg tablets
10. 0.125 mg tablets	10. 0.125 mg tablets
11. 0.0625 mg tablets	11. 0.0625 mg tablets
12. 0.03125 mg tablets	12. 0.03125 mg tablets
13. 0.015625 mg tablets	13. 0.015625 mg tablets
14. 0.0078125 mg tablets	14. 0.0078125 mg tablets
15. 0.00390625 mg tablets	15. 0.00390625 mg tablets
16. 0.001953125 mg tablets	16. 0.001953125 mg tablets
17. 0.0009765625 mg tablets	17. 0.0009765625 mg tablets
18. 0.00048828125 mg tablets	18. 0.00048828125 mg tablets
19. 0.000244140625 mg tablets	19. 0.000244140625 mg tablets
20. 0.0001220703125 mg tablets	20. 0.0001220703125 mg tablets
21. 0.00006103515625 mg tablets	21. 0.00006103515625 mg tablets
22. 0.000030517578125 mg tablets	22. 0.000030517578125 mg tablets
23. 0.0000152587890625 mg tablets	23. 0.0000152587890625 mg tablets
24. 0.00000762939453125 mg tablets	24. 0.00000762939453125 mg tablets
25. 0.000003814697265625 mg tablets	25. 0.000003814697265625 mg tablets
26. 0.0000019073486328125 mg tablets	26. 0.0000019073486328125 mg tablets
27. 0.00000095367431640625 mg tablets	27. 0.00000095367431640625 mg tablets
28. 0.000000476837158203125 mg tablets	28. 0.000000476837158203125 mg tablets
29. 0.0000002384185791015625 mg tablets	29. 0.0000002384185791015625 mg tablets
30. 0.00000011920928955078125 mg tablets	30. 0.00000011920928955078125 mg tablets
31. 0.000000059604644775390625 mg tablets	31. 0.000000059604644775390625 mg tablets
32. 0.0000000298023223876953125 mg tablets	32. 0.0000000298023223876953125 mg tablets
33. 0.00000001490116119384765625 mg tablets	33. 0.00000001490116119384765625 mg tablets
34. 0.000000007450580596923828125 mg tablets	34. 0.000000007450580596923828125 mg tablets
35. 0.0000000037252902984619140625 mg tablets	35. 0.0000000037252902984619140625 mg tablets
36. 0.00000000186264514923095703125 mg tablets	36. 0.00000000186264514923095703125 mg tablets
37. 0.000000000931322574615478515625 mg tablets	37. 0.000000000931322574615478515625 mg tablets
38. 0.0000000004656612873077392578125 mg tablets	38. 0.0000000004656612873077392578125 mg tablets
39. 0.00000000023283064365386962890625 mg tablets	39. 0.00000000023283064365386962890625 mg tablets
40. 0.000000000116415321826934814453125 mg tablets	40. 0.000000000116415321826934814453125 mg tablets
41. 0.0000000000582076609134674072265625 mg tablets	41. 0.0000000000582076609134674072265625 mg tablets
42. 0.00000000002910383045673370361328125 mg tablets	42. 0.00000000002910383045673370361328125 mg tablets
43. 0.000000000014551915228366851806640625 mg tablets	43. 0.000000000014551915228366851806640625 mg tablets
44. 0.0000000000072759576141834259033203125 mg tablets	44. 0.0000000000072759576141834259033203125 mg tablets
45. 0.00000000000363797880709171295166015625 mg tablets	45. 0.00000000000363797880709171295166015625 mg tablets
46. 0.000000000001818989403545856475830078125 mg tablets	46. 0.000000000001818989403545856475830078125 mg tablets
47. 0.0000000000009094947017729282379150390625 mg tablets	47. 0.0000000000009094947017729282379150390625 mg tablets
48. 0.00000000000045474735088646411895751953125 mg tablets	48. 0.00000000000045474735088646411895751953125 mg tablets
49. 0.000000000000227373675443232059478759765625 mg tablets	49. 0.000000000000227373675443232059478759765625 mg tablets
50. 0.0000000000001136868377216160297393798828125 mg tablets	50. 0.0000000000001136868377216160297393798828125 mg tablets
51. 0.00000000000005684341886080801486968994140625 mg tablets	51. 0.00000000000005684341886080801486968994140625 mg tablets
52. 0.000000000000028421709430404007434844970703125 mg tablets	52. 0.000000000000028421709430404007434844970703125 mg tablets
53. 0.0000000000000142108547152020037174224853515625 mg tablets	53. 0.0000000000000142108547152020037174224853515625 mg tablets
54. 0.0000000000000071054273576010018587112426757812	

[illegible]

*Matron.*

*Attendants.*

## BROOKWOOD ASYLUM.

### REQUIREMENT LIST TO STEWARD.

For Week ending \_\_\_\_\_

WARD.	Condemned.	Destroyed.	Lost.	Total.
Bedding and Furniture—				
Clothing—				
Utensils—				

*Attendant in charge.*

## WANTS BOOK.

Ward No. \_\_\_\_\_

} Attendants.

Saturday,

186

	lb.	oz.		No.
Butter .....			Emery-paper .....	
Cheese .....			Matches .....	
Tea .....			House-flannel .....	
Sugar .....			Chambers .....	
Pepper .....			Plates .....	
Whiting .....			Brooms, hair .....	
Soap .....			"    bass .....	
"    soft .....			Brushes, scrubbing .....	
Soda .....		No.	"    hand .....	
Candles .....			"    stove .....	
Blacking, cakes .....			"    blacklead .....	
Blacklead, packets .....			Tobacco .....	
Wash-leathers .....			Snuff .....	
Mops .....				
Hearthstones .....				
Bath-bricks .....				

N.B.—Unless the worn-out articles are sent to the Steward, in the basket, for the weekly stores new ones will not be issued until the following week.

MALE WARD.  
No. \_\_\_\_\_

} Articles sent to and received from Laundry during the Week, commencing  
Monday 186

CLOTHING.	Arrears brought forward	Weekly.		Foul Linen.								Arrears carried forward					
				Mon.		Tues.		Wed.		Thur.			Fri.		Sat.		
		Weekly.	Foul.	Sent.	Ret.	Sent.	Ret.	Sent.	Ret.	Sent.	Ret.		Sent.	Ret.	Sent.	Ret.	
CLOTHING.																	
Aprons .....																	
Flannel jackets .....																	
"    drawers .....																	
Frocks, ticking .....																	
Shirts .....																	
Hose .....																	
Jackets .....																	
Waistcoats .....																	
Trowsers .....																	
Handkerchiefs .....																	
Neckerchiefs .....																	
BEDDING.																	
Blankets .....																	
Counterpanes .....																	
Mattresses, hair .....																	
"    straw .....																	
Pillows, hair .....																	
"    ticks .....																	
"    cases .....																	
Rugs, coloured .....																	
"    strong .....																	
Sheets, linen .....																	
"    waterproof .....																	
Towels round .....																	
"    bath .....																	
SUNDRIES.																	
Table cloths .....																	
Carpets .....																	
Chair covers .....																	
Sofa covers .....																	

## LUNATIC ASYLUMS.

- 209

(No. 8.)

EXTRA DIET-TABLE FOR WARD.  
GLOUCESTER LUNATIC ASYLUM.

## EXTRA DIET TABLE.

Date.	Names.	Meat Dinner.	Remarks.
		6 oz. Mutton Chop.	
		1 pt. Soup.	
		1 pt. Broth.	
		1 pt. Beef Tea.	
		Poultry.	
		6 oz. Fish.	
		Eggs.	
		4 pt. Milk.	
		1 oz. Butter.	
		1 pt. Cider.	
		4 pt. Ale.	
		1 pt. Porter.	
		Coffee.	
		Tea.	
		Gruel.	
		Arrowroot.	
		Sago.	
		Pudding.	
		2 oz. Brandy.	
		2 oz. Gin.	
		2 oz. Red Wine.	
		2 oz. White Wine.	
		1 pt. Beer.	
		3 oz. Bacon.	
		8. Lump Sugar.	
		8. Meat Sugar.	
		16. Bread.	
		16. Cheese.	
		Onions.	
		Egg Pudding.	

## SUMMARY OF EXTRA DIET TABLES.

## BRISTOL ASYLUM.

## SUMMARY OF SICK AND EXTRA DIET LIST.

Male Side.

186 .

No. of Ward.	No. in Ward.																			Wine.		Spirits.		REMARKS.		
	Meat Dinner.	Mixed Meat Dinner.	Fowl.	Eggs.	Mutton Broth.	Beef Tea.	Milk.	Arrowroot.	Rice Pudding.	Barley Water.	Lemonade.	Gruel.	Oranges.	Extra Beer.	Porter.	Cheese.	Extra Bread.	Butter.	Port.	Sherry.	Brandy.	Gin.	Whisky.		Tes.	Sugar.
1.....				No.	pinta.	pinta.	pinta.	oz.	oz.	pinta.	pinta.	pinta.	No.	pinta.	pinta.	pinta.	oz.	oz.		oz.	oz.	oz.	oz.	oz.	oz.	
2.....																										
3.....																										
4.....																										
5.....																										
6.....																										
7.....																										
8.....																										
Infirmary .....																										
Working Ward																										
Attendants .....																										
Total...																										

Superintendent.

WARD

WARD DIET ROLL.  
EDINBURGH ROYAL ASYLUM.  
DIET ROLL.  
*Eighth Male Gallery.*

No. of Patients,

18

DIET.	No.	NAMES OF THOSE GETTING CORDIALS.	Porter, pint.	Port, oz.	Sherry, oz.	Whisky, oz.
Attendants' diet						
<i>Breakfast.</i>						
Coffee .....						
Tea .....						
Porridge .....						
New milk .....						
Total...						
<i>Dinner.</i>						
Ordinary .....						
Steak .....						
Do. broiled .....						
Rice .....						
Sago .....						
Arrowroot .....						
Total...						
<i>Supper.</i>						
Coffee .....						
Tea .....						
Porridge .....						
New milk .....						
Bread and milk .....						
Total...						
Beef tea .....						
Extra bread .....						
Custard .....						
Eggs .....						
		Total.....				

Checked by

Signature \_\_\_\_\_

## SUMMARY OF WARD DIET ROLLS.

## COUNTY AND CITY OF WORCESTER PAUPER LUNATIC ASYLUM.

DIET SCHEDULE FOR

18

	No. of attendants.	No. of patients.	Dinner ordinary.	Tea.	Coffee.	Rice and milk.	Beef tea.	Arrowroot.	Sago.	Mince-meat.	Bread.	Butter.	Cheese.	Bacon.	New milk.	Eggs.	Gruel.	Extra bread.	No. for luncheon.	Chops.	Meat.	Pud- ding.	Beer.	Brandy.	Sher- ry.	Gin.	Port.	Ale.		
																					lbs.	oz.	lbs.	oz.	pts.	oz.	oz.	oz.	oz.	pts.
Medical Officer .....																														
Matron .....																														
Head attendant and storekeeper .....																														
Servants' hall .....																														
Laundry .....																														
Kitchen .....																														
N. attendant .....																														
N. nurse .....																														
Female ward	1																													
"    "	2																													
"    "	3																													
"    "	4																													
"    "	5																													
"    "	6																													
"    "	8																													
"    "	9																													
Male ward	1																													
"    "	2																													
"    "	3																													
"    "	4																													
"    "	5																													
"    "																														
Total .....																														

Storekeeper.



## APPENDIX E.

## ASYLUM MEDICAL STATISTICS.

(No. 1.)

FORMS RECOMMENDED BY THE ENGLISH COMMISSIONERS IN LUNACY.

TABLE I.—Showing the Admissions, Re-admissions, Discharges, and Deaths, during the year 1865.

	Male.	Female.	Total.
In the Asylum January 1st, 1866			
	Male.	Fem.	Total.
Admitted for the first time during the year			
Re-admitted during the year			
Total under care during the year			
Discharged or removed—			
Recovered			
Relieved			
Not improved			
Died			
Total discharged and died during the year			
Remaining in the Asylum, 31st December, 1865 (inclusive of absent on trial— males and females)			
Average numbers resident during the year			

TABLE II.—Showing the Admissions, Re-admissions, Discharges, and Deaths, from the opening of the Asylum to the present date, December 31, 1865.

	Male.	Female.	Total.
Persons admitted during the period of ..... years .....			
Re-admissions .....			
Total of cases admitted .....			
	Male.	Fem.	Total.
Discharged or removed—			
Recovered .....			
Relieved .....			
Not improved .....			
Died .....			
Total discharged and died during the ..... years .....			
Remsining, 31st December, 1865 .....			
Average numbers resident during the ..... years .....			

TABLE III.—Showing the Admissions, Discharges, and Deaths: with the mean Annual Mortality and proportion of Recoveries per cent. of the Admissions, for each year since the opening of the Asylum.

[illegible]

TABLE IV.—Showing the History of the Annual Admissions since the opening of the Asylum, with the Discharges and Deaths, and the Numbers of each Year remaining on the 31st December, 1865.

Discharges and Deaths, and the Numbers of each Year remaining on the 31st December, 1865.																								
Admitted.					Of each Year's Discharged and Died in 1865.										Total Discharged and Died of each Year's Admissions.							Remaining of each Year's Admissions, 31st Dec., 1865.		
Year.	New Cases.		Re-lapsed Cases.		Total.	Re-covered.		Relieved.		Not Im-proved.		Died.	Re-covered.		Relieved.		Not Im-proved.		Died.	Total.	Males.	Fem.	Total.	
	Males.	Fem.	Males.	Fem.		Males.	Fem.	Males.	Fem.	Males.	Fem.		Males.	Fem.	Males.	Fem.	Males.	Fem.						Males.
1859.....																								
1860.....																								
1861.....																								
1862.....																								
1863.....																								
1864.....																								
1865.....																								
Total ...																								

Summary of the Total Admissions, 1859-65.				Males.	Females.	Total.
Percentage of cases recovered .....						
" relieved .....						
" not improved .....						
" dead .....						
" remaining .....						

TABLE V.—Showing the Causes of Death during the Year.

Causes of Death.*	Male.	Female.	Total.
CEREBRAL OR SPINAL DISEASE:			
Apoplexy and paralysis .....			
Epilepsy and convulsions .....			
General paralysis .....			
Maniacal and melancholic exhaustion or decay .....			
Inflammation and other diseases of the brain, softening, tumours, &c. ....			
THORACIC DISEASE:			
Inflammation of the lungs, pleura, and bronchi .....			
Pulmonary consumption .....			
Disease of the heart, &c. ....			
ABDOMINAL DISEASE:			
Inflammation of the stomach, intestines, or peritoneum .....			
Dysentery and diarrhoea .....			
Fever .....			
Erysipelas .....			
Cancer .....			
General debility and old age .....			
Suicide and accidents .....			
Total.....			

\* Add in foot-note the number ascertained by post-mortem examination.

TABLE VI.—Showing the length of residence in those discharged Recovered, and in those who have Died during the year.

Length of Residence.	Recovered.			Died.		
	Male.	Female.	Total.	Male.	Female.	Total.
Under 1 month.....						
From 1 to 3 months .....						
" 3 " 6 " .....						
" 6 " 9 " .....						
" 9 " 12 " .....						
" 1 " 2 years .....						
" 2 " 3 " .....						
" 3 " 5 " .....						
" 5 " 7 " .....						
" 7 " 10 " .....						
" 10 " 12 " .....						
" 12 " 15 " .....						
" 15 " 20 " .....						
" 20 " 30 " .....						
" 30 " 40 " .....						
Total .....						

## LUNATIC ASYLUMS.

213

(No. 2.)

FORMS RECOMMENDED IN THE REPORT ON COLONIAL HOSPITALS AND LUNATIC ASYLUMS.

General Statistical Form for all Lunatic Asylums.

Table 1.

[illegible]

Table 2.

[illegible]

Table 3.—Obituary for the Year.

Number in Register or Name.	Date of last Admission and of Death.	Age at Death and whether Single, or Married, or Widowed, before Admission.	Mental and Bodily State on Admission.	Duration and Cause of Disorder.	Assigned Cause of Death.	Post Mortem Examination and Weight of Organs in Ounces Avoirdupois.
<i>e.g.</i> , No. 10...	<i>e.g.</i> , Last admitted, March 1, 1863. Died, &c.	<i>e.g.</i> , 50 Married.	<i>e.g.</i> , Mania, wound not healed.	<i>e.g.</i> , 6 months. Wound on head.		
No. 11...						
No. 12...						

Additional Statistical Form for large Lunatic Asylums.

Table 1.—Age in relation to Form.

[illegible]

TABLE 2.—Ages in relation to Result.

Age at Admission.	Recovered.		Relieved.		Died.		Unchanged.		Total.	
	Single.	Married or Widowed.	Single.	Married or Widowed.	Single.	Married or Widowed.	Single.	Married or Widowed.	Single.	Married or Widowed.
Under 20 years .....										
From 20 to 25 years .....										
25 to 30 " .....										
30 to 35 years .....										
35 to 40 " .....										
40 to 45 years .....										
45 to 50 " .....										
50 to 55 years .....										
55 to 60 " .....										
60 to 65 years .....										
65 to 70 " .....										
Over 70 years.....										
Total.....										
Deduct readmissions .....										
Total of patients.....										

TABLE 3.—Form in relation to probable causes.

	Probable causes, e.g.								Total.
	Bodily injury.	Grief.	Drink.	&c.	&c.				
Mania .....									
Melancholia .....									
Dementia .....									
General paralysis .....									
Epilepsy .....									
Other forms .....									
Totals.....									

TABLE 4.—Form in relation to Education.

	Educated.	Uneducated.
Mania .....		
Melancholia .....		
Dementia .....		
General paralysis .....		
Epilepsy .....		
Other forms .....		
Totals.....		

TABLE 5.—Form in relation to previous Occupation or Profession.

	Occupation, e.g.							Totals.
	Sailors.	Soldiers.	Carpenters.	&c.	&c.			
Mania .....								
Melancholia .....								
Dementia .....								
General paralysis .....								
Epilepsy .....								
Other forms .....								
Totals .....								

TABLE 6.—Form in relation to Duration of Malady and to Result.

	Cured.						Dead.						Relieved.						Unchanged.						Totals.					
	Under 1 month.	Under 3 months.	Under 1 year.	Under 2 years.	Under 5 years.	Under 10 years.	Under 1 month.	Under 3 months.	Under 1 year.	Under 2 years.	Under 5 years.	Under 10 years.	Under 1 month.	Under 3 months.	Under 1 year.	Under 2 years.	Under 5 years.	Under 10 years.	Under 1 month.	Under 3 months.	Under 1 year.	Under 2 years.	Under 5 years.	Under 10 years.	Under 1 month.	Under 3 months.	Under 1 year.	Under 2 years.	Under 5 years.	Under 10 years.
Mania .....																														
Melancholia .....																														
Dementia .....																														
General paralysis .....																														
Epilepsy .....																														
Other forms .....																														
Totals .....																														

TABLE 7.—Duration of Malady before Treatment in relation to Result.

Duration of present attack before treatment.	Cured.					Died.					Relieved.					Unchanged.					Totals.									
	In less than 1 month.	In less than 3 months.	In less than 1 year.	In less than 2 years.	In less than 5 years.	Over 10 years.	In less than 1 month.	In less than 3 months.	In less than 1 year.	In less than 2 years.	In less than 5 years.	Over 10 years.	In less than 1 month.	In less than 3 months.	In less than 1 year.	In less than 2 years.	In less than 5 years.	Over 10 years.	In less than 1 month.	In less than 3 months.	In less than 1 year.	In less than 2 years.	In less than 5 years.	Over 10 years.	In less than 1 month.	In less than 3 months.	In less than 1 year.	In less than 2 years.	In less than 5 years.	Over 10 years.
Under 1 week—																														
a. This being first attack .....																														
b. This not being first attack.																														
Under 2 weeks—																														
a. This being first attack .....																														
b. This not being first attack.																														
Under 1 month—																														
a. This being first attack .....																														
b. This not being first attack.																														
Under 6 months—																														
a. This being first attack .....																														
b. This not being first attack.																														
Under 1 year—																														
a. This being first attack .....																														
b. This not being first attack.																														
Over 1 year—																														
a. This being first attack .....																														
b. This not being first attack.																														
Totals .....																														

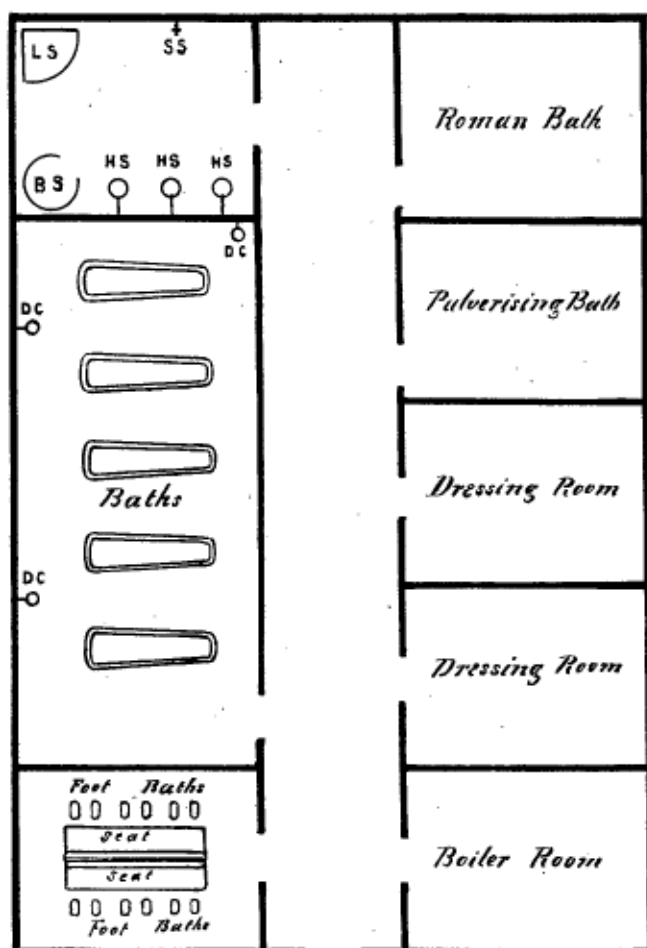
These additional tables must be filled up in two sets, one for males the other for females.  
To each set of tables a warning should be added against entering the same patient several times under different heads (as under mania and under epilepsy) which would confuse the totals.



FIG 1

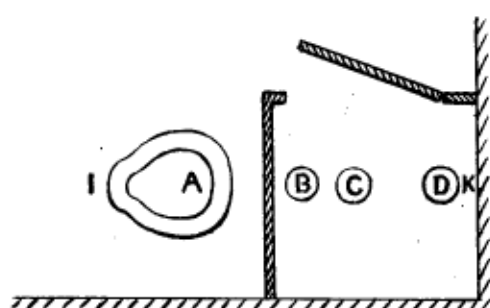
Reference

- D.C Douch Cocks  
 D.S Barrel Shower  
 H.S Head Shower  
 L.S Lumbar Shower  
 S.S Spinal Shower  
 O.O Foot Pans Fixed



Plan of Baths at Evreux

FIG 2



Plan of Water Closet

Reference

- B Ventilating Pipe  
 L Floor  
 O Rubber Gaskets

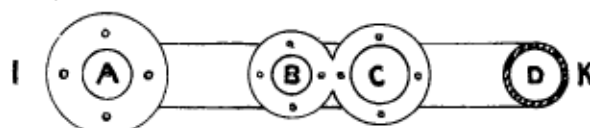
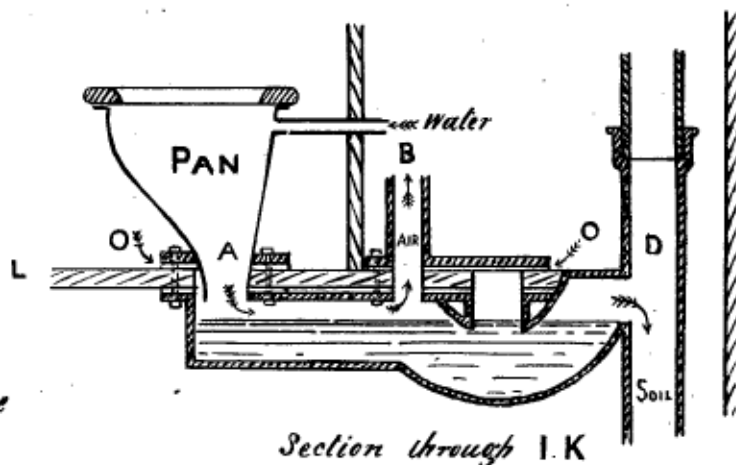
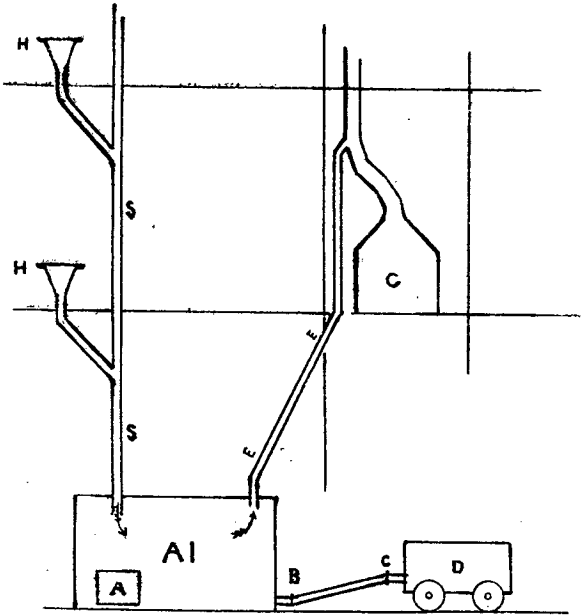




FIG 3

Reference

- A Opening for cleaning above
- AI Cloaca or Cesspool
- B Valve
- C Connection
- D Air-tight vessel on wheels
- EE Foul air duct
- G Fireplace
- HH Closet seats
- SS Soil pipe



Système D'Arceet

FIG 4

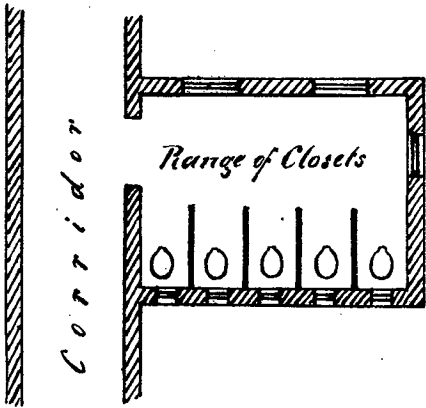


FIG 5

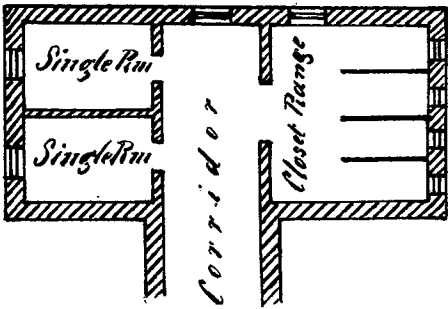


FIG 6

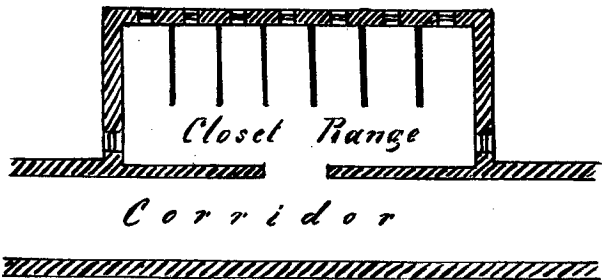


FIG 7

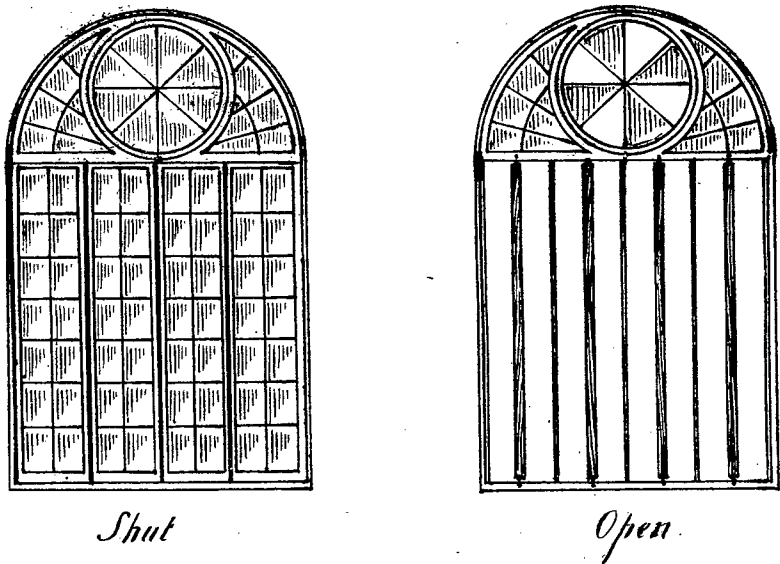


FIG 8

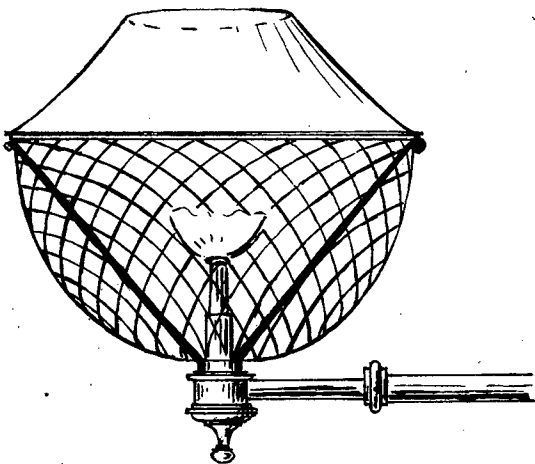


FIG 9

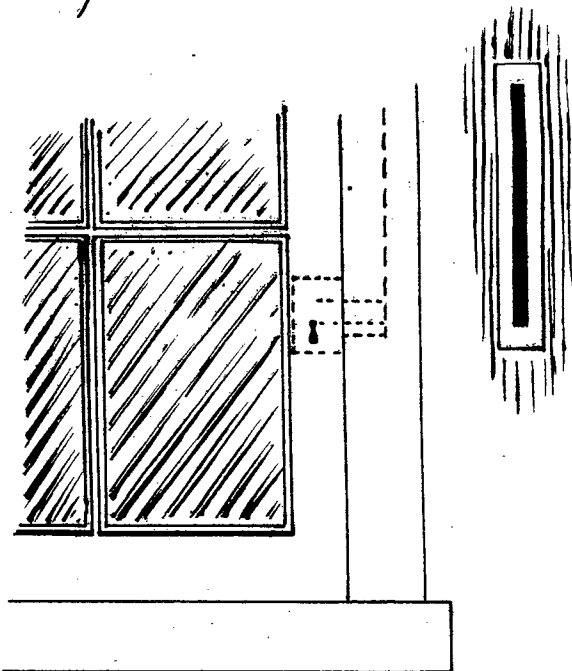


FIG 10

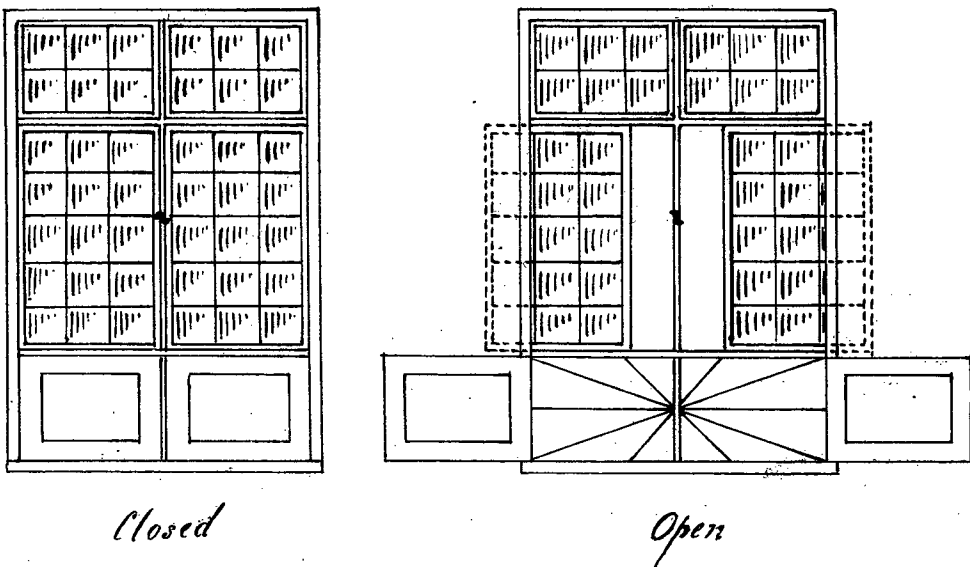


FIG 11

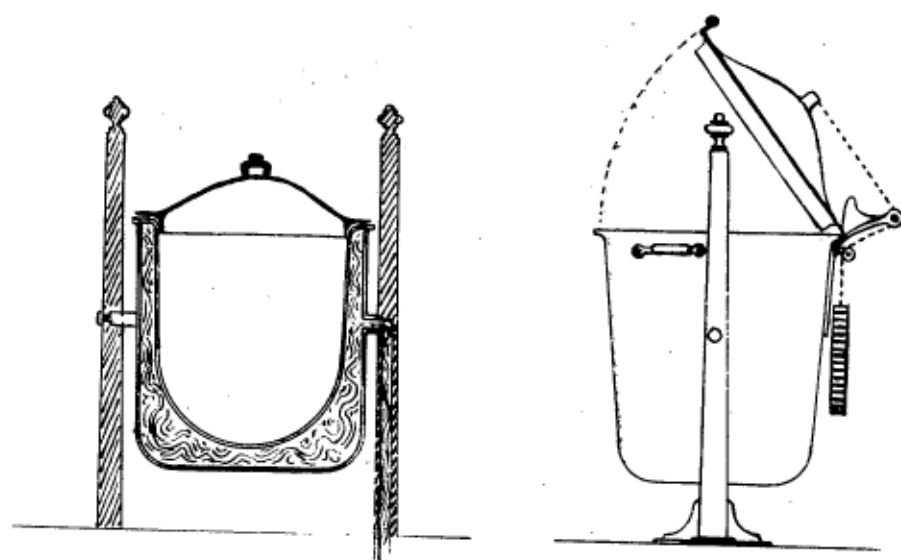


FIG 15

Front

Side

Reference

- A Douch Cochs
- B Seat
- C Foot Pan
- D Shower Baths
- E Warm Baths

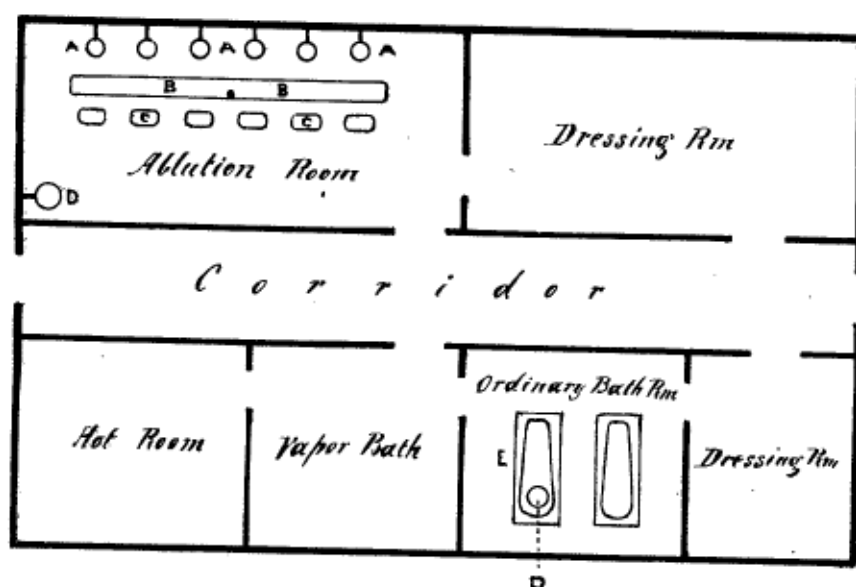
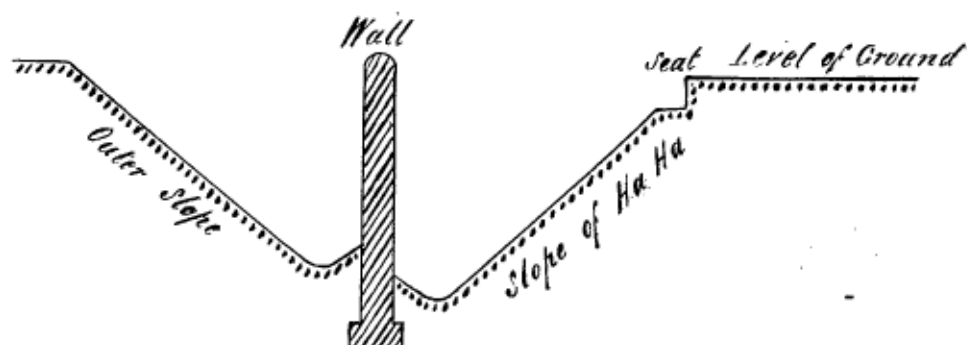


FIG 16



(Sig. 30.)

FIG 12

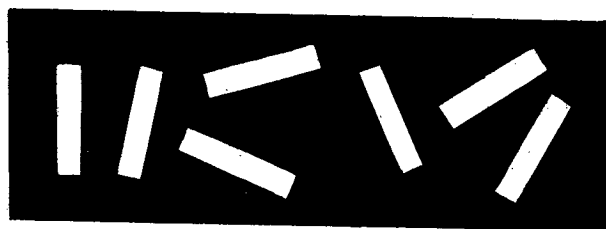


FIG 13

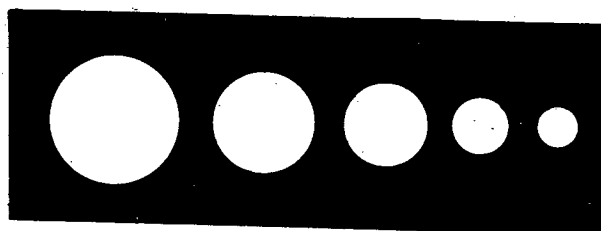
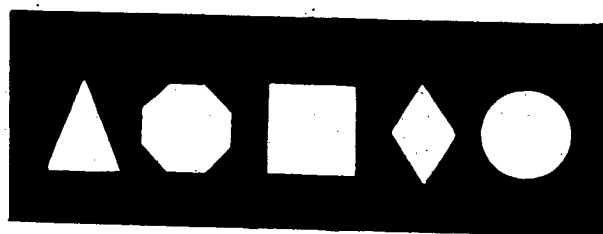
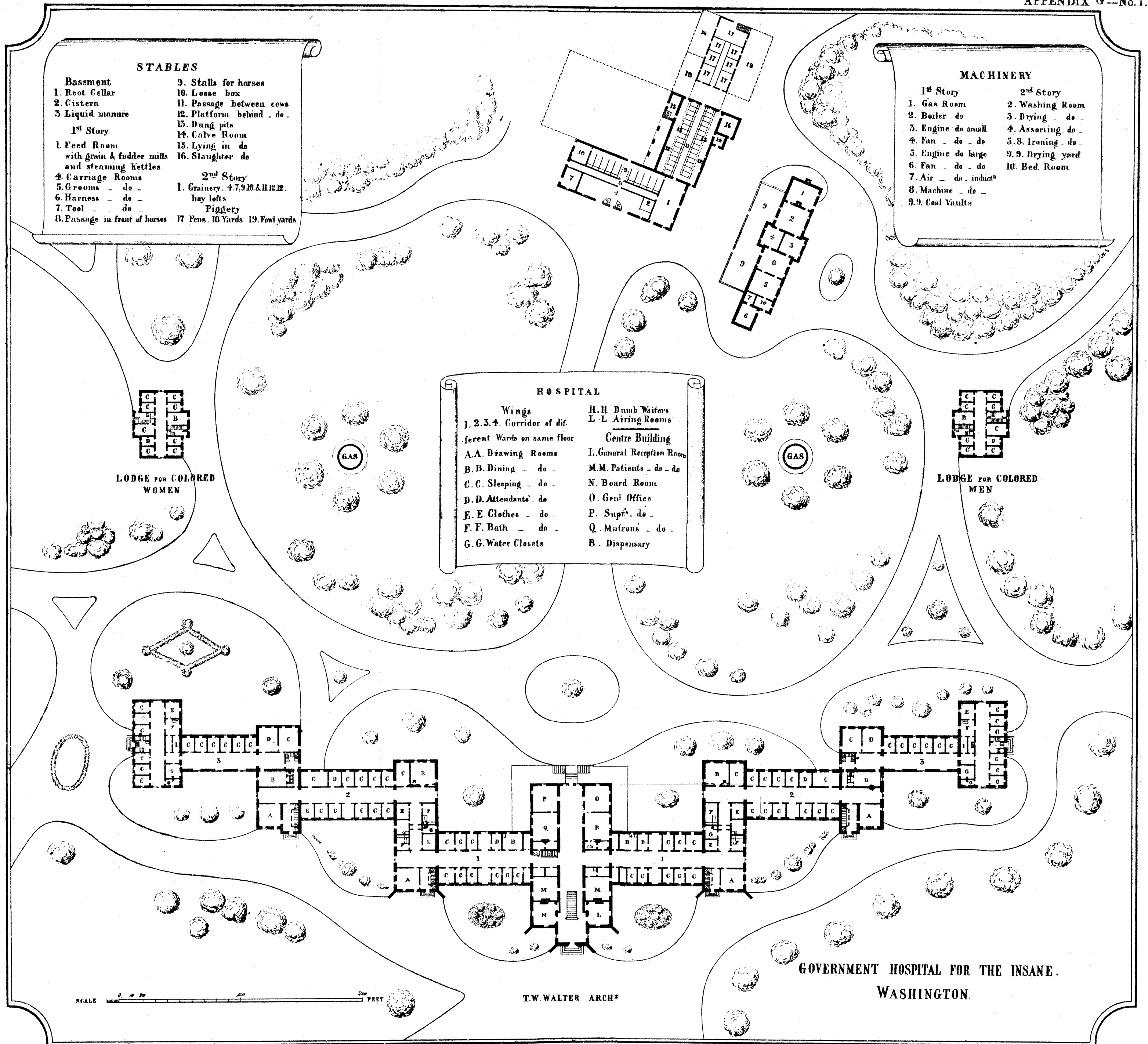


FIG 14





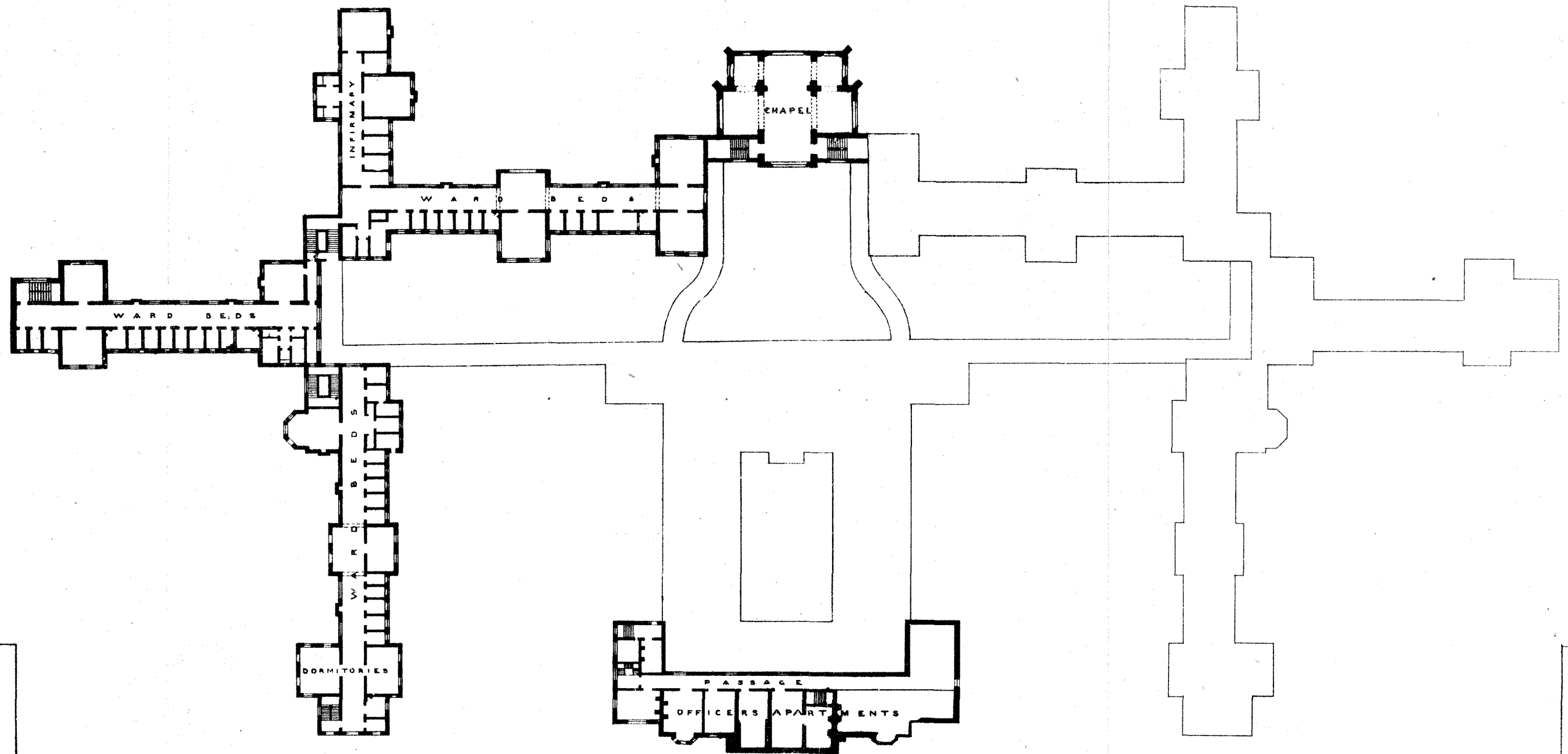


SCALE 0 10 50 100 200 FEE

Photo-lithographed at the Govt Printing Office  
Sydney, N.S.Wales.

ESSEX ASYLUM.

APPENDIX G.—No. 3.



FIRST FLOOR PLAN.

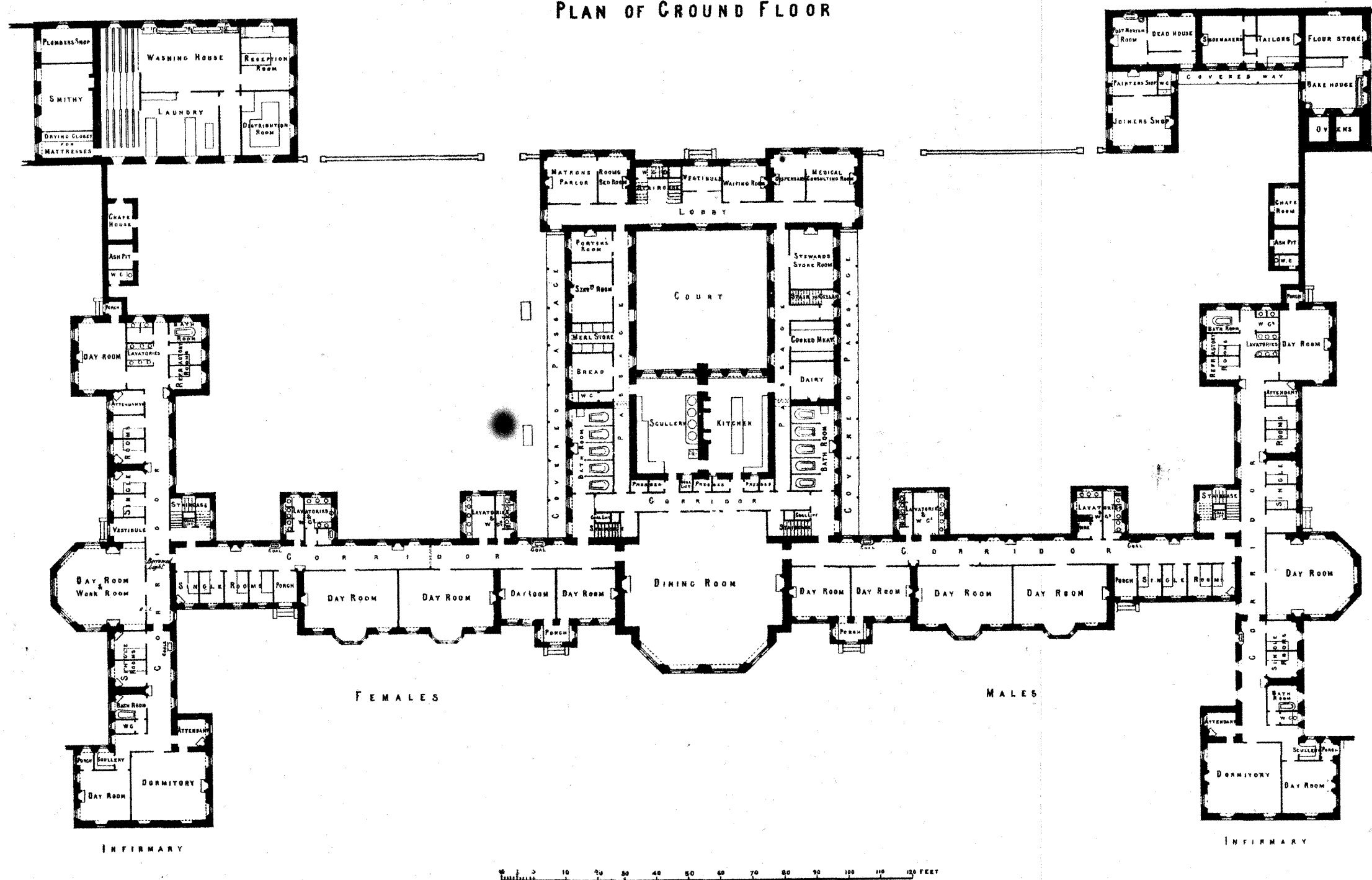
(Sig. 30.)

Photo-lithographed at the Govt. Printing Office  
—Signed—A. S. Wiles



# PERTH DISTRICT LUNATIC ASYLUM

PLAN OF GROUND FLOOR



(Sig. 30.)

Photo-lithographed at the Govt Printing Office  
Sydney, N.S. Wales

# PERTH DISTRICT LUNATIC ASYLUM

PLAN OF UPPER FLOOR

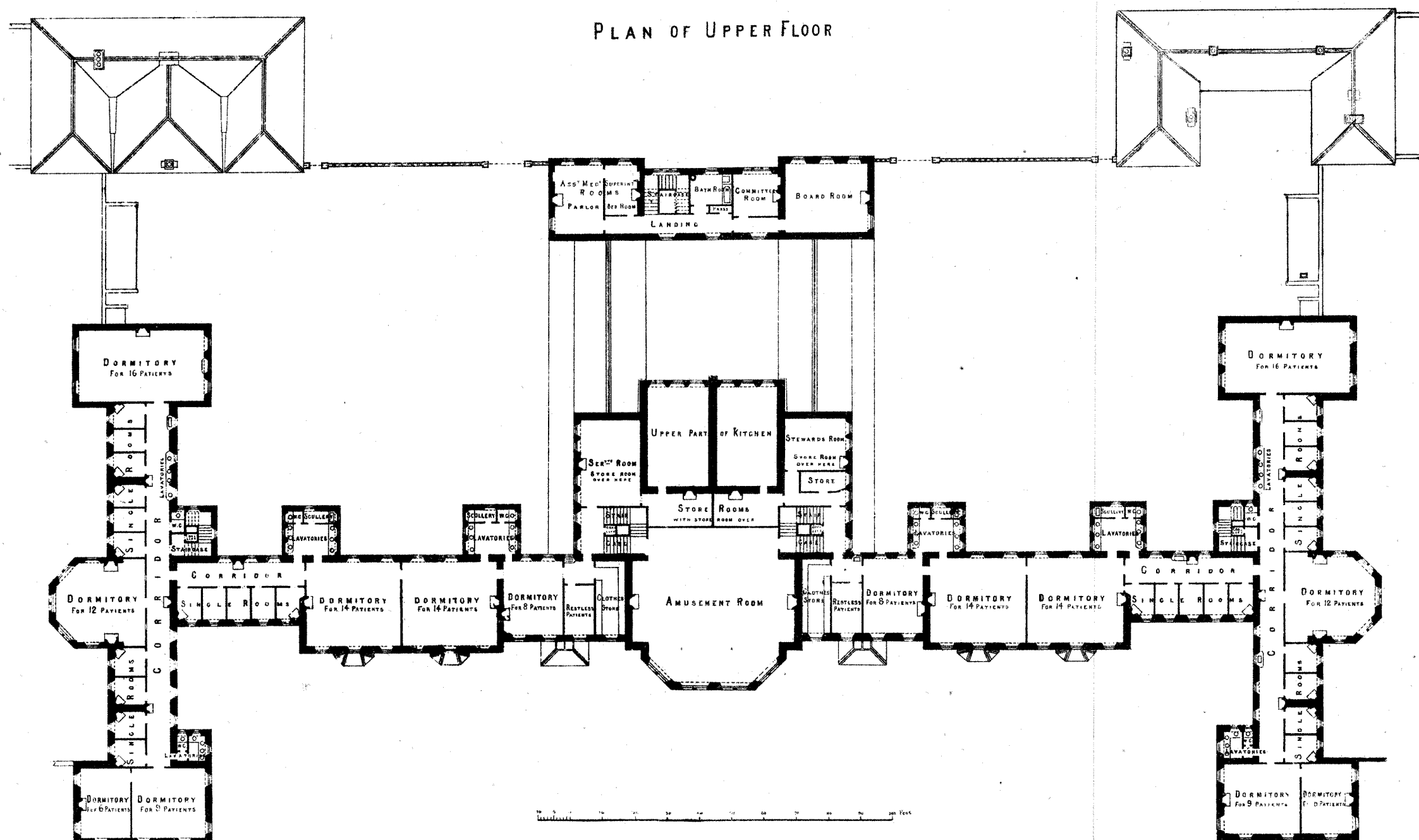
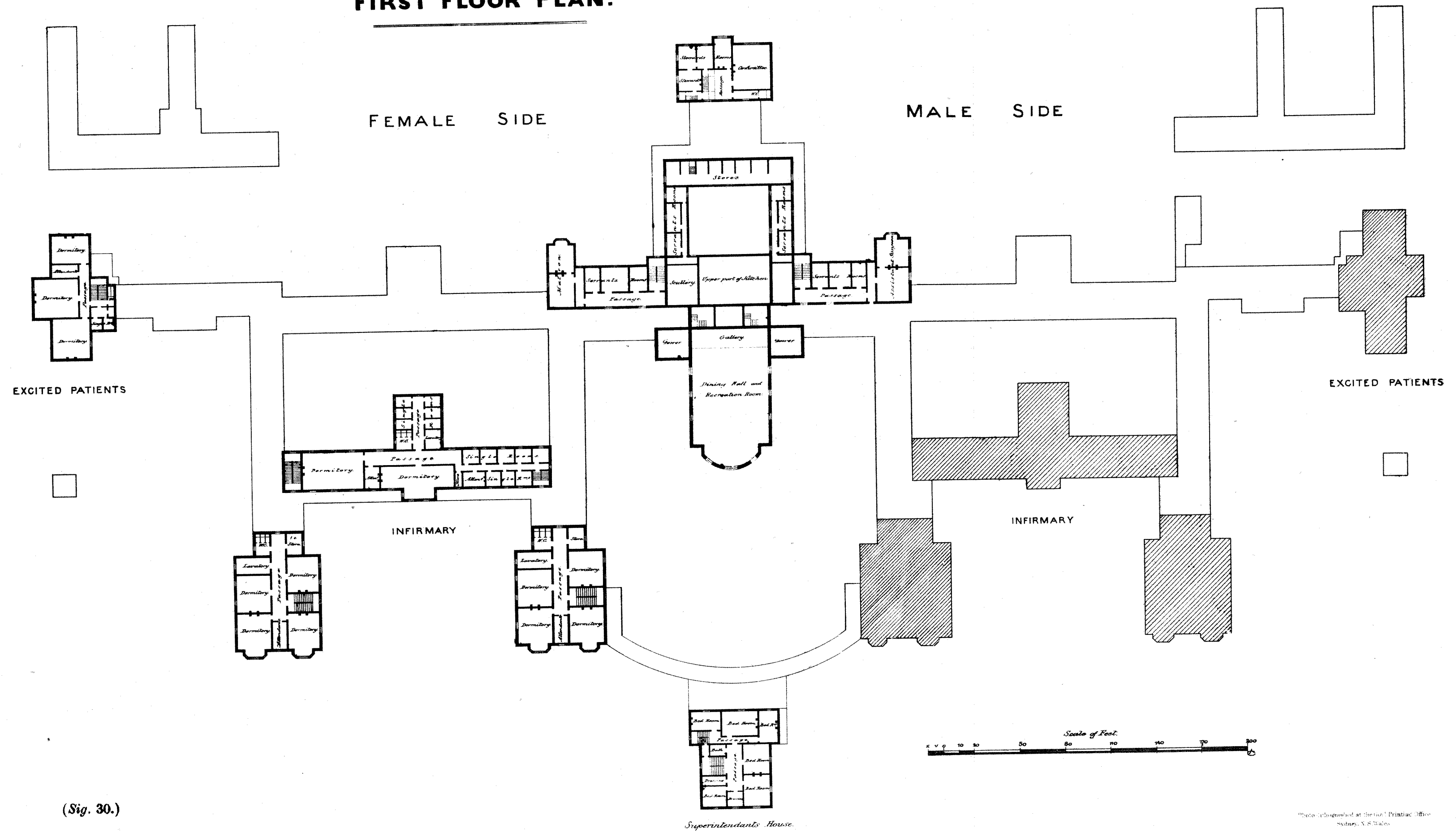


Photo-lithographed at the Govt Printing Office  
Sydney, N.S.Wales.

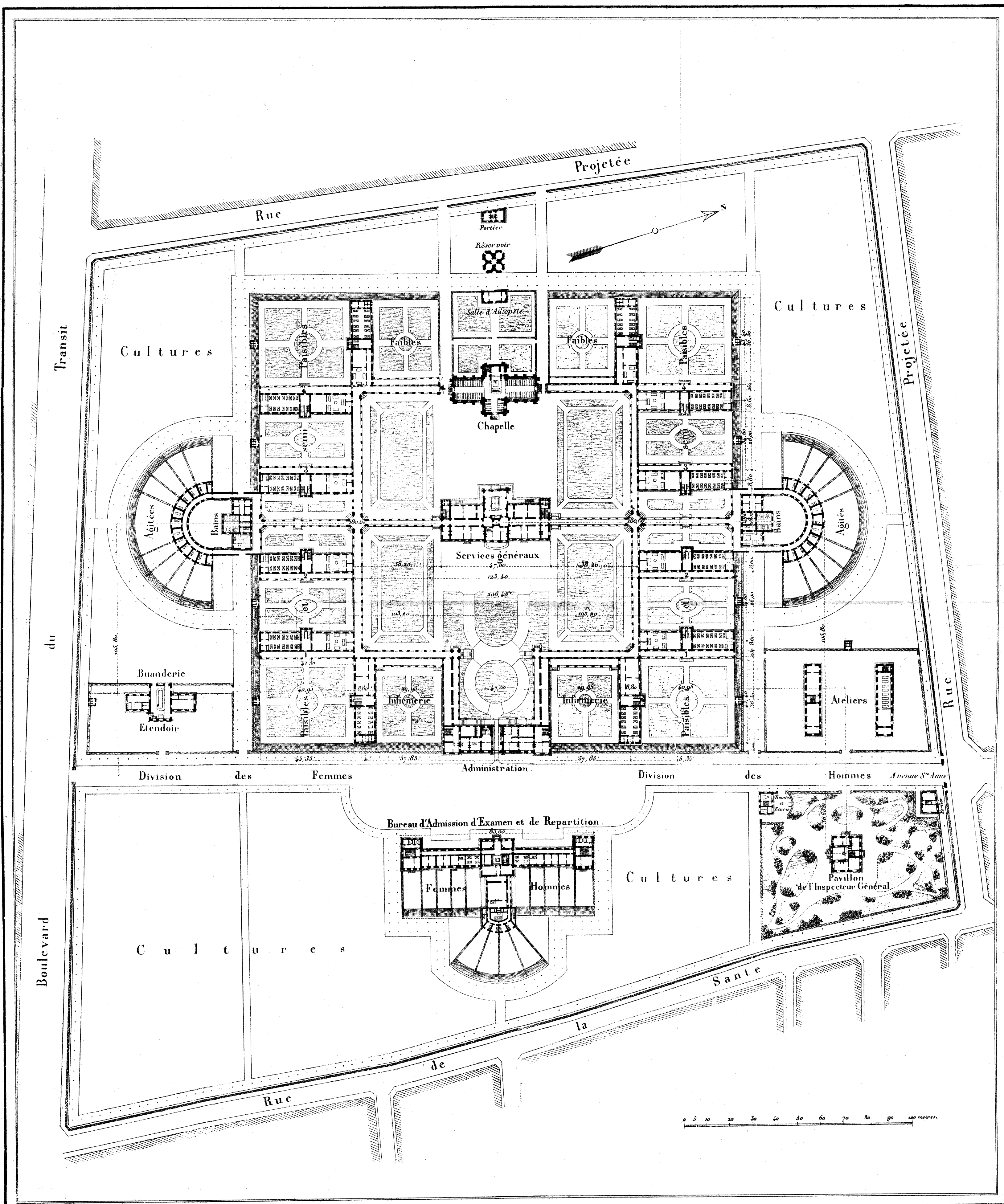
[illegible]

# CHESHIRE ASYLUM

## FIRST FLOOR PLAN.



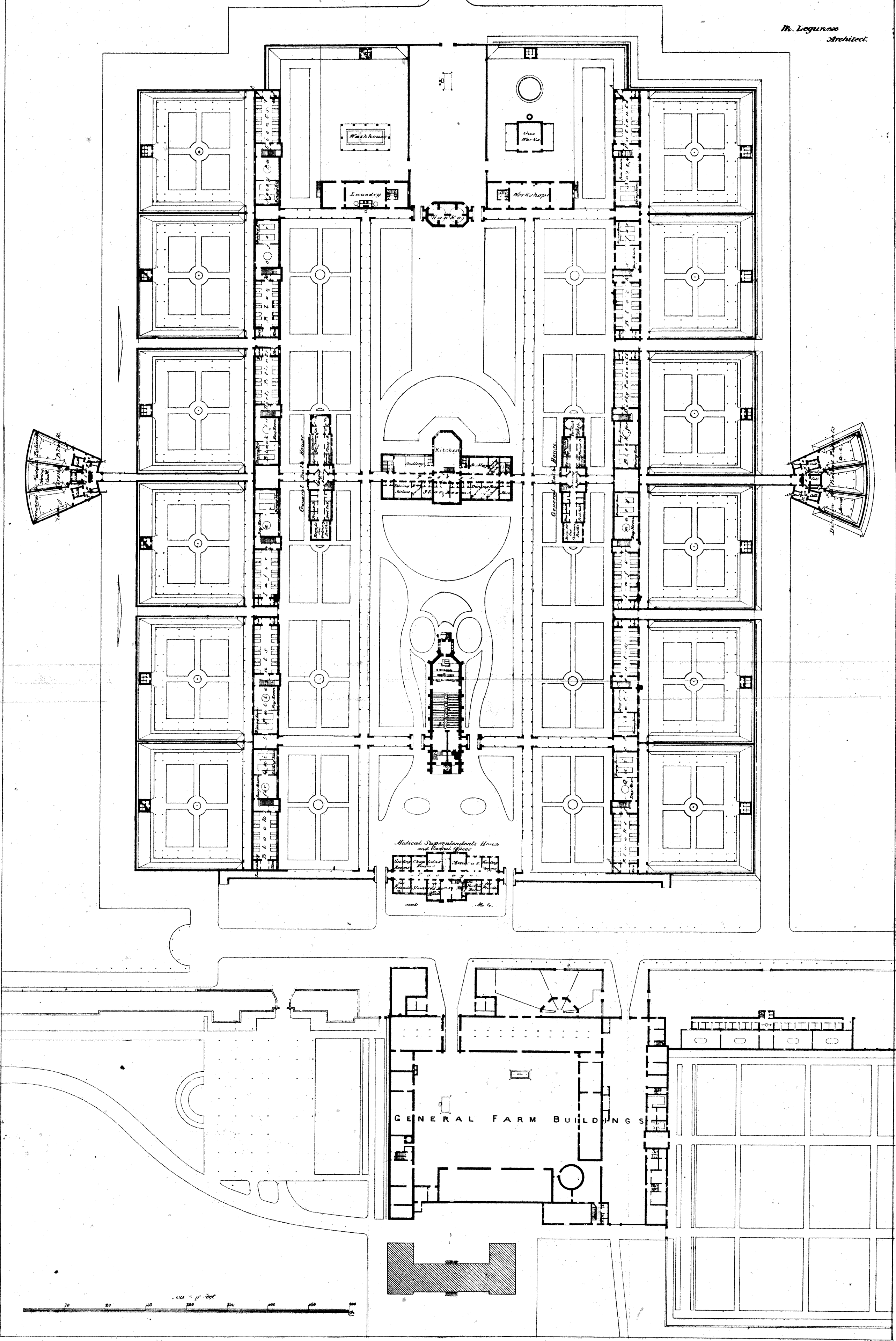
# ASILE CLINIQUE D'ALIÉNÉS.





# GENERAL PLAN OF THE LUNATIC ASYLUM AT VILLE EVRARD.

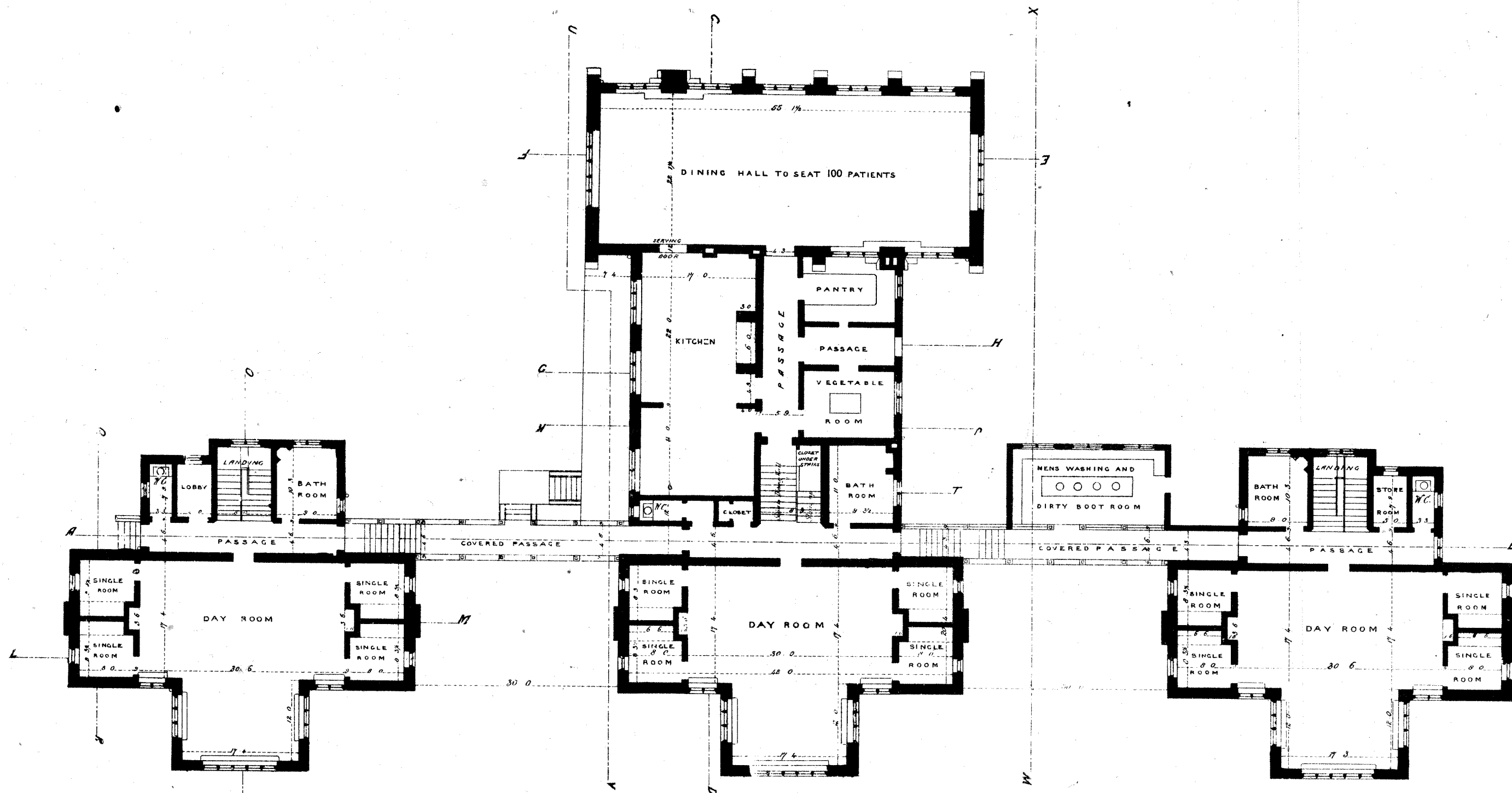
M. Leguense  
Architect.



(Sig. 30.)

**COUNTY LUNATIC ASYLUM  
BRENTWOOD, ESSEX.**  
ADDITIONAL BUILDINGS.

APPENDIX G.—No. 10.



**GROUND PLAN**

(Sig. 30.)

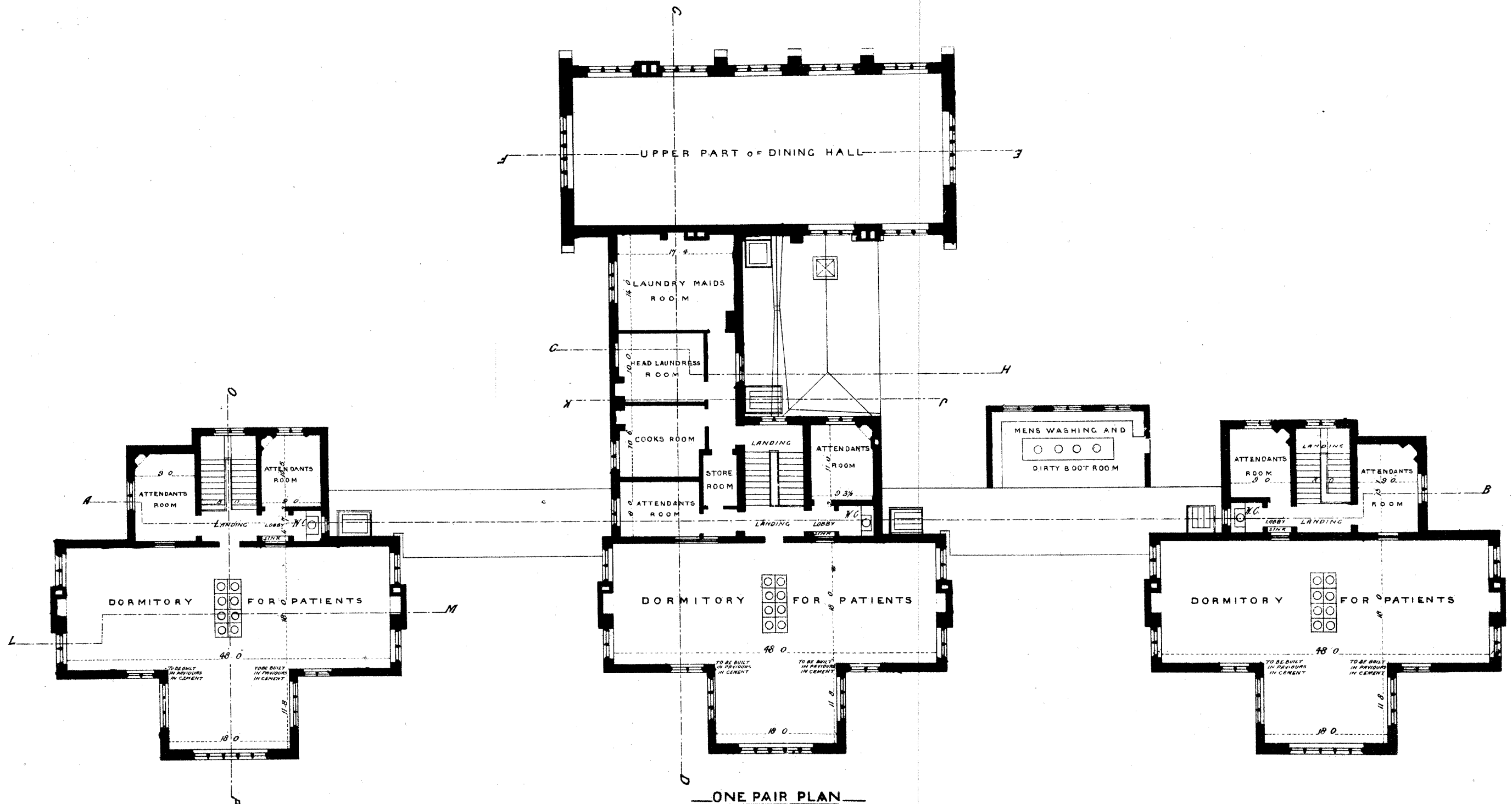
Scale 0 5 10 20 30 40 50 Feet

Photo-lithographed at the Govt Printing Office  
Sydney, N. S. Wales.



**COUNTY LUNATIC ASYLUM  
BRENTWOOD, ESSEX.**  
ADDITIONAL BUILDINGS FOR FEMALE PATIENTS.

APPENDIX G.—No. 11.



ONE PAIR PLAN

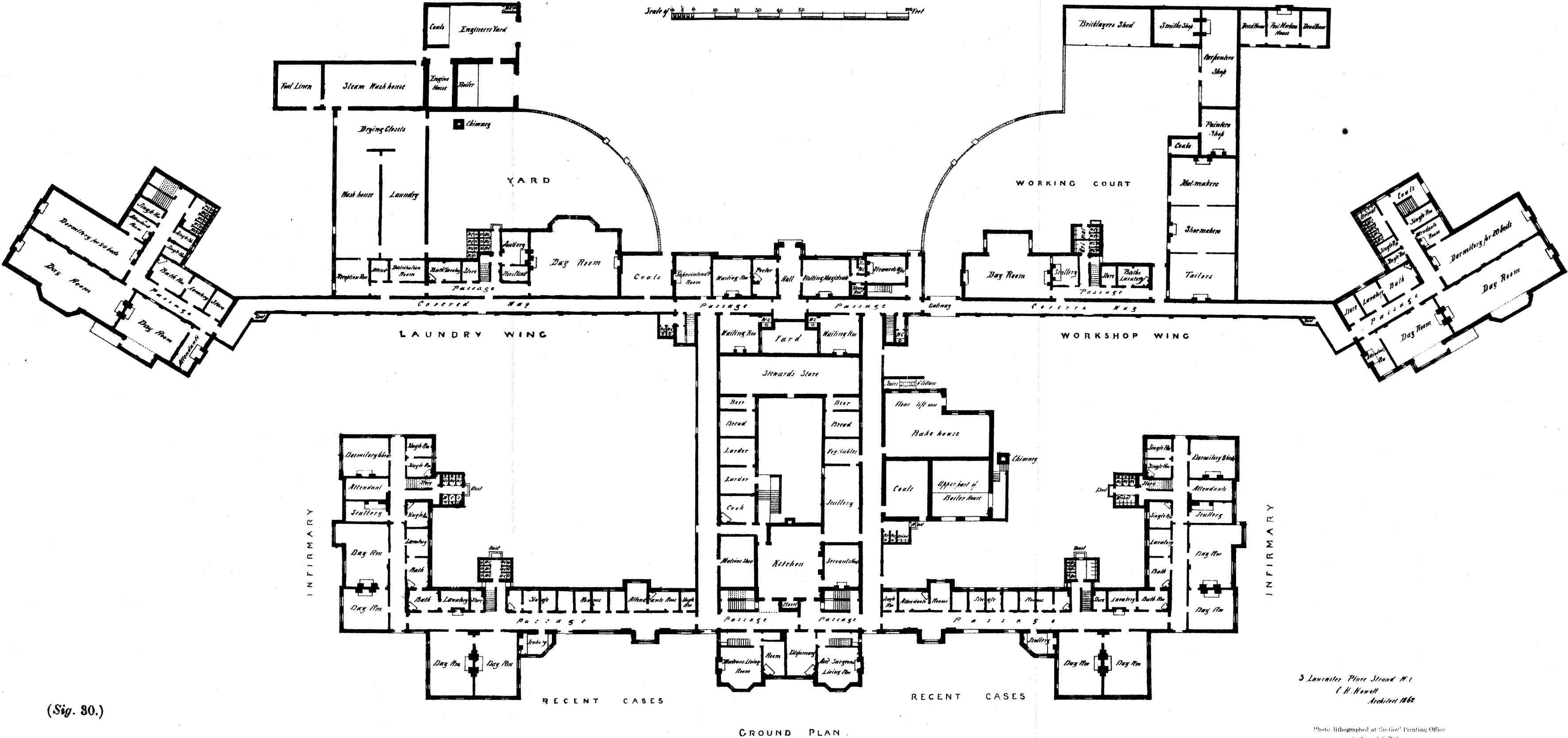
(Sig. 30.)

Scale of 1" = 20 Feet

Photo-lithographed at the Government Printing Office,  
Sydney: N. S. Wales.

COUNTY OF SURREY  
NEW COUNTY LUNATIC ASYLUM

APPENDIX G.—No. 12.



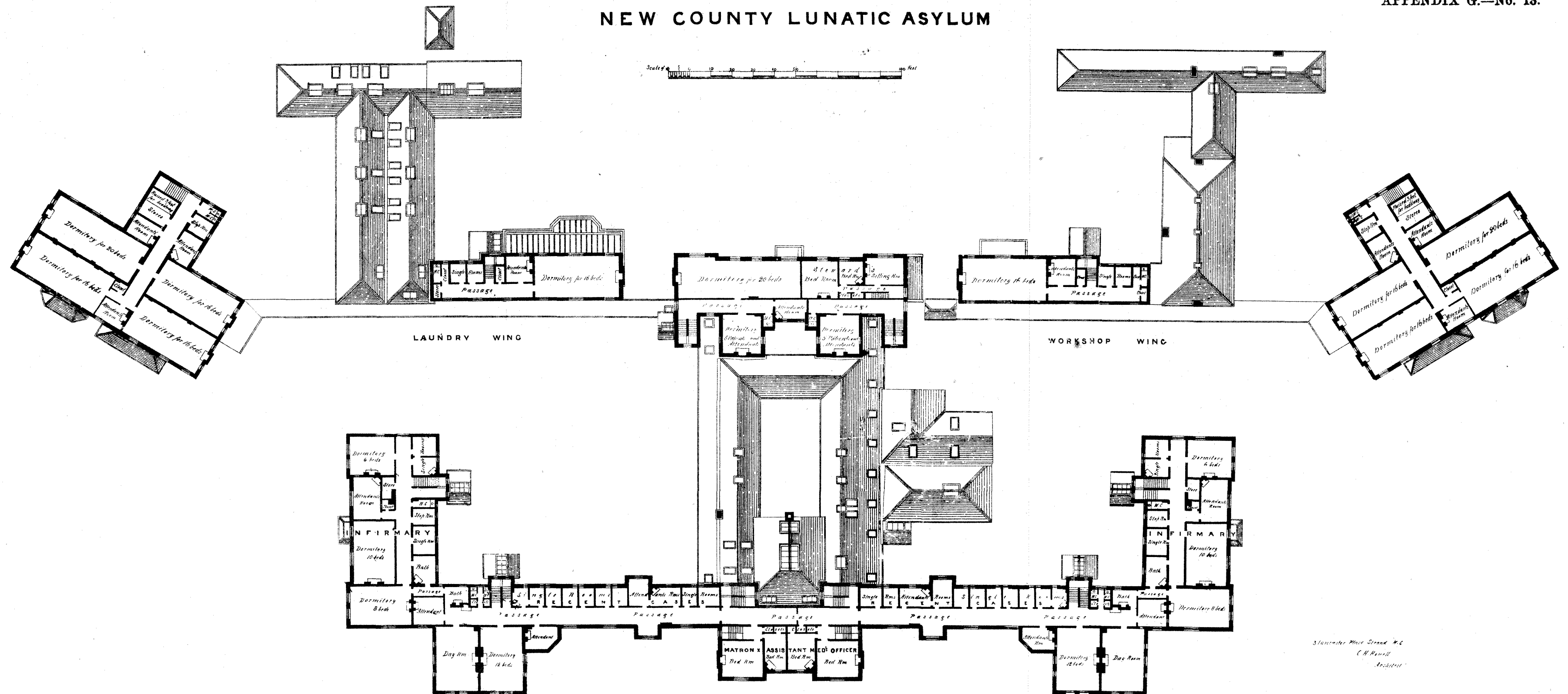
(Sig. 30.)

3 Lancaster Place Strand W.C.  
C. H. Newell  
Architect 1862

Photo-lithographed at the Geo. Printing Office  
Sydney, A. S. Watson

COUNTY OF SURREY  
NEW COUNTY LUNATIC ASYLUM

APPENDIX G.—No. 13.



PLAN OF FIRST FLOOR

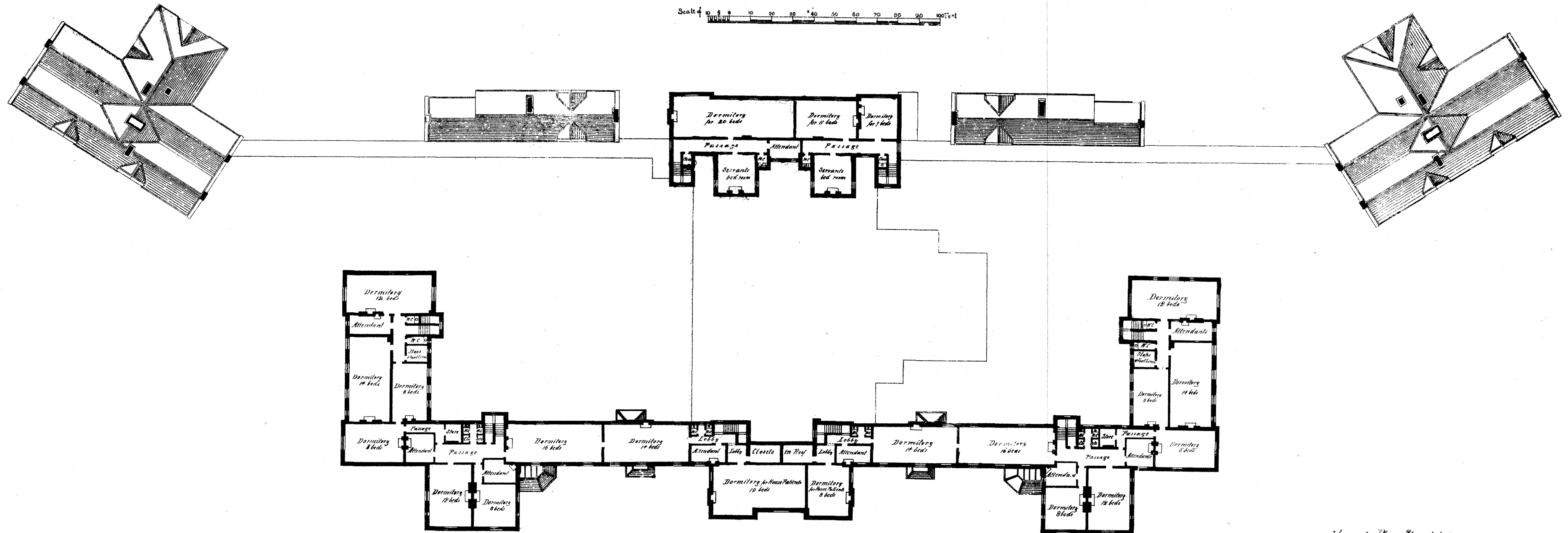
(Sig. 30.)

31, Victoria Street, Sydney, N.S.W.  
C. H. Russell  
Architect

Photo-lithographed at the Govt. Printing Office  
Sydney, N.S.W.

COUNTY OF SURREY  
NEW COUNTY LUNATIC ASYLUM

Scale of 10 20 30 40 50 60 70 80 90 100 Feet



PLAN OF SECOND FLOOR

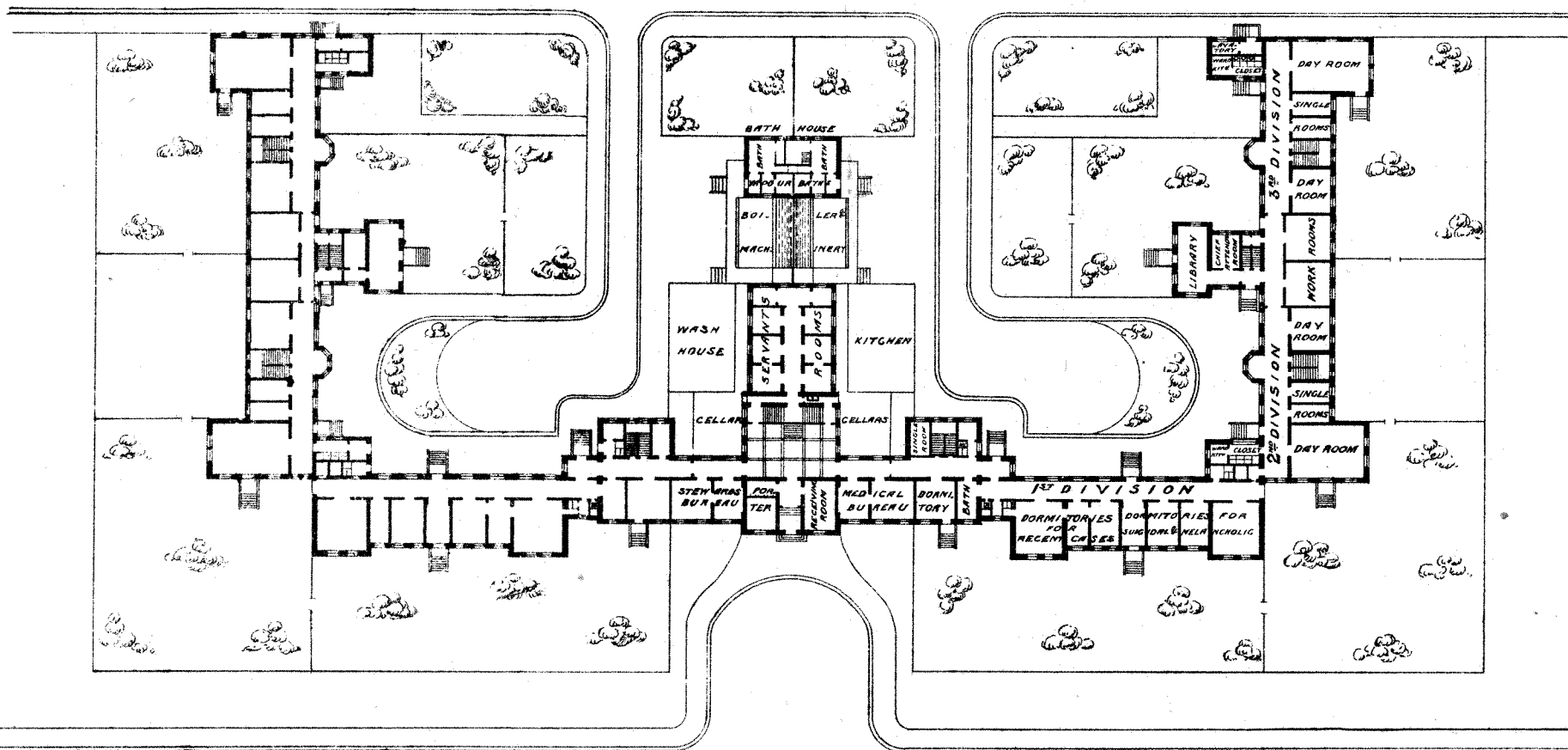
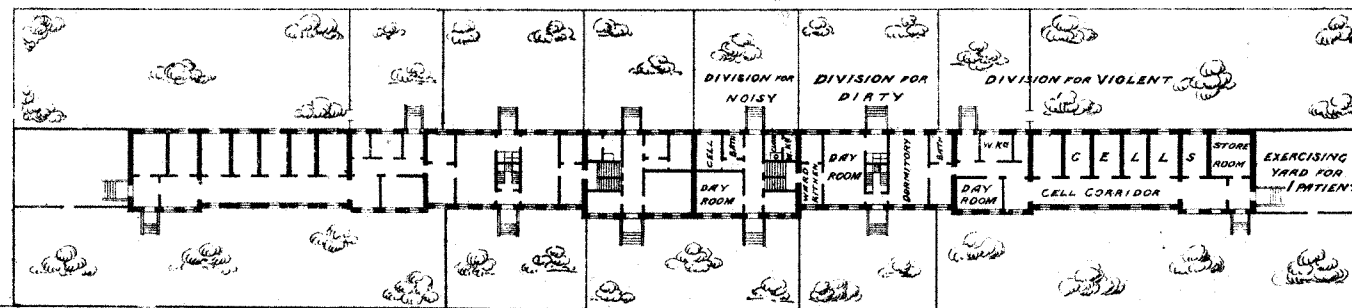
(Sig. 30.)

3 Lancaster Place Strand W.C.  
C. H. Newell  
Architect 1888

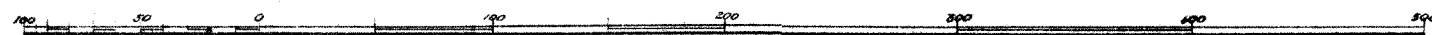
Photo-lithographed at the Govt. Printing Office  
Sydney, N. S. Wales.

ASYLUM AT FREIDRICHSBURCH  
NEAR  
**HAMBURG**

NORTH



SOUTH  
**GROUND FLOOR PLAN**



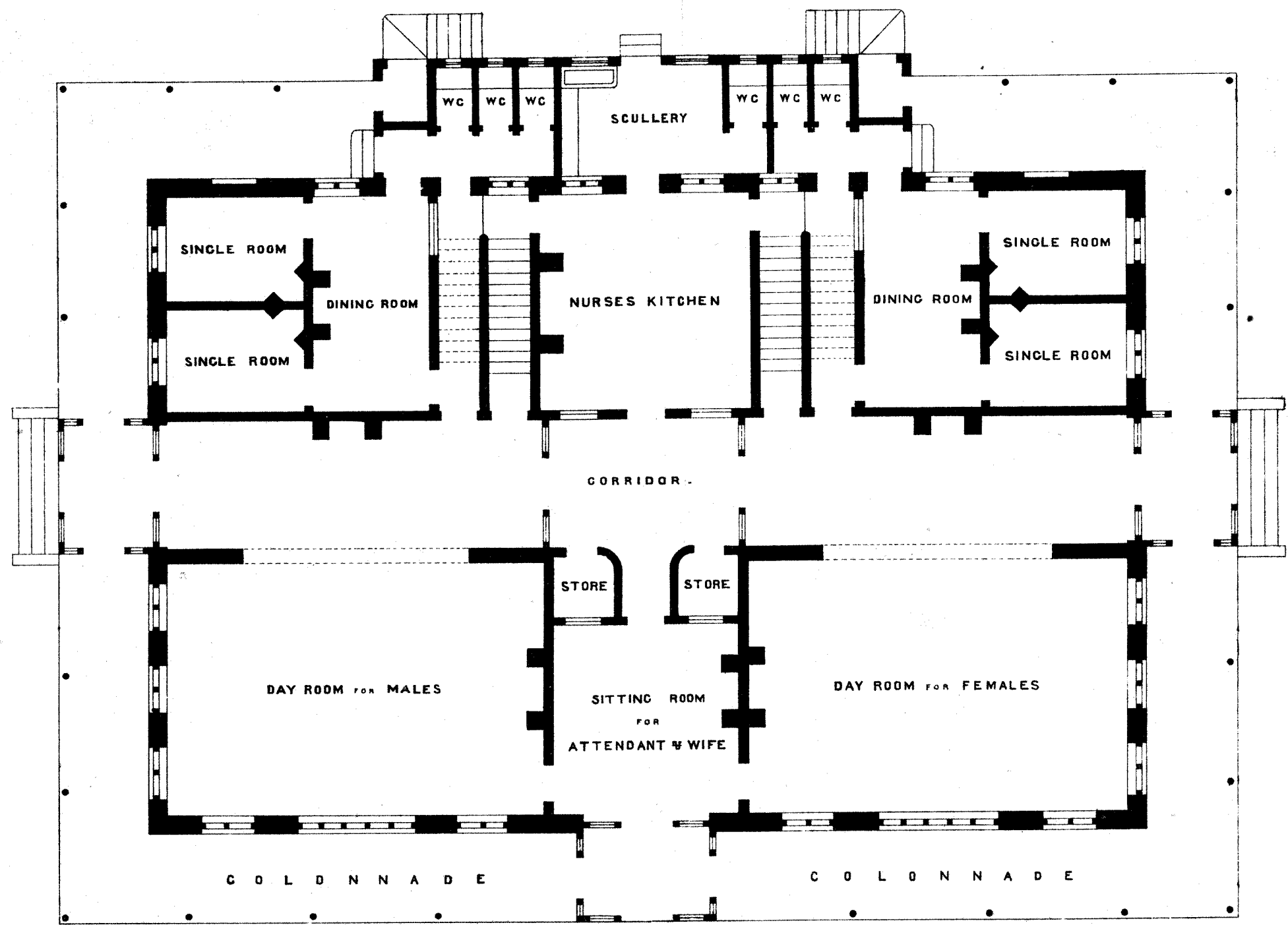
(Sig. 30.)

Photo-lithographed at the Govt Printing Office  
Sydney, N.S.Wales.

# COUNTY ASYLUM PRESTWICH

## HOSPITAL

APPENDIX G.—No. 16.



GROUND PLAN

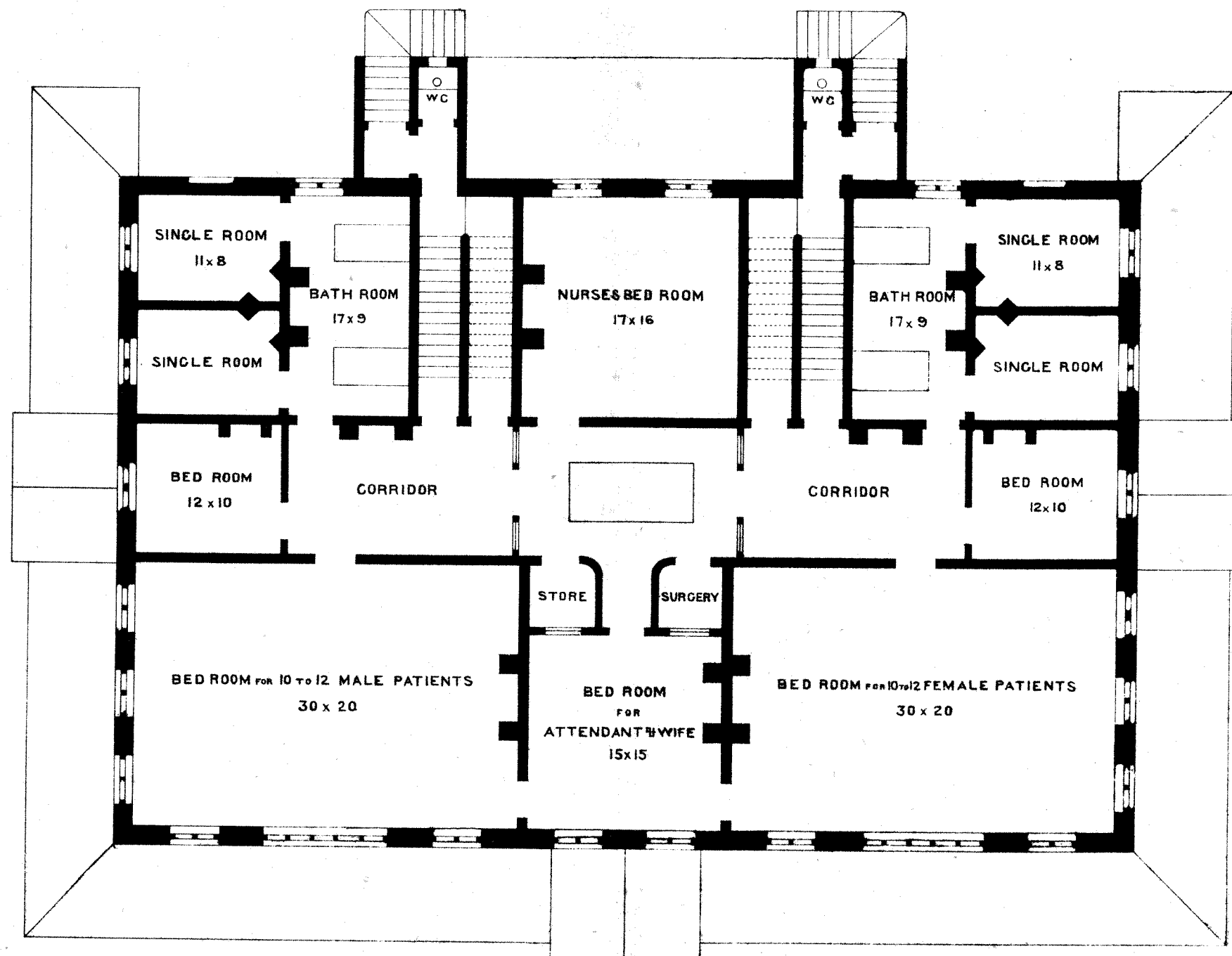
SCALE 0 10 20 30 40 50 60 OF FEET

Photo-lithographed at the Govt Printing Office  
Sydney, N.S.Wales.

(Sig. 30.)

# COUNTY ASYLUM PRESTWICH HOSPITAL

APPENDIX G.—No. 17.



(Sig. 30.)

## CHAMBER PLAN

Photo-lithographed at the Govt Printing Office  
Sydney, N.S. Wales



1868.

## NEW SOUTH WALES.

## UNIVERSITY OF SYDNEY.

(REPORT FOR 1867.)

Presented to both Houses of Parliament, in pursuance of the Act of Incorporation,  
14 Vict., No. 31.

*REPORT of the University of Sydney, for the Year ended 31st December, 1867.*

1. In accordance with the provisions of the Act of Incorporation, 14 Victoria, No. 31, the Senate of the University have the honor to submit a Report of their Proceedings during the year 1867, for the purpose of being laid before His Excellency the Governor and the Executive Council.

2. Thirteen students who passed the statutory examination, were admitted to Matriculation.

3. Exemption from attendance on lectures during the current year was granted to the following gentlemen, viz.:—1. The Reverend James White, of Singleton, a student of one year's standing in the University. 2. Mr. John Dillon, a student of two years' standing in the University. 3. Mr. Charles Crompton, late Scholar of Pembroke College, Oxford, whose certificates shewed that he had kept two years' of residence in that University, and who was admitted "*ad eundum statum*," in accordance with the provisions of the By-laws. 4. Mr. Howell Jones Thomas, a student of one year's standing in the Faculty of Arts, and of three years' in the Faculty of Law, in the University of Melbourne, who was also admitted "*ad eundum statum*."

4. The following students passed the examination for the Degree of B.A., viz.:—

E. Barton.	J. Thompson.
P. A. Cooper.	J. Tole.
J. T. Dillon.	E. Dunstan.
W. A. Purves.	J. Garrick.

5. The following students passed the examination for the Degree of LL.B.:—

Andrew Garran, M.A. (University of London).  
Rev. John M'Gibbon, B.A. (University of Sydney).

6. The following Degrees were conferred, the candidates in each case having passed the required examination and complied with the provisions of the By-laws, viz.:—

## B.A.

N. Emanuel.	E. A. Iceton.
G. H. Fitzhardinge.	M. E. Maher.
A. Gilchrist.	H. A. Richardson.
J. Hunter.	J. H. Sullivan.

## M.A.

A. J. Cape.	G. E. Long.
-------------	-------------

## LL.B.

F. E. Rogers.

## LL.D.

J. Donovan.

J. N. Quirk.

## M.B.

Peter Smith.

7. The following Honors were awarded :—

*B.A. Prize for Physics.*

W. A. Purves.

SCHOLARSHIPS.

*For General Proficiency.*

*First year :—* { Richardson.  
                          { Coutts.  
                          { Farrell ("Levey").

*Second year :—* { Alston ("Lithgow").  
                          { Roseby.  
                          { Coutts.

*Third year :—* Cooper.

*Special Subjects.*

"Deas Thomson" (*for Physics*) :—

W. A. Purves.

"Barker" (*for Mathematics*) :—

P. A. Cooper.

"Cooper" (*for Classics*) :—

E. Barton.

Professor Smith's Prize (*for Physics*) :—

D. Cooper. } *æqs.*  
J. Thompson. }

8. The Senate has the pleasure to announce the appointment by the Committee in England, to whom the selection of a successor to the late Professor Woolley was confided, of the Reverend Charles Badham, D.D., Oxford, and D. Litt., Leyden, Head Master of the Proprietary School, Edgbaston, near Birmingham, to the Chair of Classics and Logic in the University. Dr. Badham arrived in the Colony on the 21st March, and at once entered upon his duties.

9. With a view to the extension of the advantages of the University to persons other than matriculated members, and in order to supply to students of every class in the community a standard by which their requirements might be tested, the Senate have instituted Senior and Junior Public Examinations in connection with the University, analogous to the Middle Class Examinations of Oxford and Cambridge. They are conducted by the Professors and Assistant Professors, and such other persons as the Senate may appoint; and at their termination, certificates duly attested, and shewing the special subjects in which candidates have passed, and (in the case of the Seniors) the amount of proficiency exhibited, are granted. Thus a favourable opportunity is afforded for the examination of students and members of schools, by a thoroughly impartial Board. Provision has been made for holding these examinations annually, under suitable restrictions, in all the chief towns of the Colony, should a sufficient number of candidates be found. By-laws establishing these examinations have been approved by the Governor and Executive Council. These, together with a series of regulations for giving effect to them, are appended to this Report (A). At the first examination, held in Michaelmas Term, eighteen candidates presented themselves, viz. :—Twelve for the Junior, and six for the Senior Examinations. Of them the following passed, viz. :—

(Names, in alphabetical order.)

#### JUNIORS.

Anderson—Sydney Grammar School—English, Latin, and Mathematics.

Binnie—Sydney Grammar School—English, Latin, and Mathematics.

Cope—Mr. A. Bates' School—English, French.

Donaldson—Mr. Pendrill's School—English, Greek, French.

Kelly—Sydney Grammar School—English, Mathematics.

M'Lardy—Sydney Grammar School—English, Latin, French.

P. O'Connor—Sydney Grammar School—English, Latin.

Rutledge—Sydney Grammar School—English, Latin, Mathematics.

Walker—Sydney Grammar School—English, Mathematics.

#### SENIORS.

SENIORS.

(The names are arranged alphabetically in the following Classes.)

GENERAL PROFICIENCY.

1st Class.

Coghlan—Sydney Grammar School.  
 Rennie— do.  
 Sly— do.

2nd Class.

Curtis—Sydney Grammar School.  
 O'Connor— do.

3rd Class.

A'Beckett—Sydney Grammar School.

(The names in the following Classes are in order of merit.)

LATIN.	GREEK.	MATHEMATICS.
1st Class.	1st Class.	1st Class.
Rennie.	0	Sly.
Sly.	2nd Class.	Coghlan.
Curtis.	Rennie.	Rennie.
	Sly.	

10. With reference to the steps taken for the establishment of a Medical School in connection with the University, a communication has been received from the Medical Council of England, to whom application was made for a recognition, on their part, of such of the University lectures and examinations as would form part of the "curriculum" for a Medical Degree, stating that, although at present it was not in the power of the Council to recognize Colonial Degrees, a Bill was now engaging their attention, in which the recognition of such Degrees would receive full consideration.

11. In reply to a request made to the Senate of the University of London for a recognition of the Degrees of this University, it has been formally notified that Degrees in Arts of Sydney would be accepted as equivalent to the Matriculation Examination of London—a privilege which has been conceded to the Universities and great Scholastic Institutions of England.

12. The Senate have much pleasure in announcing the appropriation, by the Trustees, under the will of the late J. Gilchrist, Esquire, of a sum of money to found a Scholarship of the value of £100 per annum, tenable for three years, at University College, London, or at the University of Edinburgh, for a student who should have passed the B.A. examination in this University, or in Melbourne, but who would be expected to pursue his studies with a view to graduation in one of the four Faculties of the University of London. The right of nomination is vested in the two Universities alternately. A copy of the conditions of the Scholarship is appended (B). Mr. Pope Alexander Cooper, University and "Barker" Scholar, and first Classman in Classics, Mathematics, and Physics, in 1866, and who passed the B.A. examination in Michaelmas Term, 1867, has been nominated by the Senate for that Honor.

13. A By-law providing for the election of the Dean of the Faculty of Arts by the Senate triennially, has been passed. A copy is appended (C).

14. Want of funds has prevented the completion of the unfinished part of the building—the fittings of the Laboratory and Geological Museum and Lecture Rooms having absorbed all the available means of the Senate.

15. A report of the Receipts and Expenditure for 1867, duly certified by the Auditor, is appended.

## APPENDIX A.

## UNIVERSITY OF SYDNEY.—BY-LAWS.

## PUBLIC EXAMINATIONS.

1. Two Public Examinations shall be held every year. The one to be called the Junior Public Examination shall be open to all candidates under the age of sixteen years; the other, to be called the Senior Public Examination, shall be open to all candidates who may present themselves.
2. The Public Examinations shall be held at such times and at such places as the Senate may from time to time appoint.
3. The subjects of the Junior Public Examination shall be, the English Language and Literature, History, Geography, the Latin, Greek, French, and German Languages, Arithmetic, Algebra, Geometry, and such other branches of learning as the Senate may from time to time determine.
4. The subjects of the Senior Public Examination shall be those mentioned in section 3, together with Trigonometry, Conic Sections, Natural Philosophy, Chemistry, Experimental Physics, and Geology and Palæontology.
5. Every candidate who shall pass either of these Examinations, or such portions of either of them as may be required by the regulations of the Senate in force for the time being, shall receive a certificate to that effect, specifying the subjects in which he shall have passed, and signed by the Dean of the Faculty of Arts and by the Registrar.
6. No person shall be admitted to either of the Public Examinations until he shall have paid such fees as may be required by the regulations of the Senate in force for the time being.
7. The Professors and Assistant Professors not engaged in tuition, except publicly within the University, together with such other persons as the Senate may from time to time appoint, shall form a Board for conducting the Public Examinations; and of this Board the Dean of the Faculty of Arts, or in his absence the Professor next in seniority, shall be Chairman.
8. At the conclusion of each Examination, the Board shall transmit to the Senate a Report of the result, signed by the Chairman and at least one other Member.
9. Subject to these By-laws, the Public Examinations shall be conducted according to such regulations as the Senate may from time to time enact.

## PUBLIC EXAMINATIONS.—GENERAL REGULATIONS.

1. The Public Examinations shall be held annually at the University in the month of December, commencing on the first Monday after the conclusion of the Michaelmas Term.
2. The fee for admission to the Junior Public Examinations shall be £3, and to the Senior Public Examination £4.
3. No candidate shall be admitted to either of the Public Examinations, unless he shall have notified to the Registrar his intention to become a candidate, specifying the subjects in which he elects to be examined, and shall have paid to the Registrar the required fee, on or before the 16th day of November next preceding.
4. The Examinations shall be conducted by means of written or printed papers, and *vis à voce*, at the discretion of the Examiners.
5. Public Examinations shall be held at any place within the Colony where a person, approved by the Senate, can be found to conduct the Examination; provided always that the aggregate amount of fees paid by candidates at any such place, shall not be less than £20.
6. Local Examinations as provided for in clause 5, shall be held at the same time as those at the University, and shall be conducted as follows:—
  - (a) Copies of the papers to be set at the Public Examinations at the University, together with such additional papers as the absence of *vis à voce* examination may render necessary, shall be transmitted under seal to the person appointed by the Senate to conduct the Local Examination.
  - (b) Candidates shall write out answers to the questions set, in the presence of the person appointed to conduct the Examination, and in accordance with such detailed instructions as may be furnished by the Chairman of the Board of Examiners.
  - (c) The written answers shall be transmitted to the Board of Examiners, who shall examine them, and report thereon to the Senate.
  - (d) The person conducting the Local Examination shall receive such remuneration for his services as the Senate may in each case determine.
7. The Senate may, at their discretion, send an Examiner or Examiners to conduct the Local Examinations at any place within the Colony.
8. The subjects for the Junior Public Examinations shall be those comprised in the following sections:—

## SECTION I.

1. Reading aloud a passage from some standard English author.
  2. Writing from dictation.
  3. The rudiments of English Grammar.
  4. The first four rules of Arithmetic—simple and compound, and the Rule of Three.
  5. Geography.
  6. The outlines of English History since the Conquest; that is, the succession of sovereigns, and the chief events of each reign.
- All candidates will be required to pass in this section.

## SECTION II.

*English Grammar and Analysis.*—History of England: some period not exceeding four reigns, to be fixed annually.  
Physical and Political Geography.

## SECTION III.

*Latin.*—Passages for translation from portions of the works of Latin authors; such portions to be fixed annually.  
Questions on historical and other allusions, and parsing.  
Easy passage for translation from some other Latin author.  
*Greek.*—Passages for translation from portions of the works of Greek authors; such portions to be fixed annually.  
Questions on historical and other allusions, and parsing.  
An easy passage for translation from some other Greek author.  
A fair knowledge of either of these languages shall entitle a candidate to pass in this section.

## SECTION IV.

## UNIVERSITY OF SYDNEY.

5

## SECTION IV.

*French*.—Passages for translation from some standard work; to be fixed annually.

Passage for translation from some other French work.

Easy English sentences for translation into French.

*German*.—The examination in German shall be similar to that in French.

A fair knowledge of either of these languages shall entitle a candidate to pass in this section.

## SECTION V.

*Mathematics*.—Euclid, Bk. I., II., III., IV., and VI. Arithmetic, Algebra to proportion including surds, and simple and quadratic equations.

A satisfactory knowledge of Euclid, Bk. I., II., Arithmetic and Algebra to simple equations, without surds, shall entitle a candidate to pass in this section.

Every candidate, in addition to Section I., shall be required to pass in two at least of the remaining sections.

9. The subjects for the Senior Public Examination shall be those comprised in the following sections:—

## SECTION I.

The same as for the Junior Examination. All candidates will be required to pass in this section, except those who hold certificates of having passed the Junior Examination.

## SECTION II.

1. { English Grammar and Analysis.

2. { English Composition.

3. Civil, Military, and Constitutional History of England during some period not exceeding four reigns; the particular period to be fixed annually.

4. Some standard English work, with philological and other questions arising out of the subject; the particular work to be fixed annually.

5. Physical and Political Geography.

6. The outlines of Political Economy.

A fair knowledge of the first of these four divisions, and of one of the others, shall entitle a candidate to pass in this section.

## SECTION III.

*Latin*.—Passages for translation from particular works; to be fixed annually.

Questions on historical and other allusions, and Grammar.

Passages for translation from other Latin works.

A passage of English for translation into Latin prose.

*Greek*.—The examination in Greek shall be similar to that in Latin.

A fair knowledge of either of these languages shall entitle a candidate to pass in this section.

## SECTION IV.

*French and German*.—The examinations in these languages shall be similar to that in Latin, and a fair knowledge of either shall entitle a candidate to pass in this section.

## SECTION V.

*Pure Mathematics*.—Euclid, Bk. I.—IV. and VI. Arithmetic, Algebra, Logarithms, Trigonometry, to the solution of triangles inclusive, and the elements of Analytical Geometry.

*Natural Philosophy*.—Statics, including the Equilibrium of Forces in one plane, the Mechanical Powers, and the Laws of Friction.

*Dynamics*.—Motion of a particle in a straight line, and projectiles, treated without the use of the Differential Calculus.

A satisfactory knowledge of Euclid, Bk. I.—IV., Arithmetic, Algebra to Quadratic Equations, and Logarithms, shall entitle a candidate to pass in this section.

## SECTION VI.—CHEMISTRY AND EXPERIMENTAL PHYSICS.

1. Inorganic Chemistry, including the composition of several minerals.

2. Organic Chemistry.

3. Heat, Magnetism, and Electricity, statical and dynamical.

A fair knowledge of either of these three divisions shall entitle a candidate to pass in this section.

## SECTION VII.—GEOLOGY AND PALEONTOLOGY.

1. Descriptive Geology, including general description and classification of rocks.

2. General stratigraphical distribution of organic remains.

10. Every candidate, in addition to Section I., shall be required to pass in two at least of the remaining sections.

11. The names of those candidates who shall pass the Junior Examination shall be arranged alphabetically.

12. The names of those candidates who pass the Senior Examination shall be arranged in classes, the names in each class being arranged alphabetically. Separate lists shall be made of those who may specially distinguish themselves in particular subjects, and in these lists the names shall be arranged in classes and in order of merit.

13. After the name of each candidate in the above lists shall be added his place of residence, and the school or other educational establishment (if any) from which he comes to attend the Examination, and the name of his schoolmaster or tutor.

14. The subjects to be fixed annually shall be determined by the Board of Professors in the Faculty of Arts; and the subjects for each year shall be advertised not later than the first day in February of that year, excepting for the current year 1867.

The subjects for the year 1867 shall be determined and advertised as soon as possible.

15. A separate account shall be kept of all receipts and disbursements on account of the Public Examinations.

16. The fees shall be collected by the Registrar, and paid into the general fund of the University, and shall be appropriated in the first place to the payment of all expenses incurred, including printing, stationery, and fees paid to Examiners, other than the Professors and Assistant Professors. The residue (if any) shall be appropriated amongst the subjects of examination in proportion to the number of candidates for examination in each, the portions so appropriated to be divided amongst the Professors and Assistant Professors, who shall have examined in those subjects respectively.

## APPENDIX B.

## APPENDIX B.

## GILCHRIST EDUCATIONAL TRUST.

## TRUSTEES:—

SIR JOHN BOWRING, LL.D., F.R.S.

WILLIAM BURNLEY HUME, ESQ.

ROBERT VERITY, ESQ., M.D.

GEORGE GROTE, ESQ., D.C.L., F.R.S.

RICHARD LEIGH HOLLAND, ESQ.

## SECRETARY:—

WILLIAM B. CARPENTER, ESQ., M.D., F.R.S.

[All communications to be addressed to the Secretary of the Gilchrist Educational Trust, University of London, London W.]

*Conditions for Scholarships instituted by the Gilchrist Educational Trust for the benefit of Youths resident in Australia.*

A Scholarship of the value of £100 per Annum, and tenable for three years, will be annually awarded to a candidate resident in Australia, who shall have graduated in Arts, either in the University of Sydney or in the University of Melbourne, and who shall be desirous of pursuing a further course of academical study in Great Britain, under the following conditions:—

1. Every candidate shall either be a native of Australia, or shall have resided there for the five years immediately preceding his graduation.

2. Every candidate must furnish proof satisfactory to the authorities of the University in which he has graduated, that his age does not exceed twenty-two years.

3. Every candidate must furnish proof satisfactory to the authorities of the University in which he has graduated, that he is qualified, in regard to personal character, to receive the Scholarship.

4. The award of the Scholarship shall be made alternately by the authorities of the Universities of Sydney and Melbourne, at the conclusion of their respective Examinations for the B.A., Degree; the first turn being given to the University of Sydney. If several eligible candidates present themselves on the same occasion, the selection shall rest with the authorities of the University having the turn of nomination; but if in any year an eligible Candidate should not present himself among the graduates of that one of the two Universities to the turn of which the nomination falls, whilst the other of the two Universities can furnish an eligible candidate, such candidate may be nominated to the Scholarship by the authorities of his own University, without prejudice to the exercise of right of nomination by the same University in the succeeding year.

5. Each Scholar shall be allowed an option as to place of study between the University of Edinburgh, and University College, London; but he shall be expected to pursue his studies with a view to graduation in one of the Four Faculties of the University of London.

6. The successful candidate will be expected to arrive in London, and to present himself to the Secretary of the Gilchrist Trust, not later than the first week in the October following his appointment.

7. The Scholarship shall be considered as commencing from the 1st of July following the nomination, and shall be paid in quarterly instalments, on the first days of October, January, April, and July.

8. Each Scholar shall attend in every session at least three courses of lectures at the institution in which he studies (unless specially excused by the Trustees from doing so during the first year); and shall transmit to the Secretary of the Gilchrist Trust, at the conclusion of each session, a certificate from each of the Professors whose lectures he has attended, stating that his diligence and conduct have been satisfactory. Should he not be able to produce such a certificate, or should he be proved guilty of discreditable conduct elsewhere, he shall be considered to have forfeited all claim to the remaining instalments of his Scholarship.

9. Each Scholar will be expected to present himself at the First Examination in one of the Four Faculties of the University of London—Arts, Science, Law, or Medicine—before the termination of the Second (academical) Year\* from the commencement of his Scholarship, unless excused from doing so by the Trustees; and if he do not so present himself (unless by permission of the Trustees), or if he fail to pass, he shall be considered as forfeiting his claim to the remaining instalments of his Scholarship. After having passed the First Examination, he will be expected to pursue his studies with a view to presenting himself at the Second Examination within two (academical) years.

10. The foregoing scheme shall be subject to revision from time to time; the Trustees reserving to themselves the power of altering the conditions of the Scholarships, or of altogether withdrawing them, if they deem it expedient to do either. But no change will be made in such a manner as to affect the interests of candidates already appointed to Scholarships, or in any case without twelve months' notice.

\* Thus, a candidate whose Scholarship commences on the 1st of July, 1868, would be considered as having fulfilled this condition if he pass the First LL.B Examination in January, 1870; or the First B.A., the First B.Sc., or the Preliminary Scientific M.B. Examination, in July, 1870.

## APPENDIX C.

## BY-LAW.

## DEAN OF THE FACULTY OF ARTS.

I. The Dean of the Faculty of Arts in the University shall be elected by the Senate from time to time for a term of three years.

II. The first election to that office shall be held at the meeting of the Senate in the first week of Lent Term, 1868.

III. Thereafter such election shall be held at the corresponding meeting of the Senate in every third year.

IV. Upon any casual vacancy, or upon a failure to make an election at the time required by the foregoing rules, the vacancy shall be filled up for the unexpired residue of the current term of three years, at some meeting of the Senate, to be held within two months from the time when such vacancy shall have become known to the Chancellor, or from the time of such failure to elect.

V. So much of the By-law in chapter X, section I, as is inconsistent with the above is rescinded, and the Dean of the Faculty of Arts to be elected as above provided, shall be President of the Board of Studies in the said By-law mentioned.

RETURN

## RETURN of RECEIPTS and DISBURSEMENTS in the Year 1867.

RECEIPTS.		AMOUNT.	DISBURSEMENTS.		AMOUNT.
ENDOWMENT FUND.		£ s. d.	ENDOWMENT FUND.		£ s. d.
Balance in Commercial Bank, 31st December, 1866	...	789 18 10	Paid for salaries, charges, printing, furniture, prizes, &c....	...	4,516 14 10
Received from Government—Annual Endowment	...	5,000 0 0	„ advance for building Laboratory, &c....	...	377 14 1
„ Lecture Fees, after paying Professors their shares	...	148 9 0	„ repairs to Building and improvement of Grounds	...	251 13 2
„ Degree and other Fees	...	162 0 0	„ University Scholarships	...	250 0 0
„ Fines	...	0 8 0	„ on account Private Foundations, viz. :—		
„ Pasturage	...	105 10 0	“ Levy” Scholarship	35 0 0	
„ Advance in aid of Dramatic Performance before H.R.H. the Duke of Edinburgh	...	200 0 0	“ Lithgow” Scholarship	37 10 0	
„ from Investments on account of Private Foundations, viz. :—			“ Salting” Exhibition	20 0 0	
“ Lithgow” Scholarship	79 5 9		“ Deas Thomson” Scholarship	57 0 0	
“ Salting” Exhibition	25 0 0		“ Wentworth” Medal	30 0 0	
“ Barker” Scholarship	98 8 3		“ Barker” Scholarship	79 11 9	
“ Wentworth” Fellowship	31 14 3		“ Cooper” Scholarship	79 11 9	
“ G. W. Allen” Exhibition...	15 18 10		„ for Investments in Government Debentures on account of Scholarships, &c. :—		338 13 6
“ Levy” Scholarship	45 0 0		“ Barker” Scholarship	100 0 0	
“ Deas Thomson” Scholarship	120 11 11		“ Cooper” Scholarship	100 0 0	
“ Cooper” Scholarship	98 8 3		“ Deas Thomson” Scholarship	100 0 0	
“ Wentworth” Medal	12 18 10		„ on account expenses of Dramatic Performance	...	300 0 0
		511 7 3	Balance in Commercial Bank, 31st December, 1867*	...	155 0 0
		6,917 4 10			727 9 3
					6,917 4 10
REPAIRS of Building and Improvement of Grounds.					
Received advance from Endowment Fund		£ s. d.	Paid for repairs of Building and improvement of Grounds		£ s. d.
...		251 13 2	...		251 13 2

GEOFFREY EAGAR, Auditor.

\* This balance represents Scholarship Funds not available for the general purposes of the University.

31st December, 1867.

WILLIAM CLARK, Accountant.





1868.

NEW SOUTH WALES.

SYDNEY GRAMMAR SCHOOL.

(REPORT FOR 1867.)

Presented to Parliament, pursuant to Act 18th Victoria.

THE SECRETARY TO THE TRUSTEES, SYDNEY GRAMMAR SCHOOL, to THE COLONIAL SECRETARY.

Sydney Grammar School,  
12 October, 1868.

SIR,

I have the honor, by direction of the Trustees of the Sydney Grammar School, to transmit to you, for the purpose of being laid before Parliament, the following Report of their proceedings, and the progress of the School, during the year 1867.

At a Meeting of the Trustees, held on the 7th of January, Professor Pell was re-elected Chairman of the Board for the current year.

At the same Meeting, a letter was read from Mr. Edward Pratt, calling the attention of the Trustees to certain statements made in the Legislative Assembly, on the 20th ultimo, by Mr. William Macleay, seriously affecting his character as a Master in this Institution, and tending very much to injure the School in the eyes of the public, and requesting that an inquiry might be at once made into the truth of Mr. William Macleay's charges. In consequence of the receipt of this letter, an inquiry was instituted by the Trustees; and, from the evidence taken, the Trustees arrived at the following conclusion, viz. :—

“ That the special charge brought against Mr. Pratt by Mr. William Macleay rests entirely upon Mr. Edwards' testimony, which the Trustees consider unworthy of credit; and that the other charges have been disproved, as far as the nature of the case admits.”

A full report of the evidence relating to this inquiry was forwarded to the Government, and was printed by order of the Legislative Assembly, on the 10th of July.

At a Meeting held on the 6th May, the Chairman announced that he had received a letter from R. A. A. Morehead, Esq., resigning his Trusteeship of the School. This vacancy was filled up on the 2nd September, by the election of the Honorable Sir Wm. Macarthur.

On the 3rd June, the Trustees authorized the Head Master to secure the services of a competent Lecturer, to teach the elements of Physical Science.

At the July Meeting, the Board considered and adopted the following regulations for the admission of Free Scholars, viz. :—

1. That every year, a number of boys, not exceeding three, be admitted by the Trustees to a free education in the Sydney Grammar School, such boys to be entitled Foundation Scholars.

2. That the Head Master, the Mathematical Master, and two Examiners, appointed by the Trustees, form a Board, to be called the Examining Board, of which the Head Master shall be the Chairman, and who shall examine candidates for Foundation Scholarships, and report the result to the Trustees.
3. That the subjects for examination shall be—The English Language and History, Geography, Arithmetic, Latin Grammar, Cæsar de Bello Gallico, Book I; Euclid, Book I.
4. That no candidate shall be appointed to a Foundation Scholarship, except upon the report of the Examining Board that he is possessed of more than ordinary abilities or attainments.
5. That at the conclusion of every examination, the Examining Board shall forward to the Trustees a list of the names of those candidates whom they consider eligible, arranged in order of merit, taking into consideration not only the attainments of candidates, but their ages and abilities also, and the probabilities of their deriving advantage from a liberal education.
6. No candidate recommended by the Board shall be considered eligible unless he shall furnish evidence which shall satisfy the Trustees that he is under the age of 14, and that his parents or guardians are unable to pay school fees. A certificate from the Council of Education shall be held conclusive on these points.
7. The Foundation Scholarships shall be tenable for one year, but renewable from year to year upon the recommendation of the Examining Board.
8. The Head Master shall have the power of dismissing Foundation Scholars for bad conduct or for irregular attendance.
9. An examination shall be held annually in the month of December.

A letter was received at the August Meeting, from Mr. Charles S. Mein, resigning his appointment of Assistant Classical Master; and on the 4th November, the Rev. W. H. Roberts was appointed to the vacant Mastership.

On the 2nd September, a Committee, consisting of Dr. Badham, Mr. Windeyer, Mr. Stenhouse, and the Chairman, was appointed to confer with the Head Master on the possibility of reducing the Fees, and on other matters relating to the School which might be brought under their notice by the Head Master.

At the October Meeting, Professor Badham and Professor Pell were appointed Examiners for the Foundation Scholarships.

A Special Meeting of the Trustees was held on the 16th December; and the Report of the Committee appointed on the 2nd September, having been read, it was determined that the working expenses should be reduced, and that after the end of the current year the annual fees for tuition should be reduced from £18 per annum to £16 for the Upper School, and £12 for the Lower.

The Trustees are happy to report that there has been a steady increase in the number of pupils during the past year, that the discipline and efficiency of the School have been most satisfactory; and they have every reason to believe that the reduced scale of tuition charges which they have adopted for 1868 will induce many parents to send their sons to participate in the advantages of an education at the Sydney Grammar School.

The amount of the whole income and expenditure of the School, and the number of pupils who attended during the year, will be found in the annexed Appendix.

I have the honor to be,

Sir,

Your most obedient Servant,

W. H. CATLETT,

Secretary.

## SYDNEY GRAMMAR SCHOOL.

3

## APPENDIX.

RETURN of the Receipts and Disbursements of the Sydney Grammar School, for the Year 1867.

Receipts.		Amount.	Disbursements.		Amount.
	£ s. d.	£ s. d.		£ s. d.	£ s. d.
To Balance in the Commercial Bank .....		8 8 7	By Salaries .....	1,982 10 0	
„ Endowment .....	1,500 0 0		„ Allowances .....	47 1 7	
„ Interest on Fixed Deposits .....	52 5 0		„ Capitation Fees paid to Masters .....	397 5 0	2,426 16 7
„ School Fees from Pupils .....	1,008 0 0		„ Printing and Stationery .....	34 17 5	
„ Deposit Accounts at the Commercial Bank .....		2,560 5 0	„ Petty Expenses .....	61 4 11	
„ Donations for Prizes .....		850 0 0	„ Insurance .....	12 0 0	
„ Balance, Amount Overdrawn .....		8 4 0	„ Prizes .....	35 3 0	
		119 9 10	„ Advertisements .....	50 18 6	194 3 10
			„ Repairs and Improvements to Buildings .....		105 7 0
			„ Deposit Accounts at the Commercial Bank .....		850 0 0
TOTAL.....	£	3,576 7 5	TOTAL.....	£	3,576 7 5

Examined and found correct.

M. B. PELL.

ARTHUR M. A'BECKETT.

16 March, 1868.

W. H. CATLETT,

Secretary.

RETURN of the Sydney Grammar School, for the Year 1867.

Office.	Name.	Salaries.	Allowances.	Fees from Pupils.	Total.	State whether allowed a Residence.	Remarks.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.		
Head Master .....	Albert Bythesen Weigall .....	479 3 4		170 5 0	649 8 4	Residence allowed	Annual salary, £500.
Mathematical Master.....	Edward Pratt .....	400 0 0		113 10 0	513 10 0	Do. do.	
Assistant Classical Master	Edwin Whitfield .....	300 0 0		113 10 0	413 10 0	Do. do.	
Do. do. ....	Charles Stuart Mein .....	145 16 8			145 16 8		
Do. do. ....	William Henry Roberts.....	62 10 0			62 10 0		Seven months' salary.
Writing Master .....	Carl Johan Nelson .....	250 0 0	25 0 0		275 0 0		Three months' salary.
French Master.....	Pierre Ambroise Dutruc .....	75 0 0			75 0 0		
German Master .....	Ferdinand Joseph Lander.....	60 0 0			60 0 0		
Drawing Master .....	Joseph Fowles .....	60 0 0			60 0 0		
Janitor & Drill Sergeant..	Sebastian Hodge.....	100 0 0	12 0 0		112 0 0	Residence allowed	
Secretary & Accountant to Trustees .....	William Henry Catlett .....	50 0 0	10 1 7		60 1 7		
	Totals.....	£ 1,982 10 0	47 1 7	397 5 0	2,426 16 7		

Examined and found correct.

M. B. PELL.

ARTHUR M. A'BECKETT.

16 March, 1868.

W. H. CATLETT,

Secretary.

RETURN of the Number of Teachers of the Sydney Grammar School, as well as the Number of Scholars, in the Year 1867.

Number of Teachers.	Number of Scholars.			
	1st Quarter.	2nd Quarter.	3rd Quarter.	4th Quarter.
Six engaged for their whole time.	53	55	54	65
Four engaged for particulars lessons.		Total, 227	Average, 56½	

W. H. CATLETT,

Secretary.

[Price, 3d.]

Sydney: Thomas Richards, Government Printer.—1868.



1868.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## PUBLIC SCHOOL, TOMAGO.

(CORRESPONDENCE, &c., RESPECTING DISMISSAL OF MR. S. C. DREWE.)

---

*Ordered by the Legislative Assembly to be Printed, 13 October, 1868.*

---

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 21 April, 1868, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“ (1.) Copies of all Correspondence between the Government,  
 “ or the Council of Education, and any person or persons;  
 “ also, of all Ministerial Minutes, or Minutes of the Executive  
 “ Council; also, of all Reports addressed to, or records of  
 “ proceedings before, the Council of Education, having  
 “ reference to the dismissal of Mr. S. C. Drewe from his  
 “ office of Teacher of a Public School at Tomago.

“ (2.) Copy of the latest general or periodical Report of any  
 “ Inspector on the said school previous to any proceedings  
 “ having reference to said dismissal.

“ (3.) A Return shewing the Names of all Members of the  
 “ Local Board, or Local Patrons of the said school, as also  
 “ the dates of their appointments.”

(*Mr. Forster.*)

---

## TOMAGO PUBLIC SCHOOL.

## No. 1.

COPIES of all Correspondence between the Council of Education and any person or persons; also, of all Reports addressed to, or records of proceedings before, the Council, having reference to the dismissal of Mr. S. C. Drewe from his office as Teacher of a Public School at Tomago.

## SCHEDULE.

NO.	PAGE.
1. Mrs. Windeyer to Secretary of the Council of Education, complaining of the conduct of Mr. S. C. Drewe. 15th January, 1868	3
2. Memorandum from Secretary of the Council of Education to the Inspector, relating to Mrs. Windeyer's letter. 18th January, 1868	3
3. Inspector's report on complaints brought against Mr. Drewe. 30th January, 1868	3
4. Extract from Minutes of the Proceedings of the Council of Education, dismissing Mr. S. C. Drewe from his office as Teacher of the Public School at Tomago. 6th February, 1868	4
5. Mr. S. C. Drewe to Secretary of the Council of Education, explaining the cause of small attendance. 31st January, 1868	4
6. Secretary of the Council of Education to Mr. S. C. Drewe, intimating his dismissal. 7th February, 1868	4
7. Messrs. M'Leod and Lunny to the Secretary of the Council of Education, reporting Resolutions passed at Public Meeting at Tomago. 12th February, 1868	5
8. Extract from Minutes of the Proceedings of the Council of Education, relating to Messrs. M'Leod and Lunny's letter of the 12th February, 1868. 17th February, 1868	5
9. Secretary of the Council of Education to Messrs. M'Leod and Lunny, declining to re-open the question of Mr. S. C. Drewe's dismissal. 19th February, 1868	5
10. Messrs. M'Leod and Lunny to the Secretary of the Council of Education, inquiring whether Mr. S. C. Drewe was "removed" or "dismissed." 20th February, 1868	6
11. Extract from the Minutes of the Proceedings of the Council of Education, dated 24th February, 1868, relating to Messrs. M'Leod and Lunny's letter of the 20th February, 1868	6
12. Secretary of the Council of Education to Mr. B. Lunny, acknowledging the receipt of his letter of the 20th February, 1868. 27th February, 1868	6
13. Mr. S. C. Drewe to Secretary of the Council of Education, inquiring if he is "dismissed" or "removed." 21st February, 1868	6
14. Secretary of the Council of Education to Mr. S. C. Drewe, informing him that he is dismissed. 27th February, 1868	7
15. Mr. S. C. Drewe to Secretary of the Council of Education, justifying his conduct. 2nd March, 1868	7
16. Memorandum from the Secretary of the Council of Education, dated 6th March, 1868, to the Inspector, relating to Mr. Drewe's letter of 2nd March, and Inspector's report thereon, dated 6th March, 1868	8
17. Extract from Minutes of the Proceedings of the Council of Education on Inspector's report of 6th March. 9th March, 1868	8
18. Extract from Minutes of the Proceedings of the Council of Education on Mr. S. C. Drewe's letter of the 2nd March, 1868. 16th March, 1868	9
19. Secretary of the Council of Education to Mrs. Windeyer, forwarding copy of Mr. Drewe's letter of 2nd March, 1868. 18th March, 1868	9
20. Mrs. Windeyer to Secretary of the Council of Education, reporting upon Mr. Drewe's letter of 2nd March, 1868. 21st March, 1868	9



## PUBLIC SCHOOL, TOMAGO.

### No. 1.

MRS. WINDEYER to THE SECRETARY OF THE COUNCIL OF EDUCATION.

Tomago, 15 January, 1868.

SIR,

I deem it my duty to inform the Council of Education of the complaints I hear of the Tomago School Teacher, Mr. Drewe. Some of the parents have removed their children; others would do so, but fear if they did, the school would be broken up entirely.

Mr. Drewe is seldom in the school before 10 o'clock in the morning; the children are let out to play for an indefinite time between that hour and 12 o'clock, their dinner hour; the school is closed at 3 o'clock.

The children are making little or no progress, consequently the school is getting into bad repute.

I remain, &c.,

MARIA WINDEYER,  
Secretary.

### No. 2.

#### MEMORANDUM.

Council of Education Office,  
Sydney, 18 January, 1868. } Newcastle District.

Memorandum to J. W. Allpass, Esq., Inspector of Schools.

Tomago. Mrs. Windeyer's letter, dated 15th January, 1868, referred for inquiry and report as to complaints against the teacher.

Immediate.

W. WILKINS,  
Secretary.

*Inspector's report appended.*

J. W. ALLPASS,  
Inspector of Schools,  
Newcastle District.

Newcastle, 30 January, 1868.

### No. 3.

(NEWCASTLE.)

INSPECTOR'S REPORT upon certain charges preferred against Mr. Drewe, the Teacher of the Tomago Public School.

I MET the Tomago Public School Board to-day at Mrs. Windeyer's residence, and conversed with them respecting the alleged conduct of the teacher. The charge of laxity was reiterated; but another charge, relating to improper freedom with an elder girl, was considered to be too intangible for investigation, inasmuch that the father of the girl, Mr. Lunny, stated that it was a gross fabrication; and also, as is frequently the case, no one seemed to have the moral courage to prove, or even to repeat former statements.

In company with Messrs Lunny and Pepper, Members of the School Board, I visited the school and informed Mr. Drewe of the charge of laxity, as set forth in the School Secretary's letter. The charge received a general denial, and a plea was made that "clocks always differ, but every man considers his own time-piece the best." I informed Mr. Drewe that he was said to be a very late riser, and had to hurry into school in an unprepared state, and that his custom was to go home at 11 o'clock to take his breakfast. He admitted that he did go home to breakfast at the time stated, but that it was "because the milk was brought so late"; and, says he, "I am not going without my milk—would you like it?"

3. At the time of my visit there were twelve children present out of twenty-three on the rolls, and I asked the teacher to explain the cause of so small an attendance. His reply was that "he never inquired, and therefore could not tell"; but "he knew that he worked hard enough for the small screw he got." I reminded him that it was his duty to inquire and to record the results in the class roll, to which he replied, "Oh! that is seldom done; not even at the Model School." The latter assertion was, I suppose, intended as a home thrust to myself.

4. On examining the Daily Attendance Book, I found that on the 21st January a record as follows was made—"School closed, Prince Alfred arrived in Sydney." This was done without the sanction of the School Board.

5. Since my last visit Mr. Drewe has constructed a fresh time-table. It is headed as follows:—

"At a specified time the pupils are to assemble in the playground."

I asked for an explanation, and Mr. Drewe replied that "they assembled as they came." I informed him that a time should be stated; when, with a sneer, he asked if he "would also be expected to go into the roads and fetch the children in."

6. Before leaving, I admonished Mr. Drewe, and endeavoured to make him see that he could, by a strict attention to duty, live down slander and gain the goodwill of the people, and that he would at the same time earn the approval of the Council; but I might have spared myself the trouble, for he stated that the people "were a lot of damned blackguards"; and as regards the Council, "if they want more work done, they should give higher pay."

7. If the Council will refer to my report of the 30th October last upon this school, they will see that it is on the whole a favourable one, and also that the testimony of the School Board was favourable. I feel therefore bound to explain that that visit was an expected one, and that the state of this school proves the superior importance of an "ordinary" and unexpected visit.

As regards the change of opinion on the part of the Local Board, I have to remark that for the last few months the school has been held in premises that have enabled the Board to perceive the teacher's indolent habits; formerly he could pass unobserved into the schoolroom, but now he has to walk a short distance to school, and is under the immediate observation of Mrs. Windeyer, the Secretary of the school.

*Recommendation.*

Mr. Drewe's evident indolent habits, and his manifested impudent bearing, convince me that he is unfitted for the Council's service, and I feel compelled to recommend his immediate removal from Tomago.

Newcastle,  
30th January, 1868.

J. W. ALLPASS,  
Inspector of Schools,  
Newcastle District.

No. 4.

EXTRACT from the Minutes of the Proceedings of the Council of Education.  
6 February, 1868.

The Council took into consideration—

Tomago. Inspector's report, dated 30th ultimo, upon certain charges preferred against the teacher of the school, Mr. Drewe.

The teacher to be acquainted, that from this report it is manifest to the Council, that his indolent habits, gross negligence in the performance of his duties, and improper bearing, unfit him for the office of a teacher of youth, and that therefore the Council dismisses him from its service from this date.

No. 5.

MR. S. C. DREWE to THE SECRETARY TO THE COUNCIL OF EDUCATION.

Public School,  
Tomago, 31 January, 1868.

SIR,

The small attendance is owing to sickness—blight and measles.

The libellous and scandalous reports that have been circulated may also have had some damaging effect.

I have a clue as to the originator of those base and unfounded reports, and intend having legal advice on the matter.

I am, &c.,  
SYDNEY C. DREWE.

No. 6.

THE SECRETARY OF THE COUNCIL OF EDUCATION to MR. S. C. DREWE.

Council of Education Office,  
Sydney, 7 February, 1868.

SIR,

I have the honor, by direction of the Council of Education, to acquaint you that a report, dated 30th ultimo, has been received from the Inspector, upon certain charges preferred against you as Teacher of the Public School at Tomago.

2. From this report it is manifest to the Council, that your indolent habits, gross negligence in the performance of your duties, and improper bearing, unfit you for the office of a teacher of youth. I am therefore instructed to inform you, that the Council hereby dismisses you from its service from this date.

I have, &c.,  
W. WILKINS,  
Secretary.

No. 7.

## No. 7.

MESSRS. M'LEOD &amp; LUNNY to THE COUNCIL OF EDUCATION.

Tomago, 12 February, 1868.

GENTLEMEN,

A public meeting was held here on the above date, for the purpose of inquiring into the cause of Mr. Drewe's dismissal from the Council of Education.

Mr. Alexander M'Leod was voted to take the Chair.

"The object of this public meeting is, to hear if there are any complaints against Mr. Drewe, in consequence of his being dismissed from the school he now holds, and also from his being dismissed as a teacher from the Council of Education.

The subject of the Council's letter was *carefully* considered by the meeting, and also any person who had any presumed or real complaint was invited to state them. After the motion had been twice put to the meeting, and after waiting some time and no person laying or grounding any complaint whatever, the presumed complaints were considered as void.

It was then proposed by Mr. B. Lunny, and seconded by Mr. W. Millham, and carried unanimously, "That Mr. Sydney Charles Drewe has the entire confidence of this meeting as a teacher, and that the Council of Education be respectfully invited to review their decision; and also, that the Council of Education be respectfully asked what were the 'preferred complaints,' and who were their authors."

Proposed by Mr. M'Queen, and seconded by Mr. Lunny, "That this meeting desires to record the fact that the Inspector produced a letter said to have been written with the consent of the Local Patrons, by the Local Secretary, which was not the whole fact, and that the Inspector's inquiry was biased"; and was carried unanimously.

Mr. Millham proposed, and Mr. M'Queen seconded, "That this Public Meeting of Parents desire to *express* its sympathy with Mr. Drewe, and trust that the Council of Education will reinstate him in his position as a Public teacher here or elsewhere." Carried unanimously.

The meeting was public and was convened by Public Notice, and also by special invitation, and all persons was invited personally by the call of *Parents* one upon another.

Chairman—ALEX. M'LEOD.

Local Patron—BARTHOLOMEW LUNNY.

Address—

MR. B. LUNNY,  
Tomago Post Office.

## No. 8.

EXTRACT from Minutes of the Proceedings of the Council of Education. 17 February, 1868.

The Council took into consideration—

Tomago. Letter from two members of the Public School Board, dated 12th instant, stating that, at a public meeting, it has been resolved to request the Council to reinstate Mr. Drewe in his office as Teacher of the Public School.

To be informed that, as Mr. Drewe was removed for faults admitted by him, and as the Council's action was taken in view of facts which could not have been known to persons present at the meeting, the Council cannot reopen the question, with due regard to the interests of the school.

## No. 9.

THE SECRETARY OF THE COUNCIL OF EDUCATION to MESSRS. M'LEOD AND LUNNY.

Council of Education Office,  
Sydney, 19 February, 1868.

GENTLEMEN,

I have the honor, by direction of the Council of Education, to acknowledge the receipt of your letter of the 12th instant, reporting the proceedings of a public meeting held at Tomago, on the above date, for the purpose of inquiring into the cause of Mr. Drewe's dismissal as Teacher of the public school at that place; at which meeting it was resolved to respectfully invite the Council to review their decision.

2. In reply, I am instructed to acquaint you that Mr. Drewe was removed for faults admitted by him to the Inspector.

3. As the Council's action in the case of Mr. Drewe was taken in view of facts which could not have been known to the persons present at the meeting, the Council cannot reopen the question, with due regard to the interests of the Tomago School.

I have, &amp;c.,

W. WILKINS,  
Secretary.

## No. 10.

MESSRS. M'LEOD AND LUNNY to THE COUNCIL OF EDUCATION.

Tomago, 20 February, 1868.

GENTLEMEN,

Your letter of the 19th instant has come to hand, and we all exceedingly regret that you will not accede to our wishes.

We do not know that Mr. Drewe admitted of any faults, but contrawise. Whatever facts may have been communicated to the Council of Education were misrepresentations; and the interests of the school will only be served by a full and impartial inquiry, as the future teacher will then know how to act. Mr. Drewe's conduct and teaching has been closely examined, and any faults known to the Council of Education and forwarded to the Chairman and Mr. Lunny, will receive the fullest consideration. In paragraph 2, you state that Mr. Drewe was "removed," but in your letter to Mr. Drewe you write "dismissed from its service." We do not object so much to Mr. Drewe's being "removed," which in itself is loss to us, but for the man to be dismissed upon a while tissue of misrepresentations is neither just to him or to us as a community. We therefore sincerely hope that Mr. Drewe is only removed by you to some other school.

We have, &amp;c.,

ALEX. M'LEOD, Chairman,  
BARTHOLOMEW LUNNY, Local Patron.

## No. 11.

EXTRACT from Minutes of the Proceedings of the Council of Education. 24 February, 1868.

The Council took into consideration—

Tomago. Messrs. M'Leod and Lunny's letter, dated 20th instant, inquiring whether the teacher was dismissed or removed.—Read.

## No. 12.

THE SECRETARY TO THE COUNCIL OF EDUCATION to MR. B. LUNNY.

Council of Education Office,  
Sydney, 27 February, 1868.

SIR,

I have the honor, by direction of the Council of Education, to acknowledge the receipt of your letter of the 20th instant, signed also by Mr. Alexander M'Leod, respecting the dismissal of Mr. Drewe from the office of Teacher of the Tomago Public School.

I have, &amp;c.,

W. WILKINS,  
Secretary.

## No. 13.

MR. S. C. DREWE to THE COUNCIL OF EDUCATION.

Tomago, 21 February, 1868.

GENTLEMEN,

There is much doubt regarding the tenor of your letter to me on the 7th instant, and also your reply to the public meeting.

In your letter to me, you write "dismisses you from its service."

Your letter to the meeting stated "that Mr. Drewe was removed."

By your letting me know whether I am "dismissed from its service" or "removed," you will favour me.

This will be the thirteenth year I have entered upon as a teacher, and all that time I have been more or less under Government inspection. After so long a service, and under the new regulations, I hoped that something good was in store for me; but it seems that my traducers ordained otherwise.

I am, &amp;c.,

SYDNEY C. DREWE.

Address—

Mr. S. C. Drewe,  
Tomago, Hunter River.

## PUBLIC SCHOOL, TOMAGO.

7

## No. 14.

THE SECRETARY OF THE COUNCIL OF EDUCATION to MR. S. C. DREWE.

Council of Education Office,  
Sydney, 27 February, 1868.

SIR,

I have the honor, by direction of the Council of Education, to acknowledge the receipt of your letter, dated 21st instant, and in reply to your inquiry, to state that you were dismissed from the service of the Council as Teacher of the Public School at Tomago.

I have, &c.,  
W. WILKINS,  
Secretary.

## No. 15.

MR. S. C. DREWE to THE COUNCIL OF EDUCATION.

Tomago, 2 March, 1868.

GENTLEMEN,

Some person or persons, who are at present unknown to me, have taken it upon themselves to write to the Council of Education to such a degree as to procure my dismissal from here, and also from the Council's service.

No language, it seems, is severe enough but to be applied to me, neither is there any crime but what is capable of being accomplished by me.

You will naturally inquire what has given rise to such presumptions. To such a question, I am entirely ignorant how to frame a reply, but a *distinct denial*.

The first intimation of any presumed wrong-doing was the presence of the Inspector on the 29th of January. His visit was special and quite *secret*, as neither the Local Patrons or myself had any knowledge of the intended visit. A meeting then took place at the Local Secretary's house, after the persons had been hunted up by the Inspector riding after them. As the meeting was of a private character, through taking place at the Local Secretary's house, I was precluded from attending. After everything had been considered and settled behind my back, the Inspector, with two of the Local Patrons, came to the school to me, the Inspector stating numberless complaints which were untrue; but as I had no knowledge of any inquiry, I could not disprove them but by my own word. Amongst other things complained of by the Inspector was this, "It is reported to me from Sydney that your child makes use of bad language." This so *exasperated* me, after hearing other charges of a like character, that I said any person who could say so was a damned scoundrel. The Inspector then said, "I ought not to say those words." I replied that any person who could speak thus of a child just three years old would say and do anything, for the child can speak but a few words and those few indistinctly. I would wish you to notice particularly that the meeting of the Inspector was called by the Local Secretary writing to the Council of Education for the Local Patrons, and that the Local Patrons *deny all knowledge of the Local Secretary's writing*, and so told the Inspector in the presence of the Local Secretary. There are three Patrons for this school, one of whom is Secretary. The Secretary did not come to the school with the two other Patrons and the Inspector to confront me. The meeting between the Inspector, the two Patrons, and myself, was held at the school, after the affair had been held elsewhere and decision already made. The meeting at the school occupied about one and a half hours. Most of the time was spent by the Inspector relating his trials as a teacher.

I only knew of the Inspector's presence about three-quarters of an hour before he came to me. He came to the school with the two Patrons while I was giving a lesson on the Geography of Asia; and from my being before the Patrons and Inspector, I was determined more than ever that the lesson should be an extra good one, but the Inspector interrupted me, for the purpose it would seem, of throwing me out of the discourse, and for the purpose of showing that I was making mistakes which I did not speak of at all. I do not think it right that he should have acted in that manner, when he as Inspector ought to have known that what I was saying was correct. After the lesson had proceeded some time, and the Inspector meanwhile taking notes, he said, "I had better let the children out, as he wished to speak to me." I did so, and then he stated the presumed complaints, as before written—carelessness and negligence being complained of; and the Inspector, to exemplify that complaint, said, "It was as plain to be seen from the lesson that I had just given, as if I had a glass in my breast, that they all could go to the devil and be damned." This was said *previously* to my saying damned scoundrel respecting my child swearing.

When the Inspector was about to leave, he said, "I am both sorry and glad. Sorry that the inquiry had been called at all, and glad that I could deny the complaints." The regular "General Report" upon my school is a good one; still, notwithstanding all this, I am dismissed from the service of the Council of Education. I have been dismissed by the Council of Education upon presumptions, and without the least opportunity being given me to defend myself in any way whatever.

Upon my receiving notice of dismissal, I told the children what had occurred, and that I would see their parents during the week. I then dismissed them. I shewed the Council's letter to nearly all of the parents, and they all were both annoyed and grieved.

As

As I had done nothing worthy of condemnation, I suggested a public meeting to be held, and let every person who had anything to say as regard complaints, or any opinion to offer, be invited to attend. A report of that meeting has been furnished you as regards the resolutions. Very excited and indignant was the meeting that I should be dismissed. The sympathy that has been accorded me by enraged parents, declaring that justice shall be done me, is overwhelming.

Through the action of the Council of Education, it is the fixed intention of the people to close the school, by not sending their children here, but to other schools, as they say they will no longer be a party to any of the scandalous treatment towards the teachers here for years past; but this last attack, they say, is the worst of any attack yet made upon any teacher ever here.

No letter was produced to me or to any of the Local Patrons in my presence by the Inspector, neither did any person make any complaint.

A large amount of political intrigue has been at work in this matter. I have been reliably informed that a teacher was appointed for this place at least six weeks before the 29th of January, 1868, and of which I had no previous knowledge.

You may perhaps have had an idea of my anxiety to obtain an appointment, and that my being charged with being indolent, negligent, and uncivil bearing—things so subversive to my own personal interest that I must be bereft of reason to cause such things; knowing that to any person of those habits destruction follows them.

From my knowing the influence here, I was more determined and more particular than I have ever been in the cause of education.

I have, &c.,

SYDNEY C. DREWE,  
Tomago.

## No. 16.

### MEMORANDUM.

Council of Education Office,  
Sydney, 6 March, 1868. } Newcastle District.

Memorandum to J. W. Allpass, Esq., Inspector of Schools.

Mr. Sydney C. Drewe's letter, dated 2nd March, respecting his dismissal from the Public School at Tomago, referred for your inquiry and report.

W. C. WILLS.  
(Pro Secretary.)

### *Inspector's report.*

As the correctness of my report of the inquiry held at Tomago on the 30th January last can be substantiated by the School Board, it will be useless for me to attempt to deal with Mr. Drewe's distortion of facts.

2. My recommendation for Mr. Drewe's removal from Tomago was based upon the discreditable attention he was giving to his school duties, his expressed indisposition to work harder unless higher pay was given, and his intemperate language respecting the people of the place, as expressed in the presence of the School Board.

J. W. ALLPASS,  
Inspector of Schools,  
Newcastle District.

Sydney, 6th March, 1868.

## No. 17.

EXTRACT from the Minutes of the Proceedings of the Council of Education.  
9th March, 1868.

The Council took into consideration—

Tomago. Inspector's report upon the teacher Mr. Drewe's justification of his conduct.—Read.

## No. 18.

EXTRACT from the Minutes of the Proceedings of the Council of Education, 16 March, 1868.

The Council took into consideration—

*Tomago.* Late Teacher Mr. Drewe's letter, dated 2nd instant, complaining of the manner in which he was dismissed, and of the Inspector's mode of conducting the examination.

The Secretary was instructed to forward copy of Mr. Drewe's letter to the Public School Board, and to request them to report on all matters within their knowledge connected with the matter.

## No. 19.

THE SECRETARY OF THE COUNCIL OF EDUCATION to MRS. WINDEYER.

Council of Education Office,  
Sydney, 18 March, 1868.

MADAM,

I have the honor, by direction of the Council of Education, to enclose herewith, for the information of the Public School Board at Tomago, copy of a letter Dated 2nd inst. from Mr. Sydney C. Drewe, respecting his dismissal from the situation of teacher of the public school at that place.

2. I am further instructed to request the Public School Board to be good enough to examine and report fully on all matters coming within their knowledge connected with the case.

I have, &c.,

W. C. WILLS.  
(Pro Secretary.)

## No. 20.

MRS. WINDEYER to THE SECRETARY OF THE COUNCIL OF EDUCATION.

Tomago,  
21 March, 1868.

SIR,

I beg to acknowledge a letter from the Council of Education, of the 18th instant, enclosing a letter from Mr. S. C. Drewe.

The Local Patrons of the Tomago School desire to say there is no foundation for the charges which Mr. Drewe makes. There was no secret or private meeting held. The Local Patrons met; and the only charges made were, that Mr. Drewe was negligent of his duties—not keeping regular school hours, and allowing the children to be too long out at play. The language said to have been made use of by the Inspector is denied by the two Local Patrons who were present. The offensive words used by Mr. Drewe were said *before* anything had been said about his child using bad words. It is quite untrue that any teacher has been treated in a scandalous manner. It was a report, towards the end of the year, that Mr. Drewe wished to leave Tomago on account of the smallness of the fees; that a former teacher was asked, in case Mr. Drewe left Tomago, would she like to take the school.

We believe that, on the appointment of another teacher, the greater part of the parents will gladly send their children.

I am, &c.,

MARIA WINDEYER.

JAMES PEPPER,  
Local Patron.

P.S.—I sent this letter to the Local Patrons for their signature. Mr. Lunny refuses to sign that part relating to the Inspector. I must, therefore, refer the Council of Education to the Inspector himself.



## TOMAGO PUBLIC SCHOOL.

## No. 2.

A Copy of the latest Report of the Inspector on the said school previous to any proceedings having reference to said dismissal.

Tomago Public School (Vested)—General Inspection, 30th October, 1867.  
Teacher, Mr. S. C. Drewe, Class 3, Sec. B.—Local Secretary, Mrs. Windeyer.

Number of pupils enrolled:—14 boys, 16 girls; total, 30.  
Number of pupils present:—12 boys, 16 girls; total, 28.

1. The material condition of this school is bad, and owing to the extensive ravages of the white ant, temporary premises have to be used. The Local Board has brought the need of repairs before the Council. The school has a reasonable amount of working material, but the furniture and apparatus are unsuitable and much worn.

2. About four-fifths of the pupils are punctual and regular in their attendance. They are clean, orderly, and attentive. The tone of the school is good.

3. The subjects prescribed by the Council are taught. The instructional documents are properly displayed, the organization is satisfactory, the methods of instruction are reasonably good, and moderate progress has been made by the pupils. The following are the results of the examination:—

Reading	...	...	...	...	Fair.
Writing	...	...	...	...	Fair to good.
Dictation	...	...	...	...	Moderate to very fair.
Arithmetic—1st Class	...	...	...	...	Indifferent.
"    Lower 2nd Class	...	...	...	...	Failure.
"    Upper 2nd Class	...	...	...	...	Moderate.
Grammar	...	...	...	...	Only moderate.
Geography	...	...	...	...	Tolerable.
Object Lessons	...	...	...	...	Moderate.

When under examination, the pupils evince a fair amount of self-reliance, but they think and answer somewhat loosely.

4. The teacher appears to be liked by the people, and the School Board reports that both Mr. and Mrs. Drewe are very attentive to their duties. In addition to teaching needlework, Mrs. Drewe takes an active part in the oversight of the elder girls.

5. To sum up: the material condition of the school is bad, the organization and discipline satisfactory, the instruction fair, and the results may be designated as moderate.

*Recommendations:—*

None. The several defects have been pointed out to the teacher, who has promised to attend to the "suggested remedies"; for the present, therefore, no action on Council's part is necessary.

Newcastle, 2nd November, 1867. J. W. ALLPASS,  
Inspector of Schools, Newcastle District.

(E.)

## GENERAL INSPECTION.

INSPECTOR'S REPORT upon the Public School at Tomago, in the Newcastle District.  
Visited on the 30th day of October, 1867. Teacher, Mr. S. C. Drewe, Class 3,  
Section 13:

## I.—ORGANIZATION.

## 1. Situation:—

Is it central? Yes.  
Is it healthy? Yes.  
Is it pleasant? Yes.  
Is it accessible? Yes.  
Is it otherwise suitable? Yes.

## 2. Schoolroom:—

What is its form? Parallelogram.  
What are its dimensions? 35 feet by 20.  
In what state of repair is it? Bad, and has to be abandoned until repaired. In the meantime temporary premises are used.  
Is it suitable? Yes.  
What is its condition as to cleanliness? The temporary premises, satisfactory.

3. Playground :—  
 Give its extent? Half an acre.  
 Is it enclosed? Yes.  
 Are the closets in good condition, suitably placed, and properly arranged? They are in good condition, but badly placed.  
 Is there a shed to protect the pupils from the weather? No.  
 Are there trees for shade? No.  
 Are there flower borders? Yes, a very small one.  
 Has the master a garden—its condition? No.
4. Furniture :—  
 Is it sufficient? Yes.  
 Is it suitable? No.  
 In what condition? Bad.  
 Is it properly arranged? Yes.
5. Apparatus :—  
 Is it sufficient? Yes.  
 Is it suitable? Yes.  
 In what condition? Bad.  
 Is it properly arranged? Yes.
6. Books :—  
 Is the stock sufficient? Yes.  
 In what condition? Good.  
 Are any in use not sanctioned by the Council; if so, give their titles? No.
7. Classification :—  
 How many classes are there? Two.  
 Is the classification judicious? Yes.  
 Is it adapted to the "Course of Secular Instruction"? Yes.
8. Occupation :—  
 Time-table :—Does it agree with the "Act," "Course of Secular Instruction," and "Regulations"? Yes.  
 Does it provide for the constant and profitable occupation of all the pupils? Yes.  
 Is it duly observed by the teacher? I believe so.  
 Are there any vacations and holidays other than those sanctioned by the Council? No.
- Programmes of Lessons :—  
 Are they suitable? Scarcely so.  
 Are they acted upon? I believe so.
9. School Records :—  
 Admission Register—Correctly kept.  
 Class Roll—Nearly correct.  
 Daily Report Book—Correctly kept.  
 Quarterly Return—Correctly kept.  
 School Fee Account Book—Correctly kept. The fees are 6d. per week for one; 4d. each for two or more.  
 Lesson Registers—These have not been kept.

## II.—DISCIPLINE.

10. Punctuality :—  
 At what hour does the school business commence? 10 o'clock, a.m.  
 Is the teacher punctual? Yes.  
 Are the pupils punctual? Yes.
11. Regularity :—  
 What proportion of the pupils attends regularly? About four-fifths.  
 What means are adopted to secure regular attendance? None.
12. Cleanliness :—  
 Of premises? (Temporary.) Satisfactory.  
 Furniture? Satisfactory.  
 Apparatus? Satisfactory.  
 Teacher? Satisfactory.  
 Pupils? Satisfactory.  
 What is the character of the inspection before entering school? As at the Model School.
13. Order :—  
 Are the school operations conducted with order and decorum? Yes.  
 What is the character of the behaviour of the pupils? Satisfactory.
14. Government :—  
 Is the teacher's demeanour in the presence of his pupils becoming? Yes.  
 Is his moral influence beneficial or otherwise? Beneficial.  
 Are the principles of virtue inculcated? Yes.  
 What is the character of the government? Tolerably firm.  
 What is the moral tone of the school? Very pleasing.

## III.—INSTRUCTION.

15. Subjects :—  
 What are the subjects taught? Those prescribed by the Council.  
 Do they accord with the "Course of Secular Instruction"? Yes.

## 16. Methods:—

What are the methods employed? Those that are moderately inductive, but they lack spirit.

Are they suitable? Yes.

Are they effective? Moderately so.

## IV.—SCHOOL BOARD.

Name the members and state the number of visits paid to the school, by each, since the last inspection, as recorded in the Visitors' Book. Mrs. Windeyer, and Messrs. Pepper and Lunny. No visits are recorded, but Mrs. Windeyer is a very constant visitor.

How often are Board Meetings held? Such are not held.

## RETURN OF ATTENDANCE.

Number of Pupils.	7 years and under.		8 years.		9 years.		10 years.		11 years.		12 years and over.		Total.	
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
On the Rolls .....	4	6	1	2	3	2	1	2	2	1	3	3	14	16
Present at Examination .....	4	6	1	2	3	2	1	2	2	1	1	3	12	16

## (F.)

## REGULAR INSPECTION.

Public School at Tomago. Visited, 30 October, 1867.

## PROFICIENCY OF THE PUPILS.

*First Class.*

Numbers present:—6 boys, 5 girls; total, 11.

Quarter of enrolment—second.

## Reading:—

Book and lesson—1st Book I.N.B., sec. 3, lesson 16.

(a) Enunciation, &c.—only moderate.

(b) Spelling—tolerable.

(c) Meaning of words—tolerable.

(d) Knowledge of subject—tolerable.

## Writing:—

(a) Copies on slates—fair.

(b) Dictation—"Can a bird fly?"—indifferent.

## Arithmetic:—

(a) Notation—5-10-16-36-47-50—moderate.

(b) Slate work— $2+6+3+9+2+7+5$ —correct, four.

(c) Mental operations—small.

## Object Lessons:—

This class has been grouped with the older children for object lessons, and hence they are valueless to them.

## Singing:—

Has not been taught.

## Summary:—

(a) Attention—fair.

(b) Mental effort—moderate.

(c) Mental culture—small.

(d) General proficiency—very moderate.

*Second Class.*

Numbers present:—4 boys, 6 girls; total, 10.

Quarter of enrolment—third.

## Reading:—

Book and lesson—2nd Book I.N.B., sec. 3, lesson 12.

(a) Enunciation, &c.—fair.

(b) Spelling—poor.

(c) Meaning of words—tolerable.

(d) Knowledge of subject—tolerable.

## Writing:—

(a) Copies, copy books—fair.

(b) Dictation—"As soon as the dawn comes, &c."; five lines—moderate.

## Arithmetic:—

(a) Notation—7,630,019—failure.

(b) Slate work— $56,732+38,795+28,763+59,998$ —failure.

$39,875,678-390,999$ —failure.

(c) Mental operations—moderate.

Grammar:—

## Grammar:—

- (a) Definitions—very moderate.  
 (b) Parsing—four lines from the reading lesson—very moderate.

## Geography:—

- (a) Locality.  
 (b) Uses of a map.  
 (c) Definitions of common terms. } Moderate.

## Object Lessons:—

Subject, "Whale"—moderate.

## Singing:—

Has not been taught.

## Drawing:—

Has not been taught.

## Summary:—

- (a) Attention—fair.  
 (b) Mental effort—fair.  
 (c) Mental culture—moderate.  
 (d) General proficiency—moderate.

*Upper Second Class.*

Numbers present:—3 boys, 5 girls; total, 8.  
 Quarter of enrolment—third.

## Reading:—

Book and lesson—Third Book I.N.B., "Salmon."

- (a) Enunciation, &c.—very fair.  
 (b) Spelling—fair.  
 (c) Meaning of words—fair.  
 (d) Knowledge of subject—fair.

## Writing:—

- (a) Copies—copy books—good.  
 (b) Dictation—writing, good; spelling, very fair; punctuation, fair.

## Arithmetic:—

- (a) Notation, 309,467,309—correct, five.  
 $79,530,009 \times 8,056$ —correct, five.  
 $9,279,530,009 \div 985$ —correct, four.

## Grammar:—

- (a) Accidence—indifferent.  
 (b) Parsing—moderate.

## Geography:—

- (a) Same as the second lower class—fair.

## Object Lessons:—

Subject, "Bees"—fair.

## Singing:—

Not taught.

## Drawing:—

Not taught.

## Scripture Lessons:—

Old Testament—Not examined; New Testament—Not examined.

## Summary:—

- (a) Attention—satisfactory.  
 (b) Mental effort—fair.  
 (c) Mental culture—tolerable.  
 (d) General proficiency—tolerable.

**No. 3.**

RETURN shewing the names of all the Members of the Public School Board at Tomago; as also, the dates of their appointments.

## TOMAGO PUBLIC SCHOOL.

## NAMES OF THE MEMBERS OF THE PUBLIC SCHOOL BOARD.

1. Mrs. Windeyer. Appointed, 27th January, 1867.
2. Mr. James Pepper. Appointed, 27th January, 1867.
3. Mr. B. Lunny. Appointed, 27th January, 1867.



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## ORPHAN SCHOOLS, PARRAMATTA.

(RETURN SHEWING AMOUNTS EXPENDED ON.)

*Ordered by the Legislative Assembly to be Printed, 28 January, 1869.*

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 12 January, 1869, That there be laid upon the Table of this House,—

“ A Return shewing the amount voted annually, during the  
 “ last five years, for the repairs, additions, and improvements  
 “ at the Protestant and Roman Catholic Orphan Schools at  
 “ Parramatta; such Return to specify the amounts expended  
 “ from such Vote annually, during that period, upon each  
 “ establishment.”

*(Mr. Lyons.)*

RETURN shewing the amount voted annually, during the last five years, for repairs, additions, and improvements at the Protestant and Roman Catholic Orphan Schools at Parramatta; and the amount expended from such Votes, during the same period, upon each establishment.

Year.	Protestant.		Roman Catholic.	
	Amount voted.	Amount expended.	Amount voted.	Amount expended.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1864 .....			263 17 0	
1865 .....	1,000 0 0		1,000 0 0	104 7 0
1866 .....	1,000 0 0	1,000 12 0	1,000 0 0	1,164 15 7
1867 .....	1,000 0 0	278 0 3	1,200 0 0	1,977 6 5
1868 .....	1,000 0 0	188 11 0	273 3 0	197 0 0
TOTALS..... £	4,000 0 0	1,467 3 3	3,737 0 0	3,443 9 0

The Treasury, N.S.W.,  
18 January, 1869.

GEORGE LAYTON,  
Accountant.





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROMAN CATHOLIC ORPHAN SCHOOL, PARRAMATTA.

(LETTER FROM VISITING SURGEON OF, RESPECTING FEES, &c.)

*Ordered by the Legislative Assembly to be Printed, 19 January, 1869.*

THE VISITING SURGEON, ORPHAN SCHOOLS, PARRAMATTA, to THE COLONIAL SECRETARY.

Parramatta,  
15 January, 1869.

SIR,

I have the honor to acknowledge receipt of letter from the Principal Under Secretary, date 13th instant, calling my attention to the remarks of Mr. Hart and Mr. J. Stewart, in the Legislative Assembly, relative to the Roman Catholic Orphan School,—and to state, in reply, that I have never received one farthing in the shape of fees during the seven years I have had medical charge of the school, except my Government salary of £5 17s. 9d. per month, or 3s. 9½d. per diem, for medical attendance on an institution containing three hundred and eleven (311) inmates, seventy-nine of whom are under seven, and fifty (50) under five years of age.

2nd. There is not a single case of cutaneous disease in the institution, nor has there been for many months. Three years ago, a boy was inadvertently admitted without examination, and in a few days there were upwards of ninety cases of itch in the school; but, by energetic treatment, in which I was ably assisted by the sisters, nurses, and head master, Mr. Forshaw, it was *stamped out* in less than three weeks.

3rd. There are at present only nine (9) cases of ophthalmia in the school; three of these are chronic cases in unhealthy children, and have long baffled all treatment, but are now slowly improving. At the Protestant Orphan School, where the drainage is better, and the dry-earth-closet system has been introduced, ophthalmia is practically abolished. The six remaining cases at the Catholic School are cases of simple blight, have come on in the last few days from the heat and dust, and will be well in a week.

4th. I am happy to say that the children of both the Orphan Schools will contrast most favourably, not only as regards freedom from cutaneous diseases and ophthalmia, but also in general health, with those of any other institution, or with an equal number of children selected from private families of any position in the Colony. Previous to the late epidemic of measles, there had not been a single death at the Protestant Orphan School for a period of three years and two months; and during the epidemic, we only lost at the two schools fourteen (14) out of four hundred and fifty-nine cases of the disease, or 2½ per cent.

I have, &c.,

G. HOGARTH PRINGLE, M.D.,

Visiting Surgeon, Orphan Schools, Parramatta.



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## ROMAN CATHOLIC ORPHAN SCHOOL, PARRAMATTA.

(CORRESPONDENCE RESPECTING REMOVAL OF MR. SIMON CULLEN, FROM TEACHER IN.)

*Ordered by the Legislative Assembly to be Printed, 5 February, 1869.*

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 12 January, 1869, That there be laid upon the Table of this House,—

“Copies of all Correspondence, from the first day of last  
“June, relating to charges against Mr. Simon Cullen, and  
“to his removal from office as a Teacher in the Roman  
“Catholic Orphan School.”

*(Mr. J. Stewart.)*

## SCHEDULE.

NO.	PAGE.
1. Very Rev. S. J. A. Sheehy to Colonial Secretary, recommending dismissal of Mr. Cullen: May, 1868	29
2. Memo. of Inspector of Public Charities. 12 June, 1868	2
3. Mr. Cullen to Principal Under Secretary. 15 June, 1868	2
4. Principal Under Secretary to Very Rev. S. J. A. Sheehy. 16 June, 1868	3
5. Mr. Cullen to Principal Under Secretary. 22 June, 1868	4
6. Inspector of Public Charities to Principal Under Secretary. 26 June, 1868	4
7. Ditto to ditto. 27 June, 1868	5
8. Ditto to ditto. 29 June, 1868	6
9. Ditto to ditto. 21 July, 1868	6
10. Very Rev. S. J. A. Sheehy to Principal Under Secretary. 21 July, 1868	7
11. Ditto to ditto. 24 September, 1868	8
12. Ditto to ditto. 1 October, 1868	8
13. Principal Under Secretary to Very Rev. S. J. A. Sheehy. 6 October, 1868	8
14. Inspector of Public Charities to Principal Under Secretary. 21 October, 1868	10
15. Minute of Colonial Secretary. 21 October, 1868	10
16. Inspector of Public Charities to Principal Under Secretary. 22 October, 1868	11
17. Principal Under Secretary to Very Rev. S. J. A. Sheehy. 11 November, 1868	11
18. Inspector of Public Charities to Principal Under Secretary. 21 November, 1868	12
19. Memo. of Mr. Cullen. 27 November, 1868	12
20. Mr. Cullen to Colonial Secretary. 5 December, 1868	13
21. Principal Under Secretary to Mr. Cullen. 6 January, 1869	14
22. Mr. Cullen to Principal Under Secretary, with Memo. thereon. 7 January, 1869	14
23. Ditto to ditto, with enclosures. 15 January, 1869	15

## ROMAN CATHOLIC ORPHAN SCHOOL, PARRAMATTA.

### No. 1.

THE VERY REV. S. J. A. SHEEHY, V.G., to THE COLONIAL SECRETARY.

Vicar General's Office,  
29 May, 1868.

SIR,

I have the honor, on the part of the Committee of Management of the Roman Catholic Orphan School, to request that Government may be pleased to sanction the dismissal of Sn. Cullen from the office of Assistant Schoolmaster in that institution. He has for some time past been careless and wanting in efficiency; he has been warned that the Committee were dissatisfied with his conduct, and the letter from Dr. Pringle, of which a copy is enclosed, is only the last of several complaints that the Committee have judged to be well-founded. His dismissal, if Government sanction the decision of the Committee, will date from the 30th proximo.

I have, &c.,  
S. J. A. SHEEHY, V.G.

The Inspector of Public Charities, Mr. Walker, will refer to Mr. Inspector Johnson's examination of teachers in this Orphan School, and report generally on complaint herein made.—H.P., 12/6/68.

[Enclosure in No. 1.]

G. H. Pringle, Esq., M.D. to The Very Rev. S. J. A. Sheehy, V.G.

Parramatta, 20 May, 1868.

Rev. and dear Sir,

I am reluctantly compelled, through you, to call the attention of the Committee of the Roman Catholic Orphan School to neglect on the part of the Second Master to his duties in superintending the ablution of the boys. You are aware of the difficulty we experience in keeping the establishment free from itch and other contagious cutaneous diseases. Many of these, when apparently cured, remain lurking in the system, and break out again spontaneously; and, if not detected at once, rapidly spread the contagion through the school. Last week I detected two cases that had evidently been unnoticed for some days; and, in mentioning the matter to the Matron, I was informed that repeated complaints have been made by the attendants of the want of care exercised by Mr. Cullen in superintending the children at the lavatories. I confirmed this by actual inspection, several of the boys having exceedingly dirty ears, &c. As I look upon this as a most important matter for the well-being of the establishment, I trust you will excuse my thus troubling you.

Yours, &c.,  
G. HOGARTH PRINGLE.

### No. 2.

MEMO. OF THE INSPECTOR OF PUBLIC CHARITIES.

12 June, 1868.

It appears that the Very Rev. Mr. Sheehy recommends the sanction of the dismissal of Mr. Cullen from the office of Assistant Schoolmaster, only on a general complaint that for some time past he has been careless and wanting in efficiency; and he forwards a letter from Dr. Pringle, the Surgeon of the institution, complaining of his want of care in exercising a proper supervision over the children at the lavatories.

The duties complained of by Dr. Pringle as having been neglected by Mr. Cullen seem hardly to come within the proper duties of a teacher, and do not therefore appear to me to demand so severe a punishment as dismissal from his office.

At the Protestant Orphan School these duties are performed by a person who is especially appointed, under the title of drill-master, to take charge of the boys at all times when out of school, who gives his whole attention to their moral training and to the cleanliness of their person. This is a work that appears altogether too laborious for any one who has to teach all day; and it is very desirable that a similar appointment should be made in this establishment. The teachers could then be relieved of this kind of duty, except during the temporary absence of the drill-master, when it would be necessary for them to take his duties for the time.

In Mr. Johnson's Report on the examination of teachers at the Orphan Schools, he says, "The teacher has not been trained. He is possessed of tolerable literary attainments and fair natural aptitude for teaching. He expresses an anxiety to obtain training."

"The assistant teacher has been trained, but his duties are only in part scholastic."

"I

"I beg to recommend that steps be taken to obtain for the teacher the necessary training in the Public Training School in connection with the Council of Education. I am of opinion that the teacher, if better qualified in the manner recommended, would, with the assistance of two pupil teachers, constitute ample teaching power for the present requirements of the school."

As there does not appear any complaint of Mr. Cullen's ability to perform the duties of his office as a teacher, I think it would be unjust to remove him on charges of so general a nature; but, if an arrangement could be made for carrying out Mr. Johnson's suggestion, and a drill-master appointed to take charge of the boys when out of school, the moral habits and general deportment of the children would be better attended to and their education quite as efficiently conducted.

R. C. WALKER,  
Inspector of Public Charities.

Send copy of Mr. Walker's report to Mr. Sheehy, saying that I shall be glad to receive any observations he may have to make upon it.—H.P., 13/6/68.

### No. 3.

MR. S. CULLEN to THE PRINCIPAL UNDER SECRETARY.

SIR,

I respectfully ask you to bring the following facts under the notice of the Honorable the Colonial Secretary:—The Very Rev. the Chairman of the Catholic Orphan School has given me notice that he has recommended the Government to remove me from my position in the Orphan School on the 30th instant. My respectful request is, *not* to be removed without getting an opportunity of replying to the preferred complaint.

I respectfully assign a few reasons to show that the Very Rev. S. J. A. Sheehy's complaints against me are not to be received as true on *his* assertion. The Rev. Gentleman has been connected with two other charges against me, and, on explanation, were found *untrue*.

The Vicar-General acts as *judge and accuser* in these charges. He visits here as Churchman, Religious Confessor, and Chairman. He gets up complaints in the two former capacities, and in the last he acts as judge. How can I stand against that?

In November, 1866, the Matron of this school made a complaint against me. It had been well arranged beforehand with her advisers; but when the Committee called for my explanation, one word of that complaint did not turn out to be true. The Committee can contradict me, or produce the *report* and the *reply*.

In July, 1867, the Very Rev. S. J. A. Sheehy and the Rev. Mr. Cunningham (the local Clergyman at Parramatta) made a complaint against me. I can refer to Mr. Hart, M.L.A., for my written reply, and then the Colonial Secretary can decide who has been at fault. It would be bad taste for me to say that the charges brought by two Catholic Priests and a much respected Sister of Charity—that they proved, on investigation, to be *false*—they were; and besides, intensely malignant and uncharitable.

In this last report, the Committee gave me no chance to vindicate my character. The name of Dr. Pringle appears in the present report. It's a relief to have the clerical party out for once; but I firmly and respectfully deny that I am at all responsible to Dr. Pringle, and I assign reasons:—For the last five years, Dr. Pringle did not, as much as *once*, speak to me about my duties or their manner of performance. If he had legitimate control over my actions, was it not his duty to give me either verbal or written orders as to his wishes?—that he never did, nor did any other person for him; consequently, how can the charge of *neglect* be sustained in such circumstances?

If the Doctor only hinted to me that any evil results were arising from my carelessness, I should use all possible means to give satisfaction, and there would be no need of report; but the Vicar General only wants my *removal*, and so Dr. Pringle's influence is unjustly brought forward—that's clear.

Will the Honorable the Colonial Secretary decide that it was my duty to flog sickly children, about five years old, suffering from dysentery brought on by bad and unsuitable diet? Was it my duty to cure or prevent that by flogging? Was it not punishment enough to have large patches of the skin blistered off their backs? This can be certified by examining a few of those unfortunate creatures.

I don't mention this case to explain a word in the Doctor's report, but as a reason that I am entitled to get an opportunity of replying or else have an investigation carried on at the institution. I have other claims on the Colonial Secretary to protect me from *wrong* and injustice.

I came to the Colony seven years ago as Government Schoolmaster on board an immigrant ship. The official documents relative to that appointment can be seen at the Colonial Secretary's Office. Besides, last year, the Honorable the Colonial Secretary asserted his control over the Orphanage. I was then compelled to attend an examination. It was publicly admitted that I was a trained teacher, and did not require to go to school again. On these grounds also I respectfully claim a fair hearing.

The manner in which the present complaint has been made is worthy of attention. It was only on the 8th instant that I was informed of my removal on the 30th. Would it not be fair to get a month's notice? Again, out of the entire twenty-four hours, I have only three for recess. Will the Colonial Secretary admit that all my other duties can nothing avail, supposing I failed in *one* particular.

The

The case is only one of *justice* to me, but it is one of *mercy* to the children. Let it be decided by proper authority how children are to be treated. The case is one of health—I might say one of life and death—to the poor orphans. For all those reasons, I hope I shall not be condemned unheard. I have received too much of that already from the Vicar General and his friends. I deeply regret to give such trouble, but I am only on the defensive. Since I came to this country, I offended against no law; I have infringed on no rules of the institution; I did not neglect my duties in a single particular. To get a trial is not denied to the worst of criminals—I ask no more from the Honorable the Colonial Secretary.

I am, &c.,  
S. CULLEN.

15 June, 1868,  
R.C. Orphan School.

---

No. 4.

THE PRINCIPAL UNDER SECRETARY to THE VERY REV. S. J. A. SHEEHY, V.G.  
Sydney, 16th June, 1868.

VERY REV. SIR,

12 June, 1868.

With reference to your letter of the 29th ultimo, requesting that the Government will sanction the dismissal of Mr. Cullen from the office of Assistant Schoolmaster at the Roman Catholic Orphan School, I am directed to enclose a copy of a Report that has been obtained from the Inspector of Public Charities; and to state that the Colonial Secretary will be glad to receive any observations you may have to make upon it.

I have, &c.,  
HENRY HALLORAN.

---

No. 5.

MR. S. CULLEN to THE PRINCIPAL UNDER SECRETARY.

Parramatta, 22 June, 1868.

SIR,

In the appeal I made a few days ago to the Honorable the Colonial Secretary, I had in view a threefold object: to gain a fair hearing for myself; to call attention to the anomalous position of the Vicar General; and to have the children treated as civilization, and humanity, and progress require. These three things have been so blended, that I could not talk of one without alluding to the other.

My removal is not in itself a serious affair, but the cause of justice is never a trifling affair. I gave facts to show that the Rev. Mr. Sheehy's complaints are not to be received as true till investigated. I could give several other proofs, but I think it quite sufficient to tell the Honorable the Colonial Secretary to see for himself the blistered and torn backs of Harry Miner and Thomas Leech, and then decide was the schoolmaster to be degraded when he did not add his mite of wanton barbarity to cure diarrhœa and dysentery with a *ferula*.

There is another feature in the case—as it concerns the Honorable the Colonial Secretary himself, to which I respectfully invite his kindest and best attention—I mean the prevalence of sore eyes. There are more cases of ophthalmia in the charitable institutions than in the entire population of the Colony united; and to show that I should not be censured for poor children having their eyes covered all over with a disagreeable looking substance, I give my opinion of its cause, and how it can be prevented without the infliction of corporeal punishment. In the dormitory the sore eyes are produced. The ceiling is low. The ventilation could easily be improved; but the chief source of the evil is to make the beds early in the morning, and so confine the night *effluvia* and prevent its escape. Added to this is a greater evil, namely, the bed-clothes absorbing and retaining the damp evaporation which arises from washing the floor. The air in such dormitory must be damp, chilly, and fetid; and when that is inhaled night after night, no wonder if sight, lungs, and health were much worse, if there be truth in sanitary science.

From the dormitory let me go to the refectory; and I say, no wonder that the stomachs of those children cannot perform their functions so as to ensure health and strength. How can children who never have a change of diet be strong? I pass by the *quality* of tea, sugar, and milk supplied. How can orphan children be different from the human race, that they should be kept to the identical same thing over and over? The expense would not be greater to substitute bread and milk for bread and tea in the evenings. During the last six years there was nothing of the kind. Nature rebels against that; illness attends it; then the grand cure must be resorted to—punish, punish.

I earnestly and respectfully call the attention of the Honorable the Colonial Secretary to those things, and let them be considered before any further injustice is dealt out to me. The Vicar General might have my removal effected without referring to the Colonial Secretary; but the reverend gentleman, in keeping with his kind charity, preferred to effect my future *ruin* by the course he adopted. I do not wish to be kept in the Orphanage, nor do I solicit any favour or appointment from the Government, but I earnestly ask for justice. I value it more than life on this occasion.

In

In conclusion, I appeal to the enlightened and experienced opinions of the Honorable the Colonial Secretary to say if I have not acted with a view to order, discipline, and education, and such general matters as tended to the future happiness and well-being of the children.

Can the Colonial Secretary say that I have been helped? There is a boy in the school; I was striving to train him for a pupil teacher; I told him to get a geometry (*sic*) six months ago; he asked it, but did not get it since. From *that one* you may learn several, but I forbear from going into any details. I am only concerned with the Vicar General; and I hope, however lowly my position, that as the case has been referred to the Colonial Secretary's Office, that justice will be strict and impartial.

I again respectfully reiterate to the Honorable the Colonial Secretary, the case involves more than a mere removal.

I am, &c.,  
S. CULLEN.

The Inspector of Public Charities ought to inquire into the facts alleged in this letter.—H.P., 24 June, 1868.

## No. 6.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Office, Inspector of Public Charities,  
Sydney, 26 June, 1868.

SIR,

I have the honor to report, for the information of the Honorable the Colonial Secretary, that I visited the Roman Catholic Orphan School, for the purpose of inquiring into the allegations contained in Mr. Cullen's letters of the 15th and 22nd instant. With reference to his remarks respecting Henry Miner and Thomas Leech,—I find both these boys, of ages five and six years, are still in the school, and now under his charge. They are continually in the habit of soiling their beds in the night—(the cause of which would seem to be more from some physical infirmity than from any wilful or bad habit, as the Matron informs me that Dr. Pringle believes it to arise from some affection of the kidneys)—and, as a remedy, he ordered a blister to be put on the back of each of these children, over the region of the kidneys; but, to try and check them of this habit, *they were told* it was as a punishment for their bad conduct. I have examined the children, and find they have each had an ordinary blister on them.

Mr. Cullen states that he was never informed that these children were addicted to this, nor was he aware of it; and only learnt the fact from the children themselves telling him the blisters were put on them as a punishment. He also states he has been censured on *previous* occasions, in similar cases, because he did not inflict corporal punishment on the boys, when he knew at the time they had not wilfully committed themselves in this way; but that Dr. Pringle has never spoken to him about the cleanliness of the children, nor has the Matron made any complaint to him for neglecting his duties, and no notice has been taken of anything he has complained of since the first twelve months after he joined the institution.

As regards the complaint of sore eyes, which he attributes to a want of change of diet, and to the beds being made up too early in the morning, and the rooms being washed out while the bedding is in them—I find the beds are made up before 8 o'clock, a.m.; that only the space between the beds in the centre of the floor is scrubbed daily, and the whole of the dormitories are washed out twice a week. The washing of the place is necessary; but it would perhaps be better to have the beds rolled up during the day as in many other institutions, and have them made by the boys in the evening. At present this work is performed by the girls of the institution, the Matron considering it undesirable to put boys on this duty; but in the Protestant Orphan School it is done by the boys, and the beds are made up in the afternoon, which no doubt is the better plan. Some of the children are affected with sore eyes, but no very bad cases and not more in proportion than in other institutions.

As the diet is regulated by a fixed scale containing only certain articles of food, it does not afford the opportunity for making any more than ordinary changes; this I find is done as far as the regulations will allow, and no complaint is made of the children being stinted in their food.

On this occasion I waited while the tea was served out to the children; and I found it to be of a very inferior kind, and not what it ought to be in accordance with the conditions of the contracts, which state that "the articles shall be the best of their several kinds."

His remarks about the pupil teacher refer to a boy named George Hughes, a lad about 16 years of age whom he wished to instruct in the evening, to advance his education so as to enable him to take the position of a teacher; and he desired the boy to apply to the Matron for a book of Euclid, but it was not granted and the boy has been removed from his class without any reason being assigned.

In justice to all parties, it is necessary for me to state that the Matron admits that she has not given Mr. Cullen any instructions about the boys or his duties for a considerable time; and assigns as her reason for not doing so, that on one occasion when she complained to him about his neglect of duty, he desired her to report him to the Committee, and behaved in an insolent manner; the Committee then censured him for  
his



his conduct. This shows an absence of a direct control at the establishment, and a want of cordial co-operation between the officials, which is so very desirable for the welfare of the institution; and it appears to me that all discord might have been avoided had the complaint of the Matron, in the first instance, been forwarded direct to the Honorable the Colonial Secretary.

I have, &c.,  
R. C. WALKER,  
Inspector of Public Charities.

I do not think much attention can be paid to Mr. Cullen's complaints; but disagreements among the persons employed in any institution of this kind must be attended by injury to the institution itself. I concur in Mr. Walker's opinion that the beds ought not to be made up early in the morning. Paper to be re-submitted.—H.P., 30/6/68.

### No. 7.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

The Principal Under Secretary.—Forwarded for information of the Hon. the Colonial Secretary.—R.C.W., B.C., 29 June, 1868.

R. C. Orphan School,  
27 June, 1868.

SIR,

I omitted two matters of some consequence when speaking to you yesterday, to which I respectfully call your attention. First, I forgot to tell you that in the year 1866 there was upwards of *eight acres* of land cleared by myself and a detachment of boys; and that did not cost the Government one farthing expense. If you add to that the value of the wood, the item will be considerable if judged by the expense of clearing the Haslem Creek Cemetery. You might ask, why was that industry discontinued. I was then willing to give even my own leisure hours to advance the business.

I next ask your attention to the *amount of work* required of boys, which I think to be far too much for their years and strength. I give an instance. About the middle of May last, I think Saturday 16th, I was in charge of the entire premises, and at 11 o'clock a.m. I got a message from the Matron to send boys to cart stones from one place to another. The boys had been working hard *four hours* previously, sawing and splitting wood (the daily consumption of which is beyond a ton weight). On getting the message, I said to the boys, "I know ye are tired, and exhausted, and hungry, but I can't help the orders of the Matron; work gently and put on light loads." This deserves particular attention. It was the only message or commands I received from the Matron during the past twelve months; only that it had been so, and that I did not like to become uncivil, I should disobey the orders, tender my resignation, and ask Government protection for the poor orphans.

Bear in mind that the breakfast given to the children is by no means so solid or substantial that they could work severely for five hours on the sustenance afforded by bread and tea even of the best quality. Breakfast is given at 7½, and dinner at 12½. It is a serious matter to require children so long under the scorching heat of the mid-day sun to be employed at work fitted only for horses, carrying or carting stones and heavy clay soil. As I recollect, there is something about insubordination in the charge or charges against me; this must be the case alluded to. I can emphatically say, that from the 1st June, 1867, to 1st June, 1868, I did not receive a single order or command from Committee, Matron, Doctor, or any other except this; and it appears to me now that I was quite wrong to obey the orders under the circumstances. It is well worthy the attention of Mr. Walker that the duties of officers and subordinates should be clearly defined. It would be highly improper that a Matron wishing to carry all with high-handed authority should give ill-timed and peremptory commands, which either must be disregarded by the subordinate or else inflict a serious wrong on unoffending children.

In concluding, I do regret that my friends of the Catholic Orphan School were not "to my faults a little blind, and to my merits a little kind." It's rather strange that neither in my *literary, industrial, or social* duties there was nothing that the Very Rev. Mr. Sheehy could see worthy of recognition or regard; but, on the contrary, to put forward his most influential endeavours to ruin and blight my present and future prospects. He has done public service so I respectfully thank him.

I am, &c.,  
S. CULLEN.

The Inspector of Public Charities.

### No. 8.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Recd. 29th June, /68.—For information of the Hon. the Colonial Secretary.  
The Principal Under Secretary.—B.C., 29th June, /68.—R.C.W.

Parramatta, 27 June, 1868.

MY DEAR SIR,

I have learned with some surprise, from the Superioress of the Roman Catholic Orphanage, that you had been led to understand that some of the boys had been blistered

blistered as a punishment! I beg to assure you that there is not the slightest foundation for any such statement. No blisters are applied unless by my orders and for professional reasons. In cases of incontinence of urine, I invariably give the boys the benefit of the doubt and prescribe. If this fail, and I find the boys wilfully persist in the practice, I advise a good whipping.

The Inspector of Public Charities.

I am, &c.,

G. HOGARTH PRINGLE.

### No. 9.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Forwarded for the information of the Honorable the Colonial Secretary.

The Principal Under Secretary.—R.C.W.—B.C., 21/7/68.

Parramatta, 13 July, 1868.

SIR,

It appears to me, when you read this, that you will admit there are some things in it deserving your attention. I did not think well to allude to them on the late occasion of your visit, wishing to exclude all irrelevant matter from the subjects mentioned in the Vicar General's complaint.

Your attention has been called to the dormitory and refectory. I adhere to what I have already written, having since given the subject increased attention. I now kindly ask your consideration to *cold weather*, and how it may affect delicate children.

As far as six years' experience has enabled me to judge, I am confident there has been a great deal of avoidable pain and suffering inflicted on children during the winter months. Of *one hundred boys* there are at least one-third who are feeble and unfit to take robust exercise early in the mornings and late in the evenings. There is no house, no shed or such like, to shelter from the chilling blasts that are so trying to the healthiest and strongest constitution. Would it be wrong to admit the younger and weaker portion into the schoolroom? Please to decide that. I was always favourable to that course, but always have been opposed. Next comes the *playground*. From past correspondence with the Committee, I told them, in plain terms, that the boys' playground should be on the western side of the boys' school, and the girls' playground (to be on the late grounds given by the Government) along the Lunatic Asylum. This subject I should prefer to *talk* about. There's nothing more necessary, in a mixed institution like this, than distinct places for public amusement and recreation. It would be painful to allude to the amount of odium I was subjected to for making this suggestion. The reasons for such suggestion are too obvious to dwell on. The present playgrounds are totally unfit, and they are a source of disagreeable daily toil to the children in dusting them. In hot and dry weather the dust arising from the *brooming* inflames the eyes much. For that reason a change should get some consideration.

In respectfully submitting those changes, there cannot be the most remote censure on any person or persons individually or collectively—they involve little or no expense—they would tend to the health, happiness, and character of the children. I have abstained from saying a word on the duties of the schoolroom, not that I am altogether ignorant of the subject, nor indifferent to the advantages of education; but I think the subjects mentioned are far more important and far more deserving of care and solicitude. Putting many words into a few, I should say: "Guard against illness; prevent pain; no severe chastisement except for offences criminal or tending to crime; promote health by wholesome diet, by recreation and judicious manual labour—then educate; cultivate feelings of truth and rectitude; form the mind to manliness and independence of character, adapted to elevate from the desolation and bereavement, which, under the happiest circumstances, must be inseparable from the hard lot of *Orphanage*."

The Inspector of Public Charities.

I am, &c.,

S. CULLEN.

P.S.—At your convenience, if you kindly let me have a few *words* on the School Farm, I should think such a favour; and I hope you won't find such time misspent. As already said, I have no complaints against any person. The most curious reports are getting circulated as to the probable nature of the complaints made against me by the Vicar General. Some think them extraordinary criminal, or that a priest can *do no wrong*.

I must not omit to say that my friends here say, they have recommended to appoint a drill-master. I may tell you that I could not be a "trained teacher" without knowing school-drill. The boy I am teaching will be able to show you that I can teach it.

I'll engage to *drill out* the abuses of past years; and it's more required than giving martial airs to poor blistered and cruelly flogged children.

I am certain you won't receive any tales to my prejudice without telling me; and if I am deficient or incompetent in any necessary qualification, I'll generously admit my shortcoming.—S. C.

## No. 10.

THE VERY REV. S. J. A. SHEEHY, V.G., to THE PRINCIPAL UNDER SECRETARY.

Vicar General's Office,  
16 July, 1868.

SIR,

In answer to your letter of the 16th instant (*sic*), inviting observations on an enclosed Report from the Inspector of Public Charities, in reference to the proposed dismissal of Mr. Cullen, the Assistant Schoolmaster of the Roman Catholic Orphan School, I have the honor, on the part of the Committee, to observe, on the first paragraph of the Report, that the complaint, although conveyed to Government in the general terms "carelessness and inefficiency" had been previously carefully examined in detail by the Committee.

2. The Committee have no wish at all to urge severity, and willingly withdraw their recommendation of Mr. Cullen's dismissal, if Government consider the punishment would be, as it seems to the Inspector, too severe.

3. But still, looking to their experience of the disposition and conduct of Mr. Cullen, the Committee are decidedly inclined to advocate the expediency of his removal, whenever it may be in the power of Government to find him equivalent employment elsewhere.

4. The Committee desire me also to express their cordial concurrence in the suggestion that certain offices for which Mr. Cullen is at present responsible are not well assigned to a teacher, but belong to a drill-master; and they hope that, as soon as may be convenient, Government will be good enough to allow for the institution such additional assistant, charged with the duties described in Mr. Walker's Report.

I have, &c.,  
S. J. A. SHEEHY, V.G.

## No. 11.

THE VERY REV. S. J. A. SHEEHY, V.G., to THE PRINCIPAL UNDER SECRETARY.

Vicar General's Office,  
24 September, 1868.

SIR,

On the 16th July last I had the honor of addressing to you, on behalf of the Committee of the Roman Catholic Orphan School, Parramatta, a letter in answer to a Report made by the Inspector of Public Charities on the case of Simon Cullen, the Assistant Schoolmaster whose dismissal the Committee had proposed for the sanction of Government. The Committee willingly withdrew their recommendation of dismissal, if the Government agreed with the Inspector in thinking that measure too severe a punishment. At the same time, however, they declared that they had not written without carefully examining the complaints that had been made from time to time against Mr. Cullen, and had not acted on vague general charges. Further, looking to their long experience of his disposition and conduct, they still urged the expediency of removing him from the institution so soon as he could be placed elsewhere.

2. I am sorry to say that the Committee can no longer concur in this lenient view of Mr. Cullen's behaviour. Finding that there is no improvement, but that he continues to be, and even in a greater degree, neglectful and offensive, and mischievous in his present position, they desire to press his removal; and they trust that Government will not consider that they are either incompetent to understand, or unwilling to apply, what is required by ordinary justice and charity in the case. They respectfully submit that they are not in this claiming an amount of confidence greater than that which has always been accorded to them by Government in respect of the officer in question.

3. I enclose a copy of a letter which he says he addressed to yourself. It is of itself sufficient evidence of his insolent folly and malignity. How the copy of the letter came into my possession I shall be glad to explain to you, if you wish, in person.

I have, &c.,  
S. J. A. SHEEHY, V.G.

## No. 12.

THE VERY REV. S. J. A. SHEEHY, V.G., to THE PRINCIPAL UNDER SECRETARY.

Vicar General's Office,  
1 October, 1868.

SIR,

I have the honor to inclose two letters received this morning from the Roman Catholic Orphan School, Parramatta, one from the Matron and one from Mr. Forshaw, the Schoolmaster. They are submitted in connection with my letter of the 24th ultimo,  
not

Dated 15 June,  
1868.

not only in support of the Committee's request for sanction to Mr. Cullen's removal, but as showing that some immediate action is necessary in the interest of the discipline and good order of the establishment.

I have, &c.,  
S. J. A. SHEEHY, V. G.

Write to the Vicar General, informing him that as soon as the Inspector of Public Charities returns to town he shall be directed to inquire into the additional charges against Mr. Cullen.—J.D., 5/10/68.

[Enclosures in No. 12.]

The Matron, Roman Catholic Orphan School, Parramatta, to The Chairman of the Committee.

Roman Catholic Orphan School,  
Parramatta, 30 September, 1868.

Very Rev. Sir,

I beg again to call your attention to the great want of order and discipline amongst the boys. They seem to be under no control when out of school, and absent themselves whenever they think proper.

From the enclosed list, you will see it is now a matter of daily occurrence. On the 21st., George Spicer was absent all day. I was not informed of it until between 9 and 10 o'clock p.m., when Mr. Cullen sent to know if I would allow two boys to go to the farm to look for him. I answered,—“No; unless he or Michael went with them.” The latter accompanied them. The boy was not to be found. In the meantime he returned, and climbing up the post entered through the window.

On the night of the 22nd Thomas Spring and Daniel Burnham were out, and said to have slept in the new cemetery next to our farm. Edwards, a child of only nine years of age, was absent from the morning of the 24th to the evening of the 25th; he was found in Sydney, and brought home by a policeman.

Mr. Cullen, who has the general care of the boys out of school, and was also to see them in the dormitories, never informed me of the two boys being out all night.

May I beg of you to use your influence to have a change made. Mr. Cullen is quite unfit for the place he holds; and if matters are allowed to go on much longer the boys will bring disgrace upon the institution.

There are only 100 boys and they have two masters. We have 116 girls under one teacher.

I have, &c.,  
M. A. ADAMSON.

Mr. Jos. Forshaw to the Mother Superioress.

Roman Catholic Orphan School,  
30 September, 1868.

Dear Madam,

I feel bound to call your attention to the case of the boy Spring, who is systematically absenting himself from school.

It appears that on the night of the 28th, to escape punishment, he slipped through the dormitory window on to the roof of the dining hall, thence by the spouting to the ground, and away. He was next at evening prayers on the 29th, slept in the dormitory, but not punished; was at morning prayer and breakfast; not at school, but came to dinner. Thinking Mr. Cullen might explain his absence from school, I asked him about the boy, but received no reply but a studied air of indifference about the matter. It is evidently useless for me to expect any aid from him in restoring the discipline of the boys' school, which has been gradually falling off, until its present aspect really threatens nothing less than open insubordination.

I am, &c.,  
JOS. FORSHAW.

R. C. Orphan School.

List of Boys absent from School during the current Month of September.

September 1. Daniel Spence.	September 23. Thos. Spring. Dan. Burnham.	September 24. D. Burnham. R. Williams. John Sawyers.
September 2. Daniel Spence.	Wm. Dodd.	September 25. D. Burnham. R. Leigh. Jas. Edwards. John Sawyers.
September 3. Daniel Spence. Geo. Stourton. Geo. Spicer.	John Sawyers.	September 28. T. Spring. R. White. C. Cusack. — Edwards. P. Stourton. C. White. J. Critchley.
September 4. Daniel Spence. George Stourton. George Spicer.	September 24. Robt. White. Geo. Elliott. T. Sheldon. T. Spring. T. Connolly. D. Leigh. R. Leigh. Jas. Hayes. Jas. Edwards. Ed. Meares. Jno. Coghlan. Jno. Critchley. P. Stourton. C. White. C. Nelson. T. Whelan.	September 29. R. White. T. Spring.
September 7. John Leary.		September 30. Thomas Spring.
September 15. Daniel Spence.		
September 21. George Spicer.		
September 22. Thomas Spring. Daniel Burnham.		

## No. 13.

THE PRINCIPAL UNDER SECRETARY to THE VERY REV. S. J. A. SHEEHY, V.G.

Colonial Secretary's Office,  
Sydney, 6 October, 1868.

VERY REVEREND SIR,

In acknowledging the receipt of your letter of the 1st instant, forwarding communications received by you from the Matron and Schoolmaster of the Roman Catholic Orphan School, respecting the conduct of the Assistant Schoolmaster, I am directed by the Colonial Secretary to inform you that, as soon as the Inspector of Public Charities returns to town, he shall be directed to inquire into the additional charges against Mr. Cullen.

I have &c.,  
HENRY HALLORAN.

## No. 14.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Sydney, 21 October, 1868.

SIR,

In returning the letters of the Vicar General, of 24th September and 1st instant, requesting the removal of Mr. Cullen from his position as Assistant Teacher at the Roman Catholic Orphan School, I have the honor to report, for the information of the Honorable the Colonial Secretary, that I have visited this institution, and personally inquired into the complaints set forth in the correspondence.

I find the conduct and general behaviour of the boys since my visit in August last is anything but satisfactory; and, from the 1st of last month, many of them seemed to have acted as they pleased, going in and out of school when they thought proper, quitting the premises without the knowledge of those placed in charge over them, and obtaining property which none of the officials can account for their having possession of. This property has been sold by the boys in the township, sweetmeats purchased with the money, and brought into the school. Other boys have roved about the town on Sundays, instead of attending church; and neither Matron nor Masters appear to have known anything about it, until the matter has been reported to the Matron by people unconnected with the institution.

As many as fifteen boys at a time have been continually permitted to go to and fro to the farm, a distance of more than half a mile out of sight of the institution, without any person to accompany them; and they have been kept there during the day, under charge of the farm labourer only, and to the prejudice, I consider, of their schooling.

There is an absence of anything like co-operation with the male teachers one with the other; and the Matron does not appear to be empowered with that control over them which is absolutely necessary for the head of such an institution to possess, in order that it may be worked in a proper manner.

Mr. Cullen complains of interference on the part of the Matron and the teacher (Mr. Forshaw) with his control of the boys, and attributes, in a measure, their insubordination, and his own inattention to a more vigilant supervision of the boys when out of school, to this interference.

The boys have a negligent lazy way with them; they destroy their clothes, and in many instances exhibit a total disregard for the commands of their superiors, and have not that cleanly appearance they ought to have. Mr. Cullen admitted to me that he had not reported the absence of the boys or other irregularities to the Matron, and did not accompany them to the farm, because his duties had been interfered with; he also asserted that the minds of all the officials of the institution were prejudiced against him. The fencing of the boys' playground has been allowed to fall into decay, and in many places it is now quite open, which he points out as a reason for their being able to get away without his seeing them.

It is very desirable some immediate action should be taken to restore the school to a proper state of discipline; and, as it is evident to me Mr. Cullen cannot work in an amicable manner with those who are placed over him, and he has not paid that attention to the unscholastic part of the duties allotted to him which he was required to do, I urge that the recommendation of the Vicar General be carried out, and a suitable and properly trained drill-master be appointed at once, to take the entire charge and control of the boys when out of school. The duties of the teacher could then be confined wholly to the instruction of the boys; and arrangements could be made for assisting the teacher, as suggested by Mr. Inspector Johnson—shown in my Report of 12th June last—by the selection of proper monitors.

No complaint whatever has been made against Mr. Cullen as to his fitness as a teacher; some provision might, therefore, be made to procure a place which would be more suitable to his abilities.

The

The absence of distinct and definite regulations showing the duties of each officer and attendant, has, I think, assisted to aggravate this want of co-operation with the officers of the institution; and I beg to call attention to my letter of the 6th June last, submitting Rules for the Protestant Orphan School, in which it is pointed out that, with slight alteration, they would apply equally to this establishment if approved of.

I have, &c.,

R. C. WALKER,

Inspector of Public Charities.

### No. 15.

#### MINUTE OF THE HON. J. DOCKER, COLONIAL SECRETARY.

AFTER attentive consideration of all the papers in this case, I have arrived at the conclusion that the interests of the institution will suffer by the continuance of Mr. Cullen in his present position. I think, therefore, the suggestion of the Inspector should be carried out; but, as circumstances will not admit of my giving the necessary attention to the means to be adopted for this end, I must leave their adoption to my successor in office. J.D., 21/10/68.

#### MINUTE OF THE HON. J. ROBERTSON, COLONIAL SECRETARY.

THE usual steps in such cases should be taken for the removal of Mr. Cullen. With regard to the last paragraph in the letter of the Inspector, I have already given instructions to the effect that that officer should prepare Regulations to him appearing suitable for the Catholic Orphan School, in order that facility for the best consideration of the matter may be given to me. JOHN R.

### No. 16.

#### THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

MEMO. :—The accompanying letter from Mr. Cullen, respecting the complaints made against him, was only received this day, and might be placed with my Report on the matter of the 21st instant.

R. C. WALKER,

Inspector of Public Charities.

22 October, 1868.—B.C.

#### [Enclosure in No. 16.]

Mr. S. Cullen to the Inspector of Public Charities.

Catholic Orphan School,  
20 October, 1868.

Sir,

As directed yesterday, I beg to furnish you with a written statement about the affairs then under consideration. In doing so, my task is rather cheerless. No matter how the present charge may result, it would be as easy to recall the dead to life as to restore my character from the injury it has already received from the officially admitted falsehoods of previous complaints made against me by the Matron of this institution, and the Very Rev. Mr. Sheehy, and a few others whose names are unworthy of being noticed. The last of these deliberate and malignant falsehoods was preferred as late as three months ago. I let it pass, and I meet the present charge boldly but very respectfully: *not guilty in a single particular.*

The principal item against me is, that about twenty boys were, on a certain day, 23rd ultimo, absent from school. They were; and the wonder is, on the day in question, that the entire school was not off to the farm for a holiday.

Some one of the boys gave out that I got a holiday for them. In the glee and hurry of the moment, all were nearly off; and before there was time to stop the bustle, *eighteen* were out of reach; but they were back at 5 o'clock, tea-hour, and did not commit one wrong act during the day. It would be worse than falsehood to charge me with *neglect* in such a case, and it would be equally untrue to represent that as an *irregularity* on the children's part. It was a mere mistake. They are as good children as can be found on earth. In all that has occurred there were only *four* that deserved sharp punishment, and they received that from me.

I'll not be going into details about other dates given. The highest number that went any day was *seven*, and that only once. *One* only went to Sydney, and he was brought back by the police. The wild roving commenced about the 20th September, and all were settled on the 19th October, the day of your visit. The chief outlaw, Spring, was then under correction; except the *four* boys who took eggs, as I told you, the others cannot be charged with a single act in the way of depredation.

Now, assuming that the boys are what has been represented, how can I be censured. The other teacher had charge from 7 to 8 o'clock in the morning, and from 12 to 1 o'clock at noon. There is no one on earth that could decide with certainty whether it was during the other teacher's time or mine that the children left. Like all past cases, the censure is reserved for me only; though you can see, by the rules and discipline adopted, I am not, in strictness, responsible for a single breach of discipline in the whole institution.

It



It is well that the case has occurred, to show how things are, and what difficulty I had for past years to keep order.

It appears to me I have said enough to exculpate myself, but I must not omit that it would be a hardship to require that I should compel the attendance of every refractory boy who absented himself from lessons through *fear*. Has the other teacher no right to look after the idle, or to compel their attendance? To prevent the late annoyance, the teacher did not say as much as one word. Was that right? Was it not tacitly encouraging the children? Were they not further encouraged, when they saw the daily insults I received in their presence at my lawful business? How could the children respect my position when they saw that one of the *Sisters*, in the Church, on Sundays, would put aside my orders before the public. The Matron, to be sure, can say she *herself* did not do so, but no *Sister* would so act without orders from the Matron. I told you how the Matron and the other teacher acted, in leaving the charge of the School to me on the 22nd September, without even the civility of asking me. I could have left the place at my usual hours; I did not. I think that shows I wished to act in harmony if possible.

I am very anxious to defend the character of the children. In general, it could not be better in all respects. At all times and places boys run off from school and harsh teachers. At present the children are not the offending party. During four months there were fifteen working on the farm—four others going there to and fro; nineteen entirely. Of these, some were stupid; they forgot their lessons, and to escape flogging they ran away. What can be more natural; and that is not the worst of it.

Is it *right* to receive boys back who have been for years apprenticed, and who leave their employers without cause? One such came from Sydney about the 1st September, and was allowed, by orders of the Matron, to mingle with the children. He roused their minds by stories of city life. I always wished to give such up to the *police*. That *lad* took away one of the boys named Spence (who was previously a good boy) for a few days. That is an item against me. I did not send for the absconder to Sydney. I would not allow him amongst the children. I would at once hand him to the authorities; but the Matron thought and acted differently, and now I must be censured.

The Matron gave permission to *four* others to go away, and that without permission from me, on the very day the other teacher was in Sydney. The act was trifling, but the circumstances following were not trifling. It was the origin of all the annoyance. The Matron gave another boy permission to go for three or four weeks to Dr. Pringle. On his return he brought a few others off with him, and was with difficulty got to submit to discipline. I find no fault with the Matron for so acting, but I am not to suffer for the natural results that attend her indiscreet proceeding.

I hope Mr. Walker will consider the large number of boys strolling in and out to the farm of their own accord. Connect all these with what I have said as to how the other teacher and Sisters interfered with my position, and then, in justice, I hope the decision will be the same in my behalf that it has already been on too many occasions. The faults have been magnified. Sufficient causes are given to account for them. They are not in the remotest manner attributable to me. I put a stop to them by lawful means. There will be no recurrence of such trouble, if you duly consider the case, and frame Regulations to stop past abuses.

Wishing that every word I have written may be considered duly respectful,—

I am, &c.,  
S. CULLEN.

P.S.—I should think it a serious and shameful offence to be guilty of insubordination or any disrespectful demeanour to the Matron. I told her in your presence to mention only *one case* when I ever did so, and that I should make the most honorable apology. I think that sufficient for the past, and in future I'll be no worse. But there is a distinction between doing my duties in an official way in Government service, and performing the same duties according to Convent etiquette. To the latter I shall not bow, and while I do my duties in keeping with official requirements, I do not think my superiors can or will ask to compel me to have *personal* respect or religious veneration towards any one who is not deserving of such from me.—S.C.

P.S.—In mentioning that the other teacher insulted me several times in the presence of the children, I hope his conduct will be overlooked; but, for sake of *discipline*, it should not be in future allowed.

Had he been a schoolmaster he would have known better. I am proud of being a schoolmaster; and, any insults received in the schoolroom, from such a person as he is, I can readily bear with easy indifference.—S.C.

## No. 17.

THE PRINCIPAL UNDER SECRETARY to THE VERY REV. S. J. A. SHEEHY, V.G.

Colonial Secretary's Office,  
Sydney, 11 November, 1868.

VERY REV. SIR,

Referring to your letter of the 1st ultimo, and previous communications, relative to the misconduct of Mr. S. Cullen, Assistant Teacher at the Roman Catholic Orphan School, I am directed to inform you that the Colonial Secretary approves of Mr. Cullen being removed from his situation; and to request that you will submit the name of some competent person for appointment in his stead.

I have, &c.,  
HENRY HALLORAN.

## No. 18.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Recd., 21 Nov., /68.

Forwarded for the information of the Hon. Colonial Secretary.  
The Principal Under Secretary.—R.C.W.—B.C., 21/11/68.

[Enclosures



## [Enclosures in No. 18.]

Mr. Thos. C. Makinson to Mr. S. Cullen.

16 November, 1868.

Sir,

In reply to your note of the 14th instant, I am instructed to say that the Committee do not require you to leave before the end of the present month.

I have, &amp;c.,

THOS. C. MAKINSON,

Clerk to Committee.

Mr. S. Cullen to The Inspector of Public Charities.

MEMO.—I respectfully ask Mr. Walker if he does not think it would be right to apprise the Honorable the Colonial Secretary that the first intimation I had of my removal was to see my *place* advertised in the daily papers. Surely, the rules of official discipline can be made sore enough to inflict punishment without such a proceeding as I complain of.

I ask Mr. Walker to kindly notice that I have a few boys in the Orphanage so far advanced that the present teacher has been unable to give them a lesson during the last six months. Are they to be neglected, and are my services worthy of notice? I leave gratitude or compensation out of the question.

I think it is unnecessary for me again to remind Mr. Walker that I have studied the art of agriculture with care. I had an opportunity of being trained in one of the best model farms in the British Islands. I studied the subject in reference to the soil, climate, and productions of this country. I kindly ask Mr. Walker to bring these particulars under the notice of the Honorable the Colonial Secretary.

S. CULLEN.

Parramatta, 17 November.

## No. 19.

MR. THOS. C. MAKINSON to MR. S. CULLEN.

Vicar General's Office,

Sydney, 13 November, 1868.

SIR,

I am directed by the Committee of Management of the Roman Catholic Orphan School to inform you that the Honorable the Colonial Secretary has approved of your removal from the office of Assistant Schoolmaster in the said Institution.

I have, &amp;c.,

THOS. MAKINSON,

Clerk to Committee.

## MEMO. OF MR. S. CULLEN.

HAVING this day, 27th November, waited on the Honorable the Colonial Secretary, I was kindly informed by him how he was led to give the above *approval*; and having received permission to state any objections I thought proper, I beg to do so briefly and respectfully.

On the 19th October the Inspector of Public Institutions visited the Orphanage, for the purpose of investigating complaints against me. On hearing what they were, and being fully conscious of not being at fault, I expressed a desire that the affair would be amicably settled—that the case of a few boys playing truant was hardly worth the notice of a Colonial Secretary. Neither the Inspector nor Matron agreed. After that I tendered an ample and honorable apology to the Matron, if *one instance* were mentioned in which I acted uncivilly. Could I do more to be conciliating?

I now respectfully object to the whole proceeding subsequent to that offer. Assuming that the charge against me was too serious to receive an apology, was I then not entitled to get a *fair trial*? Was it not in keeping with official requirements to get a copy of the written charge against me; or else let the accusers state their charges in my presence? Mr. Walker dispensed with all such trifles. If the Committee thought proper to remove me, without even asking the sanction of the Government, I should not object. They having obtained the approval of the Colonial Secretary against me is an aggravation of the wrong done me. In justice to myself, I am compelled to report Mr. Walker to the Honorable the Colonial Secretary, for giving erroneous and insufficient data to effect a removal so harsh and unjust to me under the circumstances. Having offered to leave quietly at the end of the year, and to make a due apology if required, was it honorable for the Committee to reject such, and to advertise my position without first intimating to me that my removal was agreed to? The present case should not be decided by the vindictive feelings of the past. They are too clearly manifested in the summary manner I have been dealt with by the Committee.

Mr. Walker was well aware of the ungenerous treatment I received in last July from the Vicar General. There were three other like occasions—they so resulted that I was not so much as reprimanded; but Mr. Walker can join *four wrongs*, and convert them into a *right*. That is the course pursued in the present case.

In conclusion, I charge Mr. Walker with partiality and injustice. He admitted my accusers were only themselves to blame on *their own complaint*; he interrupted me in the most infuriated ill-temper when giving explanation on the 19th October; he did not furnish me with the charges against me; he did not ask the accusers to state their

case

case before me; he was carried away by his own dark surmises, and not by facts and evidence; and, above all, he has misled the Honorable the Colonial Secretary, to whose justice I confidently and respectfully appeal. I trust my language is duly courteous. The deep injuries I have received, my faults magnified, my just deserts passed over or denied—all are capable of producing a tone of discourtesy. I have studied hard for a career of usefulness. I trust the Colonial Secretary will not see me wronged.

S. CULLEN.

POSTSCRIPT.—Mr. Walker told me, on several occasions, that the Committee had not power to effect my removal—that such was out of their province. I hope the Honorable the Colonial Secretary will inquire what Mr. Walker's opinion of me was in July last when he investigated a complaint against me. It is more convenient now to advocate the wishes of the Committee than that of an unfriended individual. Let Mr. Walker be called on to produce the memorandum I gave him on the 29th October. That will show the feelings of my accusers towards me during the past years. My case is too much that of truth and justice. The Colonial Secretary is not the gentleman to act against such, and to inflict irreparable wrong on an individual to gratify the uncharitable feelings of a party.

S.C.

## No. 20.

MR. S. CULLEN to THE COLONIAL SECRETARY.

SIR,

A few days ago you favoured me with an interview, and kindly directed me to state my wishes. I did so, and my chief object was to show that I was not at fault. I did not ask that you should revoke your decision, nor to be restored. I asked no appointment; but I did ask earnestly that you would prevent unnecessary harshness and injustice.

After suggesting a removal myself, it would be ungenerous to complain. The Government Officer for the Department had a written request in my note of the 20th October, that I wished to leave of my own accord. Why then was I given up to the vindictive feelings of the Committee? What need was there for all the subsequent harshness? What need was there to be troubling you with what was already settled and arranged? For all that has occurred Mr. Walker is to blame. His motives and objects are too evident to be mentioned. I was in the *right* when Mr. Parkes investigated; but the very same case becomes a *wrong* when brought before his immediate successors. Rather strange.

Had you time to consider the frivolous complaint, and how it has been magnified—had you considered the course pursued towards me, during the last few years—you would not have committed yourself to an *act* so glaringly wrong. It strikes at justice; it is at variance with recognized official usage; it does away with individual right; and it could not be all these without being an encroachment on the liberties of the country. Can a Government Officer do *as he likes*? And are the Committee to have greater powers than the Executive? To do away with official formality the Executive would not.

Although I feel deeply pained at the entire proceeding, I shall trouble you no more on the subject. I entertain sincere respect for you in your official position; but greater still for your eminent public services.

I am, &c.,

S. CULLEN.

Royal Hyde Park Hotel,  
Sydney, 5 December, 1868.

Mr. Walker should see this.—JOHN R.  
Read.—R.C.W., 8/12/68.

## No. 21.

THE PRINCIPAL UNDER SECRETARY to MR. S. CULLEN.

Colonial Secretary's Office,  
Sydney, 6 January, 1869.

SIR,

In acknowledging the receipt of your further communication of the 5th ultimo, relative to your removal from your position as Assistant Teacher to the Roman Catholic Orphan School, I am directed by the Colonial Secretary to state that the Reports of the Inspector of Public Charities on your case were made prior to the present Ministry's taking office, and that there does not appear to have been injustice or harshness in that officers recommendations; but that, on the contrary, every consideration has been shown you that could under the circumstances have been permitted.

I have, &c.,

HENRY HALLORAN.

## No. 22.

MR. S. CULLEN to THE PRINCIPAL UNDER SECRETARY.

SIR,

I beg to acknowledge the receipt of your communication of the 6th instant, marked 68/7326, wherein you say that the Honorable the Colonial Secretary notifies that my removal was determined on previous to his Ministry coming into office. I know that; but the fact does not alter the demerits of the case. Had there been a score of Ministries, they cannot change the nature of things nor make wrong right.

To be explicit, I do not at all censure the Honorable the Colonial Secretary, under the circumstances; but I do complain of the harshness, injustice, and tyranny subsequently received, through the Colonial Secretary's act, from the Committee of the Catholic Orphan School.

You say the Colonial Secretary does not see any harshness in the conduct of the Inspector of Charities towards me. First, there is harshness in the fact that neither before nor after my removal have I been informed of the charges against me. Although it may be like after death getting the doctor, I should like still to see my enemy full before me.

Mr. Walker did tell me on one occasion, that I was not on sufficiently amicable terms with the Matron. There was no reason why I should; and there are numerous and legitimate reasons there should be no amicable terms. Official civility is all that is necessary in such institutions. How would Mr. Walker like to say that he had been on amicable terms with the late Mr. Eastwood. I do not mean to be offensive, but the case forcibly illustrates the point under consideration.

Having been reported to *three Colonial Secretaries* in a few months, the dictates of self-respect prompted me to leave on the last occasion (the 19th October). Did I not tell Mr. Walker, "Settle the affair—I have made arrangements to leave"? Did I not offer an apology if I gave either insult or incivility during the previous six years? Did I not ask for a copy of the written charges against me? Mr. Walker said, "Write anything you like. The other teacher is responsible for the present state of things." Did not Mr. Walker prevent me from making a necessary explanation. He said, in a state of bad temper which was pitiable to witness—"Sir, the Vicar General is a gentleman. You are not to speak of him in his absence." I was only scrutinizing his public acts as Chairman of the Committee, and had nothing to say in reference to his position as "gentleman" or clergyman. The Inspector of Charities can assume new-born zeal with marvelous facility. A few months previously I had it in my power to entomb the Vicar General in the pit dug by his own hands. Mr. Walker did not then ask me to spare the Vicar General—that he was a "gentleman"; nor did the Inspector of Charities ask me to desist, although the Vicar General was then "*absent*." But the Very Rev. Mr. Sheehy is quite a different man under the *régime* of Mr. Robertson to what he was under Mr. Parkes—so thought the Inspector of Charities. Perhaps he was right.

It is a sorry compliment Mr. Walker pays to the Honorable the Colonial Secretary. Should Mr. Parkes come into office, we may guess who would be the first to make an accomplished bow; and, in such contingency, Mr. Walker would be the first to recommend my reinstatement. The Committee of the Catholic Orphanage have just got the man they wanted.

As a Catholic, it almost dazzles me to think of the grand *future* in store for the Catholic Church of Australia through the wonderful efforts of a few over-zealous pandering Protestants. It is to gratify the whims of a few insignificant individuals, who arrogantly identify themselves as *the Church*, that I have been removed. I defy them all to bring one fault against me. I defy them to show that I was wrong in a single instance as to the government and discipline that should be carried on at the Orphanage.

The Committee have lawyers and theologians in their number. Although it may have been advisable to *remove* me, still there is a maxim—"The end does not justify the means"; others will be found to say the *means* were detestable.

In conclusion, I beg to say, in all candor, that I am far more respectful to the Colonial Secretary than those who are now fawning on him, just because he is at the pinnacle of power.

Royal Hyde Park Hotel,  
7 January, 1869.

I am, &c.,  
S. CULLEN.

My reports on Mr. Cullen's case were made prior to the present Ministry taking office, and I do not consider there is any injustice or harshness in the recommendations; but every consideration has been shown him, that could, under the circumstances, be permitted.—R.C.W., 8/12/68.

Inform—JOHN R., 24 Dec., 1868.

## No. 23.

MR. S. CULLEN to THE PRINCIPAL UNDER SECRETARY.

SIR,

Having come to the Colony in Government Service connected with the Colonial Secretary's Department, and continued therein for six years, I hope the enclosed testimonials may be placed with such official papers of mine as are now ordered to be produced by the Legislature.

I

I hope the Honorable the Colonial Secretary will admit that the circumstances demand this as an act of justice, which I shall regard as a favour and be grateful for accordingly.

Royal Hyde Park Hotel,  
15 January, 1869.

I am, &c.,  
S. CULLEN.

Approved.—JOHN R., 19 Jan., 1869.

[Enclosures in No. 23.]

Certificate from the Commissioners of National Education, Ireland.

THE Secretaries are to inform Mr. Simon Cullen, with reference to his desire to be furnished with a certificate of character, &c., that the books of the office do not contain a record of any complaint against him. On the contrary, Mr. Cullen's character was such as to merit the highest approval of the several Inspectors, as appears from their reports.

Mr. S. Cullen,  
St. Peter's National School, Dublin.

MAURICE CROSS, } Secretaries.  
JAMES KELLY, }

Certificate from Professor Kavanagh, late Head Inspector of Irish National Schools.

17 November, 1860.

MR. SIMON CULLEN had been in charge of a National School in the County of Roscommon for some years while it was in my circuit as Head Inspector. He had been in connection with the National System for fifteen years, during which period he bore the very highest character for zeal and success in the discharge of his duties. He ranks in the Second Division, First Class. Several of his pupils became teachers; and some of them, examined by me, reflect the greatest credit on their master's skill and scholarship.

J. W. KAVANAGH,  
Professor, Catholic University, Dublin.

Certificate from the Clergyman of my native Parish.

I HAVE known Simon Cullen, a native of this parish, for more than ten years, and feel much pleasure in bearing testimony to his religious character and Christian conduct.

As a teacher he was zealous, efficient, and very successful. I know some of his pupils who took the highest prizes at a Diocesan College; several others became competent teachers; while many others distinguished themselves in mercantile business. All were as conspicuous for their secular knowledge as for high moral conduct.

November, 1860.

B. KEARNEY, P.P.,  
Innismagrath, Co. Leitrim.

From the Surgeon-Superintendent on board the immigrant ship "Hotspur."

I FEEL pleasure in bearing testimony to the good conduct of Mr. Simon Cullen. He always displayed willingness, intelligence, and anxiety in the performance of his duties; and was of the greatest service to me in promoting order and regularity among the immigrants.

22 March, 1861.

D. B. NORTH, M.D.

Certificate from The Immigration Agent.

New South Wales,  
Government Immigration Office,  
Sydney, 4 January, 1869.

I HEREBY certify that it appears from the records of this department that Mr. Simon Cullen acted as schoolmaster on board the immigrant ship "Hotspur," which arrived in this Colony on the 24th February, 1861; and that, having performed his duties in a very satisfactory manner, he received payment of a gratuity of £10 (ten pounds) for his services, in accordance with the recommendations of Her Majesty's Emigration Commissioners.

GEORGE F. WISE,  
Agent for Immigration.

Testimonial from the Very Rev. The Vicar General.

St. Mary's, 5 May, 1866.

Sir,

I quite agree with you that it is better and cheaper to run the fence from the cemetery to the creek than to have it as we already decided. Please have it done your way, and I shall go to see the place on Wednesday. I do not like to write to the Mother Superioress, as she does not understand such business.

Mr. S. Cullen,  
Catholic Orphan School.

I am, &c.,  
S. J. A. SHEEHY, V.G.

Memo. by Mr. Cullen.

It may be seen by the foregoing letter of the Vicar General, that my opinion was held in high estimation in May, 1866, when the farm arrangement decided on by the Committee was put aside and mine adopted. The correspondence will show strange alteration in twelve months.

I now express my deep regret that such an *exposé* is about taking place. I asked Mrs. Adamson, the highly respected Benedictine Sister that rules the Orphanage, to have the affair quietly settled, in the presence of the Inspector of Charity, on 19th October last. My wish was discarded. After that I made humiliating advances to the Committee; but the malice of the Vicar General and a few of the Benedictines could neither be appeased nor conciliated.

15 January, 1869.

S. CULLEN.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## PUBLIC SCHOOL BOARDS.

(RETURN OF ALL PERSONS APPOINTED MEMBERS OF THE COUNCIL OF EDUCATION, OR OF PUBLIC SCHOOL BOARDS.)

---

*Ordered by the Legislative Assembly to be Printed, 23 February, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 17th January, 1868, That there be laid upon the Table of this House,—

“ A Return of all persons appointed Members of the  
 “ Council of Education, or of any of the Public School  
 “ Boards throughout the Colony ; specifying, in each case,  
 “ the name, and official position (if any), in full, designation  
 “ of the school, the district or locality, the date of  
 “ appointment, and the religious denomination, so far as  
 “ known or ascertainable.”

*(Mr. Forster.)*

---

## PUBLIC SCHOOL BOARDS.

## RETURN of Members of Council of Education.

Members' Names.	Official Position.	Date of Appointment.	Religious Denomination.
Henry Parkes .....	Colonial Secretary .....	1 January, 1867 ...	
James Martin .....	Attorney General .....	1 January, 1867 ...	
George Allen .....	Chairman of Committees, Legislative Council.	1 January, 1867 ...	
William Munnings Arnold .....	Speaker of the Legislative Assembly .....	1 January, 1867 ...	
John Smith .....	Professor of Chemistry and Experimental Physics in the University of Sydney.	1 January, 1867 ...	

W. WILKINS,  
Secretary.

## RETURN of Public School Boards.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
J. R. Hopkins .....	Justice of the Peace	Aberdeen .....	Near Scone .....	27 Feb., 1867	Wesleyan
J. Cundy .....				" "	English Church
W. E. Cundy .....				" "	Wesleyan
R. Lindsay .....				27 Feb., 1867	Presbyterian
D. Hartigan .....	Justice of the Peace	Aberglasslyn .....	Near West Maitland	" "	Roman Catholic
E. Mills .....				" "	Church of England
J. B. Sharpe .....				1 July, 1867	Church of England
J. R. Paul .....				" "	Presbyterian
W. Menlove .....	Postmaster	Adelong .....	Adelong Creek .....	" "	Church of England
A. Graham .....				" "	Presbyterian
A. Smith, senior .....				17 Oct., 1867	Church of England
Seymour C. Stewart .....				" "	Presbyterian
David Wilson .....	Justice of the Peace	Appin .....	.....	2 Jan., 1868	Church of England
Joseph William Carne .....				" "	Presbyterian
Phillip Collett .....				" "	Roman Catholic
George Nicol .....				" "	Church of England
Thomas Byrne .....	Justice of the Peace	Albury .....	.....	27 Feb., 1867	Presbyterian
Benjamin Clayton .....				" "	Roman Catholic
J. T. Fallon .....				" "	Church of England
S. F. Blackmore .....				" "	"
George Day .....	Justice of the Peace	Armidale .....	.....	27 Feb., 1867	Presbyterian
G. C. Thorold .....				" "	Roman Catholic
H. Moffitt .....				" "	Presbyterian
Franklin Jackes .....				" "	"
T. B. Fitzgerald .....	Mayor of Armidale	Armidale .....	.....	13 June, 1867	Episcopalian
James M'Lean .....	Alderman of Armidale.			" "	Wesleyan
J. Moore .....	Justice of the Peace			" "	Episcopalian
J. Tyson .....	Alderman .....			" "	Episcopalian
Joseph Scoles .....	Police Magistrate	Ashfield .....	Near Sydney .....	12 Feb., 1867	Presbyterian
John Woods .....				" "	Presbyterian
T. Aitken .....				" "	Wesleyan
W. Henson .....				" "	Presbyterian
T. Dick .....	Police Magistrate	Avisford .....	Near Louisa Creek	" "	Church of England
Samuel Murrill .....				" "	Congregational Church
Thomas Lusty .....				" "	Wesleyan
Reuben Hall .....				" "	Wesleyan
John Fyle .....	Police Magistrate	Avondale .....	Illawarra .....	27 Feb., 1867	Protestant
J. H. L. Scott .....				" "	Protestant
Thos. Gorrie .....				" "	Protestant
Chas. Harpur .....				6 April, 1867	"
H. Osborne .....	Police Magistrate	Ballina West .....	Richmond River ...	" "	Church of England
P. Throsby .....				" "	Presbyterian
J. Grahame .....				" "	Church of England
J. Armstrong .....				" "	Church of England
C. H. Fawcett .....	Police Magistrate	Ballina West .....	Richmond River ...	28 Jan., 1867	Church of England
John Sharpe .....				" "	Presbyterian
Edwin Ross .....				" "	Church of England
C. Jarrett .....				13 June, 1867	Church of England
G. R. Easton .....	Police Magistrate	Ballina West .....	Richmond River ...	28 Jan., 1867	Presbyterian
T. Trimble .....				" "	Church of England
Francis Morris .....				" "	"

## PUBLIC SCHOOL BOARDS.

3

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
M. Fitzpatrick	Chief Clerk, Audit Office.	Balmain	Sydney	27 Feb., 1867	Roman Catholic
E. A. Rennie				" "	Presbyterian
O. S. Evans	Visiting Surgeon, Cockatoo.	Balmain	Sydney	" "	Church of England
Robert D. Fitzgerald	Draftsman, Survey Office.			" "	Presbyterian
Josiah Mullens	Justice of the Peace	Barrington	Near Gloucester	" "	Independent
J. Russell				1 July, 1867	
P. Comitti				" "	
T. H. Sparkes				" "	
C. J. Silvester				" "	
Vincent Dowling	Justice of the Peace	Bandon Grove	Williams River	12 Feb., 1867	Church of England
Samuel Kingston				" "	Church of England
William A. Smith	Justice of the Peace	Bandon Grove	Williams River	" "	Church of England
John Grant				28 Jan., 1867	Presbyterian
Niel McDonald	Justice of the Peace	Barrington	Near Gloucester	" "	Presbyterian
Kenneth Chisholm				" "	Presbyterian
J. McLennan	Justice of the Peace	Barrington	Near Gloucester	" "	Presbyterian
John McInnes				" "	Presbyterian
Josiah Parker	Justice of the Peace	Bathurst	Bathurst	8 Aug., 1867	Wesleyan
George Pincock				27 Feb., 1867	Church of England
J. C. Stanger	Justice of the Peace	Bathurst	Bathurst	" "	Baptist
J. Tarlington	Justice of the Peace			" "	Roman Catholic
F. Berne	Justice of the Peace	Bega	Bega	11 Sept., 1867	Lutheran
J. Heady				" "	Roman Catholic
D. Gowing	Justice of the Peace	Bega	Bega	" "	New Israelite
W. Secombe				" "	Church of England
Thomas A. Perry	Magistrate	Bendemeer	New England	28 Jan., 1867	Episcopalian
George L. Gibson	Magistrate			" "	Presbyterian
John Dixon	Magistrate	Bendemeer	New England	" "	Episcopalian
John Glover				" "	Presbyterian
William Reid	Magistrate	Bendemeer	New England	" "	Presbyterian
J. Cornish				" "	Presbyterian
Andrew Newell	Magistrate	Bendolba	Williams River	12 Feb., 1867	
William Campbell				" "	
William Warren Jenkins	Magistrate	Berkeley	Illawarra	28 Jan., 1867	Episcopalian
Joseph W. Wilshire				" "	Episcopalian
W. Tenkington	Magistrate	Berkeley	Illawarra	" "	Episcopalian
Ernest W. Redhead				" "	Church of England
Samuel Turner	Magistrate	Bingera	Gwydir River	28 Jan., 1867	
Patrick Read				" "	
M. McDonald	Magistrate	Binda	Binda	1 July, 1867	Roman Catholic
J. O'Brien				" "	Church of England
H. Carr	Magistrate	Binda	Binda	" "	Roman Catholic
T. O'Brien				" "	Church of England
A. Norrie	Magistrate	Bishopsbridge	Near West Maitland	27 Feb., 1867	Roman Catholic
W. Price				" "	Presbyterian
J. C. Middleton	Magistrate	Bishopsbridge	Near West Maitland	" "	Church of England
Jno. Barlow				28 Jan., 1867	
Alfred Baker	Magistrate	Black Range	Albury	" "	
George Willott				" "	
Edward Pye	Magistrate	Black Range	Albury	" "	
Henry Pembroke				" "	
Adam Kirkpatrick	Magistrate	Blayney	King's Plains	27 Feb., 1867	Church of England
Michael Sullivan				" "	Catholic
William Stewart	Magistrate	Blayney	King's Plains	" "	Presbyterian
William Glasson				" "	Wesleyan
Joseph Andrews	Magistrate	Blayney	King's Plains	28 Jan., 1867	
William Martin				" "	
William Chapman	Magistrate	Blayney	King's Plains	" "	
L. McDougall				" "	
J. Carey	Magistrate	Bo Bo Creek	Manning River	" "	
Alfred Richardson				" "	
Alexr. Moore	Magistrate	Bo Bo Creek	Manning River	17 Dec., 1867	
J. Bowden				" "	
T. Coles	Magistrate	Bolwarra	West Maitland	12 Feb., 1867	Wesleyan
M. Griffin				" "	Church of England
H. M. Joseph	Justice of the Peace.	Bolwarra	West Maitland	" "	Roman Catholic
A. McKeachie				" "	Jewish
H. Solomon	Justice of the Peace.	Bolwarra	West Maitland	11 Sept., 1867	Presbyterian
R. McDonald				" "	Jewish
W. Badgery	Justice of the Peace.	Bombala	Maneroo	" "	Roman Catholic
J. D. Stafford				" "	Church of England
E. M. Styles	Justice of the Peace.	Bombala	Maneroo	" "	Church of England
Patrick Dwyer				" "	Church of England
Thomas Beavers	Justice of the Peace.	Bombala	Maneroo	27 Nov., 1867	Roman Catholic
Daniel Rutherford				" "	Church of England
Henry Comerford	Justice of the Peace.	Bombala	Maneroo	" "	Wesleyan
Neil McKinnon				" "	Roman Catholic
Joseph Barling	Justice of the Peace.	Bombala	Maneroo	" "	Presbyterian
F. McNally				" "	
James Wilson	Justice of the Peace.	Booral	Stroud	12 Feb., 1867	Roman Catholic
Henry Miles				" "	Presbyterian
R. Carnell	Justice of the Peace.	Booral	Stroud	" "	
				" "	Wesleyan



## PUBLIC SCHOOL BOARDS.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Duncan McCrae John A. Hunter John Wright G. W. Lord William Lobb Joseph Saxby Thomas Hambly William Stephens Samuel Goold T. B. Rolin Louis F. Layard John Richardson Edward Arnold Andrew Brown Charles Sidey James Connor James Waugh John Hore J. H. Kirkpatrick Francis Burleton Rd. Pankhurst Jas. Keogh Thomas Lindsay Thomas Raisbeck Thomas Drinan J. Rodd		Boolambayte	Port Stephens	12 Feb., 1867 " " " " 8 May, 1867 " " " " " " " " 27 Feb., 1867 " " " " " " " " 27 Feb., 1867 " " " " " " " " 28 Jan., 1867 " " " " " " " " 12 Feb., 1867 " "	Presbyterian Presbyterian Baptist Church of England Church of England Wesleyan Wesleyan Church of England Congregationalist Baptist Episcopalian Presbyterian Congregationalist Presbyterian Presbyterian Roman Catholic Presbyterian Church of England Presbyterian Church of England Church of England Roman Catholic
R. Maddrell J. Bunn J. Frazer J. F. Flashman William Stewart John Hale Henry Harrison Patrick Foley T. Berriman J. Carleton C. F. Hobbes W. Johnston H. Mannion James Kennedy James Hicks Charles Powell Donald Macphree J. P. Christoe Josiah Holman W. Blood Thos. Hassey William Dixon Zaccheus George Bice		Member Legislative Assembly. Justice of the Peace Justice of the Peace	Braidwood		13 June, 1867 " " " " " " 6 April, 1867 " " " " 12 Feb., 1867 " " " " 27 Feb., 1867 " " " " 6 April, 1867 " " " " 27 Feb., 1867 " " " " 8 Aug., 1867 " " 28 Jan., 1867 " " " " " " 28 Jan., 1867 " 

## PUBLIC SCHOOL BOARDS.

5

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Joseph Tingle	Justice of the Peace	Castlereagh	Hawkesbury	27 Feb., 1867	Church of England
James Lamrock				" "	Presbyterian
William Parsons		Cawdor	Camden	6 April, 1867	Wesleyan
William Macarthur				" "	Church of England
James Macarthur		Cessnock	Wollombi	12 Feb., 1867	Church of England
Arthur Onslow				" "	Church of England
J. K. Chisholm		Clarence Town	Williams River	27 Feb., 1867	Roman Catholic
Thomas Picton				" "	Roman Catholic
Michael Carroll		Canoblas	Orange	" "	Christian
Bernard McGrain				" "	Presbyterian
C. F. Holmes		Collector		" "	Roman Catholic
W. Johnston				" "	Roman Catholic
H. Mannion		Colyton	Western Road	12 Feb., 1867	Roman Catholic
William Rogan	Justice of the Peace			" "	Presbyterian
Robert Darley	Justice of the Peace	Cornish Settlement	Orange	6 April, 1867	Episcopalian
Wm. Boles				" "	Wesleyan
Allan Johnstone		Croki	Manning River	" "	Roman Catholic
J. W. Chisholm				" "	Episcopalian
J. Waddell		Croobyar	Ulladulla	27 Feb., 1867	Wesleyan
J. Kenny				" "	Church of England
H. Rabjohn		Croom Park	Williams River	1 July, 1867	Church of England
S. Crowther				13 June, 1867	Wesleyan
T. Meacher		Cullenbone	Mudgee	" "	Wesleyan
C. Paull				" "	Presbyterian
J. Thomas		Cowra		6 April, 1867	Church of England
M. Salmon				" "	Church of England
E. Hamon		Cundletown	Manning River	27 Feb., 1867	Roman Catholic
George Hawke	Justice of the Peace			" "	Church of England
William Tone	Justice of the Peace	Eccleston	Paterson	21 Nov., 1867	Church of England
Thomas G. Webb				27 Feb., 1867	Church of England
John Lane		Dalton		28 Jan., 1867	Wesleyan
Joseph Glasson				" "	Wesleyan
F. Cornwall		Dennis Island	Bathurst	8 Aug., 1867	Independent
Richard Williams				" "	Presbyterian
James Egging		Deniliquin		" "	Church of England
James Lambert				" "	Church of England
George Allen		M.L.C.		" "	Roman Catholic
George Drewery				" "	Church of England
David Warden		M.L.C.		" "	Church of England
F. McMahon				" "	Church of England
W. Ewing		M.L.C.		" "	Church of England
Henry Hooke				" "	Church of England
C. Lane		M.L.C.		" "	Church of England
T. Moylan				" "	Church of England
George H. Cox		M.L.C.		" "	Church of England
Aaron Thompson				" "	Church of England
John Glazier		M.L.C.		" "	Church of England
Thomas Adams				" "	Church of England
Arthur Garling		M.L.C.		" "	Church of England
George Campbell				" "	Church of England
Thos. H. West		M.L.C.		" "	Church of England
Robert Daley				" "	Church of England
H. J. Cornish		M.L.C.		" "	Church of England
Joseph Bates				" "	Church of England
Andrew Gill		M.L.C.		" "	Church of England
Henry Jarrett				" "	Church of England
Reuben Swyer		M.L.C.		" "	Church of England
Eugene Kenny				" "	Church of England
Joseph Green Smith		M.L.C.		" "	Church of England
Jas. Burton				" "	Church of England
William Adams		M.L.C.		" "	Church of England
W. Brown				" "	Church of England
S. Brown		M.L.C.		" "	Church of England
W. Medway				" "	Church of England
William Sweetnam		M.L.C.		" "	Church of England
John Loden				" "	Church of England
Samuel Sweetnam		M.L.C.		" "	Church of England
P. A. Jennings				" "	Church of England
J. Watson		M.L.C.		" "	Church of England
R. D. Filson				" "	Church of England
J. Waring		M.L.C.		" "	Church of England
D. D. Jones				" "	Church of England
J. F. Naylor		M.L.C.		" "	Church of England
J. Giles				" "	Church of England
T. U. Came		M.L.C.		" "	Church of England
Robert Landale				" "	Church of England
John A. Broughton	M.P. Clerk of Petty Sessions	Deniliquin		24 Dec., 1867	Presbyterian
Erasmus Wren				" "	Church of England
Thomas Robertson		Coroner		" "	Church of England
George Miller				" "	Church of England
Alfred Finch Noyes		Coroner		" "	Independent
Thomas Dwyer				" "	Church of England
				" "	Roman Catholic

## PUBLIC SCHOOL BOARDS.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Robert Johnstone.....				28 Jan., 1867	
John Campbell.....				" "	Presbyterian
George Macpherson.....		Dingo Creek .....	Manning River.....	" "	Presbyterian
Matthew Thompson.....				" "	
John Daintry .....				" "	Roman Catholic
A. Learmonth .....				6 April, 1867	Presbyterian
Mrs. Ramsay.....				" "	Presbyterian
J. Woods .....				" "	Presbyterian
J. Tait .....		Dobroyde .....	Near Sydney.....	" "	Presbyterian
T. Dick .....				" "	Presbyterian
J. Pope .....				" "	Presbyterian
J. W. M'Kaughan .....				1 July, 1867	Presbyterian
Edward Seacomb .....				28 Jan., 1867	Church of England
John Seacomb .....				" "	Church of England
Edwin Battle .....		Dondingalong .....	M'Leay River .....	" "	Wesleyan
Michael Minery .....				" "	Roman Catholic
Robt. Hayes .....				" "	Roman Catholic
J. E. Serisier.....	Justice of the Peace			27 Feb., 1867	Roman Catholic
Duncan M'Killop.....	Justice of the Peace			" "	Roman Catholic
W. W. Brocklehurst .....	Justice of the Peace			" "	Church of England
Alexr. Cruikshank .....	Justice of the Peace			" "	Presbyterian
L. M'Guinn .....	Clerk of Petty Sessions			1 Oct., 1867	Roman Catholic
R. J. Campbell.....	Government Surveyor	Dubbo .....		" "	Church of England
H. Smellie .....				" "	Presbyterian
R. J. Parker .....				" "	Wesleyan
J. Holmes .....				" "	Presbyterian
J. E. Browning.....				" "	Wesleyan
Jno. Malcolm .....				28 Jan., 1867	Presbyterian
Cornelius Clune .....				" "	Roman Catholic
Andrew Dorward .....		Dumaresq Island ...	Manning River.....	" "	Presbyterian
James Brimstone .....				2 Jan., 1868	Church of England
William Norton .....				" "	Church of England
Alexr. Dodds.....				27 Feb., 1867	
D. M. Maitland .....		Dunmore.....	Paterson .....	" "	
G. Roberts.....				" "	
E. M. M'Kinlay .....				27 Feb., 1867	Presbyterian
G. Mackay.....		Dungog .....	Williams River.....	" "	Presbyterian
R. L. L. Allison .....				" "	Episcopalian
W. M'Pherson .....				27 Feb., 1867	Presbyterian
D. Stewart.....				" "	Presbyterian
J. Keen .....		Eagleton .....	Williams River.....	" "	Church of England
W. Sketchley .....				" "	Church of England
G. P. Keon .....				1 July, 1867	
S. Solomons .....	Justice of the Peace			" "	Jew
J. Teas .....	Justice of the Peace			" "	Presbyterian
B. Russell .....		Eden .....	Twofold Bay.....	" "	
O. D. Hayes .....	Clerk of Petty Sessions			8 Aug., 1867	Church of England
E. Manby .....				" "	Church of England
J. Morrice.....	M.L.A.			8 May, 1867	Church of England
W. Morrice.....				" "	Church of England
W. Alston .....		Eling Forest .....	Berrima .....	" "	Presbyterian
R. Bartlett .....				" "	Church of England
George Tredgett.....				28 Jan., 1867	
Andrew Muir .....				" "	Presbyterian
Thos. Nance .....		Euroka .....	M'Leay River .....	" "	Baptist
E. W. Lane .....				" "	Calvinist
W. Everingham .....				" "	Wesleyan
C. Harpur .....	Justice of the Peace			1 July, 1867	Presbyterian
B. Wilken .....				" "	Church of England
M. Manusa .....		Eurobodalla .....	Moruya.....	" "	Church of England
J. Richards .....				" "	Baptist
Stephen Cole.....	Commissioner of Crown Lands.			21 Nov., 1867	Church of England
John Bertram .....				" "	Presbyterian
John O'Donnell .....	Officer of Customs...	Euston .....	Murray River .....	" "	Roman Catholic
John M'Leod .....	Sheep Inspector.....			" "	Presbyterian
Maurice Aron .....				" "	Jewish
Charles Hammond .....	Telegraph Master ...			" "	Church of England
J. H. Stewart .....				27 Feb., 1867	
George Woodley .....				" "	
Wm. Richardson .....		Evans Plains .....	Bathurst .....	" "	
Job Boardman .....				" "	
Patrick Booth .....				" "	
Wm. Robson.....	Justice of the Peace			1 July, 1867	Wesleyan
D. Aitken .....				" "	Presbyterian
S. Perks .....		Fairy Meadow .....	Illawarra .....	" "	
G. Dunnett .....				" "	Congregationalist
— Lysaght .....				" "	Roman Catholic
T. Baldock.....				27 Feb., 1867	Protestant
J. Hawke .....		Falbrook .....	Singleton .....	" "	Church of England
J. Drane .....				" "	Church of England
J. T. Burns .....				27 Feb., 1867	
W. T. Mitchell.....		Fishery Creek.....	West Maitland.....	" "	
J. O'Neill .....				" "	

## PUBLIC SCHOOL BOARDS.

7

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Edward Millett.....		Five Dock .....	Burwood .....	27 Feb., 1867	Church of England
J. P. Luke .....				" "	Church of England
S. Amor .....				" "	Wesleyan
R. Watson .....				" "	Presbyterian
William Morrison .....				27 Feb., 1867	
John Burke .....				" "	
William Beddie .....				" "	
William Farrand .....				27 Feb., 1867	
Charles Cropper .....				" "	
Josiah Strickland .....				" "	
William Jones .....		Forbes .....		" "	
Cosby William Morgan .....				" "	
J. D. Brown .....				1 July, 1867	
S. Gow .....				16 May, 1867	Congregational
J. Tebbutt .....				" "	Church of England
T. Wall .....				" "	Church of England
J. Farlow .....				" "	Church of England
Francis Longworth .....				28 Jan., 1867	Church of England
George Watson .....				" "	Wesleyan
William Allen .....				" "	Presbyterian
John Black .....		Ghinni Ghinni .....	Manning River.....	" "	Catholic
James Healey .....				" "	Roman Catholic
William Macarthur .....				" "	Church of England
Arthur Onslow .....				" "	Church of England
James K. Chisholm .....				" "	Church of England
William Gittos .....				28 Jan., 1867	Church of England
James Moore .....				" "	Wesleyan
Thomas Inglis .....				" "	Wesleyan
Robert Moore .....				" "	Wesleyan
Joseph Moore .....				" "	Wesleyan
C. F. Holmes .....		Glen William.....	Williams River ...	27 Feb., 1867	Christian
W. Johnston .....				" "	Presbyterian
H. Mannion .....				" "	Roman Catholic
Hovenden Hely .....				12 Feb., 1867	Church of England
Simon Fraser .....				" "	Presbyterian
Charles Fagan .....				" "	Roman Catholic
George Cobb .....				12 Feb., 1867	
George Sparke .....				" "	English Church
Michael Drinan .....				" "	Roman Cath. Church
Alfred Lardner .....				28 Jan., 1867	
Thomas Bawden .....		Grafton .....	Clarence River.....	" "	
Thomas Hewitt .....				" "	
Thomas Fisher .....				" "	
James Page .....				" "	
F. Dalton .....				8 May, 1867	
J. P. Wood .....				" "	
James Laughlin .....				" "	
Donald Manson .....				" "	
William Booth .....				" "	
William Yeo .....				" "	
Bernard Quinn .....		Gundagai .....		" "	
David Pyne .....				1 July, 1867	Church of England
A. C. S. Rose .....				" "	Roman Catholic
R. O. Davidson .....				" "	Presbyterian
M. Norton .....				" "	
W. Marshall .....				27 Feb., 1867	
J. M. Hassall .....				" "	
H. Saxby .....				" "	
C. S. J. Lowe .....				12 Feb., 1867	Presbyterian
C. Harper .....				" "	Presbyterian
R. Turton .....		Hanbury .....	Hunter River .....	" "	Baptist
J. Scobie .....				27 Feb., 1867	Presbyterian
Lindsay Ross .....				" "	Presbyterian
David Watson .....				27 Feb., 1867	Church of England
J. J. Robertson .....				" "	Presbyterian
J. M'Michael .....				" "	Primitive Methodist
J. M'Mulkin .....				" "	Primitive Methodist
J. Belford .....				28 Jan., 1867	Church of England
Armer Boyle .....				" "	Church of England
J. G. Drew .....				" "	
Jno. Slater .....		Howlong .....	Albury .....	" "	Roman Catholic
George Rees .....				" "	Presbyterian
Henry Pettiford .....				" "	Wesleyan
David Read .....				13 June, 1867	Wesleyan
J. Laughton .....				27 Feb., 1867	Wesleyan
W. Everingham .....				" "	Wesleyan
T. Greentree .....				28 Jan., 1867	Church of Scotland
Colin Ross .....				" "	Church of Scotland
Angus Fletcher .....				" "	Church of England
William Selby .....				" "	Church of Scotland
Thomas Mitchell .....		Inverell .....		" "	Roman Catholic
John Mann .....				" "	Church of England
Francis Lewin .....				" "	Presbyterian
John Marks .....				12 Feb., 1867	Wesleyan
John Black .....				" "	Roman Catholic
Charles M'Callrey .....				" "	Church of England
James Spinks .....				" "	Church of England
Henry Fredericks .....				" "	Church of England
				" "	

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Walter Craigie		Kelly's Plains	Armidale	28 Jan., 1867	Presbyterian
John M'Lennan				" "	Presbyterian
Duncan M'Intyre				" "	Wesleyan
Andrew Silas Waters				" "	Church of England
George Faint				" "	Independent
Saml. Redgate		Kempsey, West	M'Leay River	28 Jan., 1867	Church of England
William T. Dangar				" "	Unitarian
J. B. Casey				" "	
E. Herborn				" "	
Enoch Rudder				" "	
Charles Taylor		Kiama	Illawarra	12 Feb., 1867	Episcopalian
James Colley				" "	Wesleyan
Donald Finlayson				" "	
Andrew Armstrong				" "	Roman Catholic
Thomas M'Caffrey				" "	Presbyterian
Charles Cameron		Kirkconnell		8 May, 1867	Church of England
Robert Dawson				27 Feb., 1867	Catholic
Moses Sinnott				" "	Church of England
Austin Barnett				" "	Church of England
James Murray				" "	Roman Catholic
R. A. A. Morehead		Lambton	Hunter River	27 Feb., 1867	Church of England
T. Croudace				" "	Church of England
W. Short				" "	Church of England
J. P. Galway				" "	Roman Catholic
J. T. Steele				" "	Presbyterian
J. Garrett		Liverpool	Braidwood	1 July, 1867	
Alexr. Campbell				" "	
C. H. Fawcett				" "	
F. N. Girard				" "	
James Bailie				" "	
James Gillespie		Lismore	Richmond River	28 Jan., 1867	Presbyterian
James Smith				" "	Church of England
John M'Gillivray				" "	Roman Catholic
George Whiteford				" "	Presbyterian
Robert Stuart				" "	Presbyterian
George Nash		Llandilo	South Creek	12 Feb., 1867	Baptist
William Lawson				" "	Wesleyan
William Rausley				" "	Church of England
W. Hungerford				" "	Church of England
Chas. Reade				" "	Episcopalian
W. Gellatly		Lochinvar	W. Maitland	27 Feb., 1867	Independent
John F. Rae				" "	Presbyterian
Edmund O'Shea				" "	
W. Carter				" "	
Charles Gander				" "	
Thomas Devery		Lucknow	Orange	27 Feb., 1867	Roman Catholic
Thomas Jones				" "	Congregational
Henry Isaacs				" "	
Fred. A. Holl				" "	
John Lawson				" "	
James Campbell		Luddenham	Nepean	1 Aug., 1867	Church of England
Francis Anshaw				" "	Presbyterian
Frederick Pettit				" "	Presbyterian
George Eaton				" "	Church of Rome
Charles Harrison				" "	Church of Rome
William Smith Hall		Macdonald River		27 Feb., 1867	Church of England
Nathaniel Taylor				" "	Methodist
Wm. Smith				" "	Presbyterian
Henry Wilson				" "	Church of England
C. Douglas				" "	Wesleyan
James Sullivan		{ Macdonald River (Lower).		12 Feb., 1867	Wesleyan
Henry M. Fulton				" "	Roman Catholic
Thomas Balcomb				" "	Wesleyan
Jno. Black				" "	Wesleyan
E. H. Parker				" "	Presbyterian
C. Whalan		Macquarie Plains	Bathurst	27 Feb., 1867	Roman Catholic
Robert Sutton Back				" "	
Alexander Dodds				" "	
Joseph Chambers				" "	
Augustus Carter				" "	
W. Fearley		Maitland, East	Rocky River	13 June, 1867	Church of England
Jas. Harris				1 July, 1867	Presbyterian
Angus M'Neal				" "	
J. H. Blatchford				" "	
G. Summers				" "	
W. W. Slade		Major's Creek	Braidwood	18 Sept., 1867	Wesleyan
J. B. Burke				27 Feb., 1867	Presbyterian
Gerald Halligan				" "	Roman Catholic
Thomas Chalder				" "	Church of England
Samuel Payten				" "	Primitive Methodist
Samuel Cooke		Marricville	Near Sydney	27 Feb., 1867	Congregationalist
J. R. Chambers				" "	Wesleyan
				" "	
				" "	
				" "	
				" "	
				" "	
				" "	
				" "	
				" "	

## PUBLIC SCHOOL BOARDS.

9

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
A. Osborne	Justice of the Peace	Marshall Mount.....	Illawarra	6 April, 1867	Church of England
E. R. Evans				" "	Church of England
J. Grahame		Marengo	Burrowa	27 Feb., 1867	Wesleyan
John Haddon				" "	Church of England
William Bronghton				" "	Church of England
William Kelly				" "	Church of England
Michael Scanlan		Marchvale	Orange	27 Feb., 1867	Roman Catholic
Nimmo Brown				" "	Presbyterian
William Gorman		Marchvale	Orange	" "	Church of England
J. Byrnes				" "	Roman Catholic
John Mitchell	Justice of the Peace..	Marulan.....		12 Feb., 1867	Church of England
A. Ranken				" "	" "
D. Morrice		Meadow Flat	Bathurst Road	27 Feb., 1867	Wesleyan
J. Julljames				" "	Roman Catholic
J. Ferguson		Meadow Flat	Bathurst Road	" "	Church of England
Charles Scott				" "	Congregationalist
Lawrence Durack		Manly	Near Sydney	1 July, 1867	Church of England
Samuel Shumack				" "	Roman Catholic
John Trenchard Smith		Merriwa		1 July, 1867	Congregationalist
Elisha Hayes				" "	" "
John Carroll	Justice of the Peace..	Millbang	Collector	12 Feb., 1867	Church of England
William H. Rolfe				" "	Wesleyan
W. Parker		Minmi	Hunter River	" "	Presbyterian
J. B. Bettington				" "	Church of England
John Morris		Mitchell's Creek	Near Bathurst	27 Feb., 1867	Roman Catholic
James White				" "	Church of England
J. W. Chisholm		Molong		12 Feb., 1867	Primitive Methodist
J. Waddell				" "	Presbyterian
J. Macauley		Monkerai	Stroud	27 Feb., 1867	Church of England
S. Baker				" "	Church of England
J. Byrne	Justice of the Peace..	Monkittee	Braidwood	12 Feb., 1867	Church of England
Alexr. Lindsay				" "	Roman Catholic
E. Parkin		Morpetht		13 June, 1867	Church of England
Stephen Drummond				" "	Church of England
George Hodgson		Mosquito Island	Newcastle	1 Oct., 1867	Church of England
Robert Gant				1 July, 1867	Church of England
Martin Dunne		Monlametin		" "	Church of England
W. Bradley				" "	Church of England
Daniel M'Lochlin		Mount Clarence	Hartley	14 Sept., 1867	Roman Catholic
W. C. Martin				" "	Presbyterian Church
Robert Blackmore	Justice of the Peace..	Mount Keira	Illawarra	1 Aug., 1867	Church of England
John Duncan				27 Feb., 1867	Church of England
James Channon		Morpeth		" "	Church of England
George M'Donald				" "	Church of England
Francis Smith		Morpeth		" "	Church of England
John M'Nevin				" "	Church of England
W. J. Bloomfield		Morpeth		" "	Church of England
Edward W. Moon				" "	Church of England
John Wynne		Morpeth		" "	Church of England
Joseph J. Morris				" "	Church of England
James Fost	Justice of the Peace..	Morpeth		1 Oct., 1867	Wesleyan
Donald M'Crae				1 July, 1867	Wesleyan
William Titcume		Morpeth		" "	Presbyterian
R. Maddrell				" "	Church of England
C. Heegan		Morpeth		12 Feb., 1867	Church of England
M. Dowling				" "	Church of England
H. Burns		Morpeth		" "	Roman Catholic
J. Grant				" "	Church of England
John Whytlaw		Morpeth		12 Feb., 1867	Presbyterian
J. Wisdom				" "	Church of England
Wm. Ling	Justice of the Peace..	Morpeth		" "	Church of England
Duncan Sim				" "	Primitive Methodist
A. Tulip		Morpeth		" "	Baptist
J. N. Meiklejohn				" "	Primitive Methodist
J. J. Haines		Morpeth		" "	Wesleyan Methodist
Thomas Moffit				" "	Roman Catholic
D. Jordan		Morpeth		13 June, 1867	Wesleyan Methodist
G. Foster				27 Feb., 1867	Church of England
G. Tongue		Morpeth		" "	Church of England
Francis Anthony Gwynne				" "	Church of England
Frederick Valiant	Justice of the Peace..	Morpeth		14 Sept., 1867	Church of England
George Augustine Mein				" "	Church of England
William Burgess		Morpeth		" "	Church of England
William Lloyd				" "	Church of England
Thomas Linton		Morpeth		" "	Church of England
Thomas Kirby				" "	Roman Catholic Church
William Richards		Morpeth		1 July, 1867	Presbyterian Church
James Burke				" "	" "
Samuel Morris		Morpeth		" "	" "
Robert Laing				" "	" "
James M'Donagh	Justice of the Peace..	Morpeth		1 Aug., 1867	" "
S. J. Pearson				27 Feb., 1867	" "
George Hewlett		Morpeth		" "	" "
William Robson				" "	" "
John M'Donnell		Morpeth		" "	" "
				" "	" "
		Morpeth		" "	" "
				" "	" "
		Morpeth		" "	" "
				" "	" "

## PUBLIC SCHOOL BOARDS.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
James Grant		Mount Macquarie ...	Carcoar .....	27 Feb., 1867	Roman Catholic
Wm. Browning				" "	Wesleyan
Richard Browning				" "	Church of England
Edward Buckley				" "	Church of England
John Dickson	Police Magistrate ...	Mudgee .....		27 Feb., 1867	Presbyterian
Julius Hellman				" "	Church of England
George Warburton				" "	Church of England
William Kellet				" "	Wesleyan
J. C. Wellman		Murrumburrah .....	Burrowa .....	21 Nov., 1867	Church of England
J. English				1 July, 1867	
J. A. Murphy				" "	Roman Catholic
J. Dillon				" "	Roman Catholic
T. A. Barnes	Justice of the Peace	Murrurundi .....		" "	Church of England
Alexander Brodie				" "	Presbyterian
Andrew Loder				" "	Church of England
Philip W. Wright				" "	Church of England
G. Brodie	Justice of the Peace	Murrurundi .....		" "	Presbyterian
A. Quaife	Clerk Petty Sessions			" "	Congregational
John C. Lloyd	Member Legislative Assembly.			17 Oct., 1867	Church of England
Charles E. Smith	Police Magistrate			" "	Church of England
James Moseley	Justice of the Peace	Narrabri .....		" "	Church of England
Louis Segol				" "	Independent
Alfred J. Doyle				" "	Church of England
Charles G. Haydon				" "	Roman Catholic
P. Quinn		Nelson Plains .....	Williams River ...	" "	Roman Catholic
Arthur C. Bartlett				" "	Church of England
T. O'Dell				27 Feb., 1867	Church of England
J. W. Dennett				" "	Baptist
C. Sheehan		Nerrigundah .....		" "	Roman Catholic
G. Hardy				13 June, 1867	Church of England
J. Morrison				" "	Presbyterian
J. Pollock				" "	Presbyterian
W. J. Foster		Newcastle .....		" "	Unitarian
James Hannell				12 Feb., 1867	Church of England
J. B. Winship				" "	Wesleyan
John Burrowes				" "	Church of England
Charles Robertson		New Sheffield .....	Nattai .....	27 Feb., 1867	Congregationalist
J. Watson				6 April, 1867	
C. Walker				" "	
C. McCallum				" "	
M. Brennan		North Yass .....		12 Feb., 1867	Church of England
J. C. Allman				" "	Church of England
J. C. Taylor				" "	Wesleyan
J. Carter				" "	Church of England
R. Vaughan		Norwood .....	Goulburn .....	" "	Roman Catholic
W. Begley				1 July, 1867	Presbyterian
T. Barber				12 Feb., 1867	Wesleyan Methodist
W. Davies				" "	Roman Catholic
J. M'Shane		Nowra .....	Shoalhaven .....	" "	Presbyterian
R. Fenwick				12 Feb., 1867	Church of England
Bernard Brown				" "	Presbyterian
John M'Arthur				" "	Jewish Faith
Michael Hyam		Omega Retreat .....	Williams River ...	5 April, 1867	Episcopalian
J. M. Gray	Justice of the Peace			" "	Presbyterian
Robert Miller	Justice of the Peace			" "	Wesleyan
Thomas Black				" "	Episcopalian
James Emery		Ophir Road .....	Bathurst .....	27 Feb., 1867	Presbyterian
J. H. Stewart				" "	Wesleyan
H. Hunking				" "	Roman Catholic
D. Hourigan				" "	Church of England
W. T. Evans	Clerk Petty Sessions	Orange .....		27 Feb., 1867	Presbyterian
George M'Kay	Justice of the Peace			" "	Roman Catholic
James Dalton	Justice of the Peace			" "	Church of England
James Dale	Postmaster			" "	Roman Catholic
Patrick Kenna		Oswald .....	Hunter River .....	" "	Presbyterian
William Craigie				12 Feb., 1867	
W. Froude				" "	
Henry Pankhurst				" "	
Philip Pryor		Oxley Island .....	Manning River .....	28 Jan., 1867	Presbyterian
William Goodsir				" "	Church of England
William Cowan				" "	Wesleyan
John Field				" "	Roman Catholic
George Schmitzer		Palmer Island .....	Clarence River .....	" "	Presbyterian
John Slater				" "	Presbyterian
Alexander Ross	Postmaster			27 Feb., 1867	
Abram Carr				" "	
Hector M'Lean		Panbula .....		" "	Presbyterian
Hugh M'Dermott				1 Aug., 1867	Presbyterian
John M'Donald				" "	Presbyterian
Hugh M'Diarmid				27 Feb., 1867	
J. Manning				" "	
J. Bennett				" "	
G. P. Keon				" "	
C. A. Baddeley				" "	



## PUBLIC SCHOOL BOARDS.

11

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Joseph Russell				1 July, 1867	Wesleyan
J. Lairs				" "	Wesleyan
L. Dawson		Parading Ground	Raymond Terrace	" "	Wesleyan
W. Mortimer				" "	Wesleyan
Lachlan M'Donald				27 Feb., 1867	Wesleyan
John Pollock				" "	
John Stirling		Parkhaugh	Manning River	" "	
William Bird				" "	
Thomas Brown				2 Jan., 1867	
Duncan M'Dermid				" "	
G. Rogers				8 May, 1867	
S. Burge				" "	
J. L. Castner		Parramatta		" "	
H. Byrnes				" "	
Jordan Sparks				13 June, 1867	
H. W. Sutor				27 Feb., 1867	Church of England
William Cummings		Peel		" "	Catholic
J. Reid				" "	Baptist
Alexr. Newtown				28 Jan., 1867	Presbyterian
Jos. Bradley		Pelican Point	Manning River	" "	Church of England
Thos. Cockrane				" "	Catholic
Isaac Shepherd				8 May, 1867	Congregational
Edward Atkins				" "	Church of England
James Smith		Pennant Hills		" "	Church of England
T. E. Davies				" "	Church of England
James Smith				17 Dec., 1867	
R. Stewart				13 June, 1867	Wesleyan
R. Robbins		Penrith		" "	Church of England
W. Simpson				" "	Presbyterian
E. Heaton				" "	Roman Catholic
E. Hinden				13 June, 1867	Congregational
H. Black				" "	Presbyterian
S. H. Lewis		Petersham	Near Sydney	" "	Congregational
P. Andreas				" "	Lutheran or German Church
T. Sullivan				" "	Roman Catholic
George Bell				6 April, 1867	Church of England
George Cowdery				" "	Church of England
James Rogers		Picton		" "	Wesleyan
Thomas Larkin				" "	Unitarian
John Martin				" "	Church of England
W. M. Tierney				" "	Church of England
John Fairfax				27 Feb., 1867	Independent
David Jones				" "	Independent
Joseph Thompson		Pitt-street	Sydney	" "	Independent
A. H. Eager				" "	Independent
G. A. Lloyd				" "	Independent
John G. Marwick				" "	Independent
Henry Clarke				8 May, 1867	Independent
John Geddes		Pitt-street, South	Sydney	" "	
Robert Maze				" "	
C. Merewether				1 Aug., 1867	Church of England
J. B. Winship		Pitt Town	Newcastle	" "	Wesleyan
— Turnbull				" "	Primitive Methodist
— M'Donald				" "	Presbyterian
H. Walker				27 Feb., 1867	Presbyterian
R. Moodie		Plattsburgh	Hunter River	" "	Presbyterian
W. Lang				" "	Presbyterian
D. Gardiner				" "	Presbyterian
Edmund Harvey				27 Feb., 1867	Church of England
R. Hoggett		Pleasant Valley	Bathurst	" "	Wesleyan
H. Humphries				" "	
James Butler				28 Jan., 1867	Presbyterian
Alex. Blair				" "	Presbyterian
John Dick		Port Macquarie		" "	Presbyterian
William Lichfield				" "	Wesleyan
E. Kingsford				" "	Wesleyan
Robert Belford				28 Jan., 1867	Wesleyan
Ronald Mackay				" "	Presbyterian
John Dennett		Purfleet	Manning River	" "	Presbyterian
James Robinson				" "	Wesleyan
Thos. Trotter				" "	Wesleyan
S. D. Gordon	Member Legislative Council.			27 Feb., 1867	Presbyterian
Thomas Jaffrey		Pymont		" "	Presbyterian
Robert M'Credie				" "	Presbyterian
Robert Patrick				" "	Presbyterian
James Alcorn	Justice of the Peace			6 April, 1867	Presbyterian
H. G. Morton				" "	Church of England
John Monaghan		Pyree	Shoalhaven	" "	Presbyterian
John Houston				" "	Presbyterian
Donald M'Lean				" "	Presbyterian
J. J. Wright	Justice of the Peace			13 June, 1867	Church of England
A. Levy	Justice of the Peace			" "	Jew
A. Morton	Justice of the Peace	Quesanbeyan		" "	Presbyterian
J. Halc	Justice of the Peace			" "	Church of England
J. Thompson				" "	Church of England
J. Gale				" "	Wesleyan

## PUBLIC SCHOOL BOARDS.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
J. Garland	Postmaster	Quorrobolong	Maitland	12 Feb., 1867	Presbyterian
Hugh Kerr				" "	Roman Catholic
George Sims				" "	Church of England
William E. Shaw				" "	Church of England
Lott Bishop	Justice of Peace	Raymond Terrace	Manning River	12 Feb., 1867	Wesleyan
Henry Boyle				" "	Wesleyan
Saml. Gibson				28 Jan., 1867	Presbyterian
Robert Fitzpatrick				" "	Episcopalian
George M'Cartney	Justice of Peace	Redbank	Manning River	" "	Episcopalian
Robt. M'Lean				" "	Presbyterian
Jno. Barry				" "	Roman Catholic
George Bowman				27 Feb., 1867	Presbyterian
William Lamrock	Postmaster	Richmond	Manning River	" "	Presbyterian
William Benson				" "	Presbyterian
Stephen Field				" "	Presbyterian
Chas. M'Phillamy				27 Feb., 1867	Presbyterian
Edward O'Brien	Postmaster	Rockley	Manning River	" "	Roman Catholic
Arthur Budden				" "	Congregational Discenter
Jas. M'Donald				28 Jan., 1867	Presbyterian
John Lachlan				" "	Presbyterian
Alexr. Cameron	Justice of Peace	Rockymouth	Clarence River	" "	Presbyterian
Peter Davies				" "	Wesleyan
Joseph Sylva				" "	Roman Catholic
William Cleghorn				28 Jan., 1867	Presbyterian
James D. Leece	Justice of Peace	Rocky River	Armidale	" "	Wesleyan Methodist
Jno. Francis				" "	Church of England
Jas. Doharty				" "	Roman Catholic
Richard Cooper				" "	Church of England
Thomas Wilson	Postmaster	Seaham	Williams River	1 July, 1867	Church of England
J. Hanlon				" "	Presbyterian
Alexander M'Neil				" "	Presbyterian
W. M'Dunmer				" "	Presbyterian
Terence Rafferty	Justice of Peace	Saumarez Creek	Armidale	28 Jan., 1867	Catholic
John Cockrane				" "	Presbyterian
John Cameron				" "	Wesleyan
Josias Moffatt				" "	Church of England
Charles Gentle	Justice of Peace	Scone	Armidale	7 Sept., 1867	Church of England
R. Ferguson				12 Feb., 1867	Church of England
Oliver Hinde				" "	Church of England
R. Wilson				" "	Presbyterian
J. Dodds	Justice of Peace	Scott's Flat	Singleton	" "	Presbyterian
T. Power				27 Feb., 1867	Roman Catholic
J. Taffe				" "	Wesleyan
W. Egan				" "	Roman Catholic
George Henderson	Justice of Peace	Seven Oaks	Macleay River	28 Jan., 1867	Presbyterian
Augustus Oakes				" "	Church of England
Adam Johnstone				" "	Presbyterian
Robert Plummer				" "	Wesleyan
Thomas Marshall	Justice of Peace	Singleton	Armidale	" "	Church of England
G. T. Loder				12 Feb., 1867	Church of England
G. Loder				" "	Presbyterian
James Moore				" "	Presbyterian
Kenneth Matheson	Justice of Peace	Smith's Flat	Clarence River	28 Jan., 1867	Presbyterian
George Gerard				" "	Church of England
George Lillback				" "	Roman Catholic
William Davison				" "	Church of England
John M'Kee	Justice of Peace	Stanhope	Hunter River	12 Feb., 1867	Church of England
Thomas Lindsay				" "	Presbyterian
D. Pebbles				" "	Church of England
J. Taylor				" "	Church of England
G. Johnson	Justice of Peace	Stockton	Newcastle	" "	Roman Catholic
B. M'Caffrey				" "	Congregational
J. Scott				8 Aug., 1867	Congregational
R. Lynn				" "	Church of England
H. Brooks	Justice of Peace	Stony Creek	Illawarra	13 June, 1867	Presbyterian
Samuel Marks				" "	Presbyterian
James Coulan				" "	Anglican
J. Russell				" "	Presbyterian
J. Gray	Justice of Peace	Strontian Park	Clarence River	28 Jan., 1867	Presbyterian
Angus Cameron				" "	Presbyterian
Walter Hindmarsh				" "	Presbyterian
Hugh M'Donald				" "	Roman Catholic
Walter Murphy	Justice of Peace	St. Mary's	South Creek	24 Dec., 1867	Wesleyan Methodist
William Leonard				" "	Presbyterian
Duncan Cameron				" "	Presbyterian
James Young				14 Sept., 1867	Presbyterian
John Guild	Justice of Peace	Sugarloaf	E. Maitland	" "	Presbyterian
Alexander M'Laughlan				" "	Presbyterian
Daniel M'Laughlan				" "	Presbyterian
George Hope				" "	Presbyterian
J. D. Rae	Justice of Peace	Sugarloaf	E. Maitland	12 Feb., 1867	Church of England
J. Noble				" "	Church of England
S. Wellard				" "	Church of England
William Stevenson				14 Sept., 1867	Church of England
Frederick F. Hubbard	Postmaster	Sugarloaf	E. Maitland	18 Sept., 1867	Wesleyan

## PUBLIC SCHOOL BOARDS.

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Frank M'Cormack				28 Jan., 1867	Roman Catholic
William Sanders				" "	English Church
James Wood		Summer Land	M'Leay River	" "	Presbyterian Church
Henry Wood				" "	Wesleyan Church
Alfred Evans				" "	English Church
Daniel Cameron Dalgleish				7 Jan., 1868	Presbyterian
John Booth				" "	Congregational
Joseph James Turpin		Sussex-street		" "	Wesleyan
Robert Chadwick				" "	Church of England
George Palmer				" "	Church of England
James Reid				6 April, 1867	Presbyterian
James M'Clelland				" "	Episcopalian
Richard Johnson		Sydney North		" "	Wesleyan
Richard Broadfoot				8 May, 1867	Baptist
Alexander Cather				" "	Presbyterian
William Heron				" "	Roman Catholic
Walter Scott				28 Jan., 1867	" "
William Smith				" "	" "
G. Cochrane		Tamworth		" "	" "
Daniel Regan				" "	" "
John Macdonald				8 Aug., 1867	" "
James Garland				27 Feb., 1867	Roman Catholic
J. T. Gannon				" "	Church of England
S. Philips				" "	Primitive Methodist
J. Whiting		Taralga		" "	Wesleyan Methodist
T. Denning				14 Sept., 1867	Church of England
William Crampton				" "	Roman Catholic
Eneas M'Donald				" "	Presbyterian
Lachlan Ross				1 Aug., 1867	Presbyterian
Henry Flett				" "	Episcopalian
Delamere Wynter		Taree	Manning River	" "	Independent
Samuel Plummer				" "	Roman Catholic
Charles M'Donnell				27 Feb., 1867	Church of England
F. W. Twine				" "	Presbyterian
William Kable				" "	Church of England
Robert Swann		Teapot Swamp	Bathurst	" "	Presbyterian
John Hood				" "	Church of England
Edward Wilson				" "	Roman Catholic
Philip Ryan				12 Feb., 1867	Wesleyan
Christopher M'Crae		Telegherry	Stroud	" "	Church of England
John Farley				" "	Presbyterian
E. Coleman				8 Aug., 1867	Presbyterian
William Johnson		Teralba	Hunter River	" "	Church of England
Duncan Cherry				" "	Church of England
William Humphreys				12 Feb., 1867	Church of England
Benjamin Marsh				" "	Independent
Henry Brewer		Thalaba	Williams River	" "	Church of England
William Green				" "	Church of England
S. A. Meyer				28 Jan., 1867	Church of England
J. H. F. Mitchell				" "	Church of England
Chas. Frauenfelder				" "	Roman Catholic
E. Thos. Wignell		Thurgoona	Albury	" "	Church of England
Lawrence Wittler				8 Aug., 1867	Roman Catholic
James Day				" "	Roman Catholic
Arthur Else				28 Jan., 1867	Independent
Morgan Poole				" "	Episcopalian
Horace Dean		Tinonce	Manning River	" "	Episcopalian
Henry Wynter				" "	Episcopalian
William Stephen				" "	" "
Mrs. Windeyer				27 Feb., 1867	Church of England
Jas. Pepper		Tomago	Hunter River	" "	Congregational
B. Lunny				" "	Roman Catholic
F. W. Vyner	Police Magistrate			12 Feb., 1867	Church of England
E. G. Brown	Member Legislative Assembly	Tumut		" "	Church of England
S. Mandelson	Justice of Peace			" "	Jew
J. Robertson				" "	Presbyterian
David Warden				6 April, 1867	Presbyterian
R. Millard, senior		Ulladulla		" "	Church of England
Henry Mitchell				" "	Roman Catholic
William Taylor				28 Jan., 1867	Presbyterian
William Leeson				" "	Episcopalian
Donald M'Intosh		Ulmarra	Clarence River	" "	Presbyterian
Geo. Cohen				" "	Jew
Jno. Small				" "	Episcopalian
James Kirkwood				28 Jan., 1867	Presbyterian
John M'Crossin				" "	Presbyterian
W. Davison		Uralla	New England	" "	Presbyterian
Alexr. Mitchell				" "	Presbyterian
George Morrow				" "	Church of England

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
Henry Gordon .....	Justice of the Peace Member Legislative Assembly.	Violet Hill .....	New England .....	6 April, 1867	Church of England
John Stewart .....				" "	Church of England
Robert James .....		Wagga Wagga .....		1 July, 1867	Wesleyan
John Clark .....				" "	Church of England
Wm. Lewis .....				" "	Wesleyan
H. Bayliss .....				12 Feb., 1867	" "
P. S. Murray .....				" "	" "
R. Nixon .....		Wallsend .....	Hunter River .....	27 Feb., 1867	Church of England
W. Macarthur .....				" "	Church of England
J. Y. Neilson .....				" "	Presbyterian
R. Fryar .....				" "	Wesleyan
D. Mackay .....				" "	Primitive Methodist
Jas. Swinburn .....		Waratah .....	Hunter River .....	1 July, 1867	Christians
Edmund Bull .....				" "	Primitive Methodist
James Roe .....				" "	Presbyterian
David Kerr .....				28 Jan., 1867	Church of England
James Snape .....				" "	Church of Rome
Thomas M'Gee .....	Police Magistrate ...	Warialda .....		17 Oct., 1867	Church of Rome
George Bowman .....				" "	" "
John Readford .....				" "	" "
Edward Readford .....				" "	" "
Clement Shakespeare .....				" "	" "
David Robertson .....		Warren .....	Lower Macquarie...	28 Jan., 1867	Presbyterian
John Fletcher .....				" "	Presbyterian
David Bell .....				" "	Episcopalian
G. H. Erratt .....				" "	Episcopalian
C. P. Fenwick .....				" "	Episcopalian
T. B. Kermode .....	Magistrate .....	Wallalong .....	Morpeth .....	12 Feb., 1867	Protestant
J. B. R. Robertson .....				" "	Presbyterian
Walter Scott .....				" "	Methodist
E. King .....				" "	Presbyterian
Walter Galley .....				27 Feb., 1867	" "
John Bright .....	Police Magistrate ...	Wattle Flat .....	Turon .....	" "	" "
Henry Stuart .....				" "	" "
Timothy Ring .....				" "	" "
J. M. Marsh .....				27 Feb., 1867	Church of England
W. B. Simpson .....				" "	Church of England
J. Drewe .....	Returning Officer ...	Wellington .....		" "	Church of England
Christopher Moore .....				" "	Church of England
F. Marsh .....				" "	Church of England
William Lyle Richardson .....				21 Nov., 1867	" "
Jas. Scott .....				" "	" "
Edward Squire .....		Wentworth .....		" "	" "
William J. Holding .....				" "	" "
William Crozier .....				" "	" "
J. T. Smith .....				" "	" "
A. M'Clymont .....				" "	" "
P. Weltie .....		Westbrook .....	Camden .....	28 Jan., 1867	Church of England
William Macarthur .....				" "	Church of England
Arthur Onslow .....				" "	Church of England
Thomas Dawson .....				" "	Wesleyan
Kenneth M'Lennan .....				27 Feb., 1867	Presbyterian
John M'Phillamy .....		White Rock .....	Bathurst .....	" "	Wesleyan
John Spicer .....				" "	Roman Catholic
James Barker .....				27 Feb., 1867	" "
William Cummings .....				" "	" "
W. H. Suttor .....				" "	" "
John Grist .....		Winburndale Creek .....	Bathurst .....	27 Feb., 1867	" "
William Mulholland .....				" "	" "
James Keppie .....				" "	" "
John J. Fitzpatrick .....				" "	" "
John Platt .....				" "	" "
Samuel Brownlow .....		Windeyer .....	Meroo .....	" "	" "
John Winsley .....				" "	" "
George Hill .....				27 Feb., 1867	Church of England
John Hall .....				" "	Church of England
Jasper Creagh .....				" "	Roman Catholic
David Irving .....	Justice of Peace ...	Wingham .....	Manning River .....	" "	Presbyterian
W. J. Cobercroft .....				12 Feb., 1867	Church of England
J. N. Brooks .....				" "	Church of England
D. Kenny .....				" "	Roman Catholic
P. Cunneen .....				" "	Roman Catholic
John Lynch .....		Wollombi .....		27 Feb., 1867	Roman Catholic
S. J. Pearson .....				" "	Church of England
William Robson .....				" "	Wesleyan
George Hewlett .....				" "	Congregational
John M'Donnell .....				" "	Roman Catholic
F. M'Mahon .....	Justice of Peace ...	Wollongong .....		13 June, 1867	Roman Catholic
Patrick Robinson .....				" "	Church of England
William Faulks .....				" "	Wesleyan Methodist
John Abbott .....				27 Feb., 1867	Church of England
William Moylan .....				" "	Roman Catholic
William Baynes .....				" "	Wesleyan

## PUBLIC SCHOOL BOARDS.

15

Members' Names.	Official Position.	Designation of the School.	District or Locality.	Date of Appointment.	Religious Denomination (so far as known or ascertainable).
A. Aldcorn .....	}	Woragee .....	Shoalhaven .....	6 April, 1867	
J. Hewitt .....				" "	
J. Lamond .....				" "	
J. Smith .....				" "	
R. Cadell .....				" "	
T. Williamson .....				" "	
T. Duff .....				" "	
J. E. Pearce .....	Police Magistrate ...	}	Young .....	27 Feb., 1867	Wesleyan
A. H. Macarthur .....	" "			" "	Presbyterian
Peter Duncan .....	" "			" "	
J. R. Edwards .....	Clerk Petty Sessions			8 May, 1867	Church of England
Joseph Hayes .....	" "			" "	Church of England
Bernard Quinn .....	" "			" "	
Henry Cohen .....	" "			" "	
James Byrne .....	" "			13 June, 1867	Jewish
				" "	Roman Catholic

[Price, 1s.]

Sydney: Thomas Richards, Government Printer.—1869.



1868-9.

---

NEW SOUTH WALES.

---

PUBLIC SCHOOLS ACT OF 1866.

(AMENDED REGULATIONS UNDER.)

---

Presented to Parliament pursuant to Act 30 Vict., No. 22, sec. 7.

---

Council of Education Office,

Sydney, 8th March, 1869.

REGULATIONS framed by the Council of Education under the Public Schools Act of 1866, in substitution of the Regulations of 27th February, 1867.

HENRY PARKES,

President.

---

I.—PROCEEDINGS OF COUNCIL.

1.—CONDUCT OF BUSINESS.

1. The Council shall meet for the transaction of business, unless otherwise ordered, every Monday, at 3 o'clock.

2. At each meeting, the Secretary shall enter in the Minute Book an accurate record of every proceeding of the Council; and the Minutes so recorded shall be read over as the first business of the next subsequent meeting, and, after such corrections as may be found necessary to ensure complete accuracy, shall be signed by the President or Member acting in his stead.

3. The President or any two other Members may cause to be convened an extraordinary meeting of the Council, by a letter addressed to the Secretary stating the time and object of such meeting.

4. If any meeting of the Council shall lapse for want of a quorum, it shall be so recorded in the Minute Book, with the names of the Members present.

5. The order of business shall be arranged by the Secretary, subject to the direction of the President, and shall be clearly stated on a Business Paper for the use of each Member.

6. Acts of misconduct or irregularities on the part of the servants of the Council shall, on becoming known to the Secretary, be reported to the President, who shall have power to take any steps that may be considered necessary in cases of importance, submitting the whole matter for the consideration of the Council at its next meeting.

7. The President shall attend at the offices of the Council at least once in every week, to hear complaints or explanations arising out of the conduct of general business.



8. The President shall be entitled to vote on all questions as a Member of the Council, and, in cases of an equality of votes, shall be entitled to give a casting vote as President.

9. No Member shall absent himself from four consecutive weekly meetings of the Council without leave.

10. All meetings of the Council shall be convened by circular signed by the Secretary.

11. In case of his inability to attend any meeting, the President shall explain the cause of his absence by letter addressed to the Council before the hour of such meeting, unless circumstances render communication of the kind impossible; and another Member shall be elected to the chair for that occasion only.

## II.—ELECTION OF PRESIDENT.

12. At the first meeting of the Council in January, in each year, one Member of the Council shall be elected President, who shall hold office until his successor be elected.

13. In the event of the office of President becoming vacant in the course of the year by death, resignation, or otherwise, the Members of the Council shall proceed, within one month, to the election of another President for the remainder of the year in the manner hereinafter prescribed.

14. The President shall be elected by ballot, in the following manner:—

The names of the Members shall be printed on five cards all alike, which, after being initialled by the Secretary, shall be by him enclosed in five blank envelopes, all alike, unsealed, and shall be so distributed to the Members of the Council, either by hand or letter.

Each Member shall erase all the names, except that for which he votes, and shall return the card in the blank envelope, sealed, either by hand or letter, to the Secretary.

The Secretary shall produce, on the day of election, the cards in the original blank envelopes, sealed; and they shall be opened by the President or other Member occupying the chair, and the Member having the largest number of votes shall be held to be duly elected.

Provided always, that in the event of a tie between any two Members, the election between such two Members shall be decided by ballot confined to the Members then present.

## II.—SCHOOL ADMINISTRATION.

### I.—ESTABLISHMENT OF SCHOOLS.

#### 1.—Classes of Schools.

The Council of Education will establish, maintain, or assist, four classes of schools, viz. :—

Public Schools—Section 8, Public Schools Act.

Provisional Schools—Section 13.

Half-time Schools—Section 12.

Certified Denominational Schools—Sections 9 and 28.

#### 2.—Assistance to Schools.

In the case of Public Schools, the Council will contribute, in such proportion as they may deem expedient—but as a rule not more than two-thirds—to the cost of erecting and furnishing school buildings, subject to the provisions of Section 23 of the Public Schools Act. The assistance to the other classes of schools will, as a rule, be limited to payment of Teachers' salaries and supply of school books and apparatus.

#### 3.—Conditions of Grant for Buildings.

Appendix A.

Applications for the establishment of Public Schools must be made upon forms provided for that purpose; and applicants must state the amount that will be locally contributed towards the cost of the necessary buildings, and the names of the persons by whom payment of that sum is guaranteed.

#### 4.—Duration of Pledge.

A pecuniary pledge made by the Council in any year will hold good for that year only; if not taken up within that time, a fresh application will be necessary.

Appendix B.  
Appendix C.

#### 5.—Assistance to Public School on leased land.

When applicants for the establishment of a Public School are themselves willing to provide the requisite buildings, they must be prepared to execute a lease of the premises to the Council for a term of at least five years, at a nominal rent. Before accepting such lease, the Council will satisfy itself, through its officers, that the proposed school buildings are in good repair, sufficient for the purpose, and suitably furnished.

6.—

6.—*Local Contributions.*

All local contributions towards the cost of school buildings and furniture shall be remitted to the Secretary for deposit to the credit of the "Council of Education Building Fund."

7.—*Plans and Dimensions.*

Plans for the erection of Public Schools will be supplied by the Council; but plans locally provided may be adopted, if first submitted to the Council and approved. No schoolroom should be less than 16 feet in width, and 10 feet in height; and at least 8 square feet of floor should be allowed for each child in ordinary attendance.

8.—*Provisional Schools.*

In applying for aid to Provisional Schools, the promoters must adopt the form Appendix D. provided, and must satisfy the Council that the Teachers employed are competent to perform the duties required of them, and that they are persons of good moral character.

9.—*Half-time Schools.*

Half-time Schools under Itinerant Teachers may be established wherever twenty children of the school age are residing within an estimated radius of ten miles from a central point, and can be collected in groups of not less than ten children in each.

10.—*Certified Denominational Schools.*

Applicants for a Certificate to a Denominational School must provide a school-house, sufficient in all respects for the purpose, and suitably furnished; and they may Appendix E. Appendix F. nominate a competent Teacher or Teachers for appointment by the Council.

11.—*Conditions on which Certificates may be withdrawn.*

Certificates will be withdrawn from Denominational Schools, should—

1. The required number of pupils not be maintained.
2. The building become dilapidated, or otherwise unsuitable.
3. The supply of furniture and apparatus become inadequate.
4. The Regulations of the Council be infringed.

12.—*Inscription.*

In the case of every Public School building, whether the property be vested in the Council of Education or not, the inscription PUBLIC SCHOOL, and no other, shall be conspicuously put up on the outside.

13.—*Uses of Public School Buildings.*

No use shall be made of Public School Buildings tending to cause contention—such as the holding of political meetings, or bringing into them political petitions or documents of any kind for signature; and they shall not at any time be converted into places of public worship, unless they shall have been built and kept in repair without aid from public funds.

## II.—ORGANIZATION OF SCHOOLS.

14.—*Grants of School Books.*

Grants of school books and apparatus will be made from time to time, as may be deemed expedient, to all schools under the supervision of the Council, in proportion to the average number of pupils in daily attendance; and a full supply will be granted as a first stock to all schools newly established.

15.—*Character of School Books.*

Such books only as are supplied or sanctioned by the Council shall be used for ordinary instruction.

16.—*Apparatus.*

Apparatus will include maps, diagrams, pictures, black-boards, easels, and ball-frames.

17.—*Registers and Instructional Documents.*

The undermentioned Registers and Forms shall be kept by the Teacher in every school, according to directions supplied with each:—

- Admission Register.
- Class Roll.
- Daily Report Book.
- School Fee Account Book.
- Lesson Register.
- Time-table.
- Programme of Lessons for each Class.

18.—*Returns.*

Quarterly and Annual Returns shall be furnished from every school. The Quarterly Returns, neatly and correctly made out, are to be forwarded to the Inspector of the District, immediately after the close of every quarter. They are to be made out in duplicate, one copy to be furnished to the Inspector, and the other to be retained by the Teacher as a record of the school. No salary due or accruing at the end of any quarter

quarter will be paid, until the Return, properly completed, has been received and certified by the Inspector to be correct. The Annual Return must be forwarded, with the Quarterly Return, immediately after the close of the December Quarter. Negligence in compiling Returns or in keeping School Registers will render a Teacher liable to a fine, or if repeated, to a loss of classification. Teachers found guilty of wilful falsification of Registers or Returns will be instantly dismissed.

#### 19.—*Training of Teachers.*

Applicants for employment as Teachers must undergo a course of training before they can be permanently appointed, unless they have previously been trained in a recognized Training School.

#### 20.—*Classes of Candidates.*

The Council will receive into the Training School established in connection with the Model Public School, Sydney, three classes of Candidates, viz. :—

First Class—Pupil Teachers whose term of service has expired, and Teachers who have already been trained elsewhere.

Second Class—Untrained Teachers who may have been in charge of schools.

Third Class—Persons entering the teaching profession for the first time.

#### 21.—*Qualifications of Candidates.*

Appendix G.

Candidates must apply for admission to the Training School in the form annexed. They must, except in the case of pupil teachers, be at least eighteen years of age, but not more than forty; they must be free from any bodily infirmity likely to impair their usefulness as Teachers; they must be persons of active habits, energy of character, and unblemished reputation; they must satisfy the Council as to their previous history, and must undergo an examination in the following subjects at least :—

Reading—Fourth Book of Lessons of the Board of National Education (Ireland), or some equivalent book, with fluency and expression, and answer on the subject matter in detail.

Writing—From dictation, in a neat and legible hand, with correct spelling and punctuation, a passage from the Fourth Book.

Arithmetic—Questions as far as Proportion and Practice.

Grammar—Parsing a passage from the Fourth Book, and elementary Analysis of Sentences.

Geography—The elementary portions of Geography.

#### 22.—*Conditions of Admission.*

Prior to admission, candidates must make a declaration that they intend *bonâ fide* to adopt and follow the profession of Teacher in schools under the supervision of the Council, and that they will accept a situation in any locality, as the Council may see fit; and they must procure a guarantee from two responsible persons, that the whole expense of their training shall be refunded, if from any cause whatever—death excepted—they should quit the service of the Council within three years from the date of their first appointment or admission to the Training School.

#### 23.—*Term of Training.*

Entrance examinations will be held quarterly, in March, June, September, and December; and the periods of training will be one month, three months, or six months, as may be found necessary.

#### 24.—*Allowances during Training.*

The following allowances may be made to Candidates who satisfy the above-mentioned conditions, and pass successfully the prescribed examination at the close of their training :—

To married couples .....	£7 per month.
To unmarried persons .....	£5 per month.

When the Training School is ready to receive candidates into residence, these allowances may be withdrawn, and board and lodging provided instead.

#### 25.—*Course of Studies.*

The course of studies shall include—

##### 1. Ordinary subjects. (For the whole term of training.)

Reading and Elocution.

Writing—Plain and Ornamental.

Arithmetic—Theory and practice.

Grammar and Composition.

Geography—Physical and descriptive.

School Management.

School Books.

Drill and Gymnastics.

Elements of Singing.

Linear Drawing.

Exposition of the Public Schools Act and Regulations made thereunder.

##### 2. Alternative Subjects. (For Second Quarter only.)

Algebra—As far as Quadratic Equations.

Geometry—The first four books of Euclid.

Science of Common Things.

Domestic Economy.

English Literature.

26.—*Practical Training of Candidates.*

Candidates will be trained in the practical management of schools by attendance at the Model School or such other school as the Council may determine.

27.—*Examinations.*

Oral examinations of the students in the Training School shall be held monthly, with a view to test their attention and progress; and written examinations shall take place quarterly, in January, April, July, and October, when classifications will be awarded to the students according to their attainments and skill in teaching. The Council will not award to students in training a higher certificate than Class II, and no certificate will be issued until the Inspector's Report upon the school shows that the Teacher is successful in his management.

28.—*Classification.*

Teachers will be classified in the following grades according to their attainments and practical skill :—

Class I.....	{	Section A.
		B.
Class II .....	{	Section A.
		B.
Class III.....	{	Section A.
		B.
		C.

29.—*Exhibitions.*

The Council will award exhibitions (not exceeding ten yearly) to Pupil Teachers who exhibit the highest degree of practical skill, and the greatest advance in their attainments, at the termination of their engagement in that capacity, with a view to enable them to undergo a six months' course of training free of expense.

30.—*Appointment and Dismissal of Teachers.*

The appointment and dismissal of Teachers, in all Schools other than Provisional Schools, rest solely with the Council, subject to the provision contained in Section 10 of the Public Schools Act.

31.—*General qualifications of Teachers.*

As a general rule, no Teacher will be appointed to a Public School or to a Certified Denominational School, unless he has been examined and classified; and although in some cases a Teacher may be appointed provisionally who has not undergone such examination, his appointment will not be ratified until his competency has been tested in that manner.

32.—*Qualifications as to attainments and practical skill.*

The attainments of Teachers shall be tested by oral and written examinations, and their skill in teaching by inspection of their schools.

33.—*Board of Examiners.*

The Council will appoint a Board of Examiners, to whom will be entrusted the duty of setting examination questions and revising the answers.

34.—*Subjects of Examination.*

The subjects on which Teachers will be examined are divided into two classes—Ordinary and Alternative. The former embraces those elementary branches with which it is necessary for every Teacher to be acquainted, inasmuch as they form the staple of daily instruction in schools. Reading, Writing, Arithmetic, Grammar, Geography, and the Knowledge of the School Books are of this kind; to which must be added, as being equally requisite, acquaintance with the Principles of School Management, and, if possible, Rudiments of Music and Linear Drawing. All other subjects are styled Alternative, because it is optional with the Teacher to undergo an examination in any of them with which he may be familiar.

35.—*Alternative Subjects.*

The following is the list of Alternative Subjects in which Teachers may be examined :—

Latin: Virgil—Grammar.  
 Mathematics: Algebra to Quadratic Equations, including Surds; Euclid,  
 Books I to VI; and Trigonometry.  
 Chemistry.  
 French.  
 German.  
 Geology, }  
 Botany, } With especial reference to Australia.  
 Zoology, }

36.—*Syllabus of Subjects for each Class.*

THE following is a Syllabus of Subjects in which Teachers will be examined for each grade of Classification.

*For a Third Class Certificate*—Teachers must be examined in :—

*Grammar* : Including Punctuation, Paraphrasing, Parsing, and Analysis of Simple and Combined Sentences.

*Geography* : General and Descriptive.

*Arithmetic* : As far as Decimal Fractions. *Female Teachers*—as far as Proportion and Practice.

*School Management* : Including the Organization, Discipline, and Instruction of Schools.

*School Books* : The Reading Books from the First to the Third inclusive.

*Reading* : Prose and Poetry, from the Lesson Books.

*Writing* : Specimens of Copy-setting, in text, round, and small hands.

*Vocal Music*.\*

*Linear Drawing*.\*

*Female Teachers* : Needlework—Domestic Economy.

\* Failure in these subjects will not necessarily prevent a Teacher from gaining a Classification.

*For Second Class Certificate :—*

*Grammar* : Including Punctuation, paraphrasing, Composition, Parsing, Derivations, and Analysis of sentences.

*Geography* : Physical and Descriptive.

*Arithmetic* : As far as Cube Root, Duodecimals, and Elementary Mensuration.

*Female Teachers*—as far as Decimals.

*Art of Teaching* : The Organization, Discipline, and Instruction of Schools, in greater detail.

*School Books* : The Series of Reading Books.

*Reading* : Prose and Poetry, from the Literary Class Book.

*Writing* : Specimens of Copy-setting in three hands, and of Letter-writing.

*Vocal Music*.

*Linear Drawing*.

*Female Teachers* : Needlework—Domestic Economy.

*Algebra* : As far as, and inclusive of, Quadratic Equations, but omitting Surds.

*Geometry* : The First Book of Euclid's Elements.

*Latin* : Cæsar (De Bello Gallico)—Grammar. (In lieu of the two preceding Subjects.)

*For First Class Certificate :—*

*Grammar* : Punctuation, Paraphrasing, Parsing, Analysis of Sentences, Composition, Style, Derivation, and Prosody.

*Geography* : Physical, Political, and Commercial, with Popular Astronomy and Mathematical Geography.

*Arithmetic* : The whole Theory and Practice as laid down in text-books in common use.

*School Books* : The whole of the Reading Series.

*Reading* : Prose and Poetry.

*Writing* : Specimens of Copy-setting and Letter-writing.

*Vocal Music*.

*Linear Drawing*.

*Female Teachers* : Needlework—Domestic Economy.

*Principles of Teaching* : Including a Knowledge of the Nature of the Human Mind.

*English Literature* : And one Alternative Subject at least.

37.—*Annual Examinations.*

All Teachers holding a lower Classification than Class III, Section A, and not having attained the age of fifty years, will be required to undergo examination annually. Success in the examination will not necessarily entitle a Teacher to a higher classification; but failure will lead to a loss of classification, unless a very satisfactory reason can be assigned for the decrease of attainments. Teachers who desire to be examined with a view to obtain a higher certificate must apprise the Inspector of the District of their wish, and at the same time furnish to him a list of the Alternative Subjects upon which they are prepared for examination.

38.—*Condition of Promotion.*

In order to obtain a First or Second Class Certificate, Teachers must submit to examination in one or more Alternative Subjects; and it is recommended that they should confine their attention to one group of subjects. Teachers who undergo examination for a higher certificate will be expected at every successive grade to show increased acquaintance with the ordinary branches. No higher classification will be awarded, even if an examination be passed successfully by a Teacher, unless the Inspector's Reports upon his school speak in decidedly favorable terms of his ability, industry, and efficiency.

39.—*Promotion for Good Service.*

A revision of classification will be made at the end of three years; and should it appear that, during the three years, a school had increased in numbers and efficiency—that the Inspector's opinion was uniformly favorable—and that the Local Board had reported well of his conduct—the Teacher would then be eligible for one grade of promotion, without being required to undergo an examination. The promotion in such

cases

cases would be equivalent to a reward for patient, sustained, and skilful exertion in the actual work of the school. A Teacher must, however, serve for *five* years in Class II, Section A, before he can be promoted to Class I, Section B, without examination.

#### 40.—*Promotion by Removal.*

Teachers who are desirous of being promoted to larger or more important schools, are to intimate their wishes in this respect to the Inspector of the District, in writing. A list of such Teachers will be kept in the Council's Office; and, except in special cases, promotions will be made in accordance with the principle of classification and seniority.

#### 41.—*Notification of Commencement of Duty.*

When Teachers have been appointed to schools, they are required to report to the Inspector for the District the fact of their arrival at their post, and of their having commenced their duties.

#### 42.—*Duties of Teachers.*

The duties of Teachers are,—

To observe faithfully the Regulations of the Council.

To carry out the Suggestions of Inspectors to the best of their abilities.

To teach according to the Course of Secular Instruction and Standard of Proficiency.

To maintain the Discipline prescribed in the Regulations.

To keep the School Records and to furnish Returns neatly and punctually.

To see that the undermentioned documents are constantly posted in a conspicuous place in the schoolroom, viz. :—

Regulations of the Council.

Notice to Visitors.

Course of Secular Instruction.

Time-table.

Programme of Lessons.

Names of Members of the Local Board.

Scale of Fees.

To take charge of the Public School Buildings and all other property belonging to the Council, and to be responsible for keeping the school premises in good order and repair at their own cost, allowance being made for reasonable wear and tear.

To consult the Local Board and receive their instructions on matters not relating to the internal management of the school.

In schools containing female children but no female Teacher, it shall be the duty of the Teachers' wives to be present at the assembling and dismissal of the pupils, in order that they may take charge of the discipline of the female children; and they are required to teach needlework to the girls during at least four hours in each week. In forming an estimate of the efficiency of schools, the competency and usefulness of Teachers' wives and the amount of time they devote to school duties will be taken into account.

#### 43.—*Remuneration of Teachers—Salary.*

The salaries of principal Teachers in charge of schools will be according to the following scale :—

Class I. ...	{ Section A.....	£150 per annum.
	„ B.....	138 do.
Class II. ...	{ Section A.....	120 do.
	„ B.....	108 do.
Class III. ...	{ Section A.....	96 do.
	„ B.....	84 do.
	„ C.....	72 do.
Probationers .....		60 do.

These will be joint salaries for husband and wife. To single persons, the salary will be £12 per annum less.

#### 44.—*Residence.*

In Public Schools the Council will contribute towards the cost of erecting Teachers' residences on the same conditions as in the case of school buildings.

#### 45.—*Fees.*

If there be more than one Teacher employed in a school, the fees shall, as a general rule, be distributed among them in the ratio of their respective salaries; but Pupil Teachers shall not be entitled to participate in the fees.

#### 46.—*Reduction for Small Attendance.*

The foregoing rates apply only to Teachers in whose schools an average daily attendance of thirty scholars is maintained. If in any case the attendance fall below that number, a reduction may be made in the amount of salary awarded, as the Council may see fit.

#### 47.—*Model Schools.*

In Model Schools special salaries may be awarded to the Teachers, at the discretion of the Council.

48.—*Mistresses.*

Mistresses in charge of separate departments shall be paid two-thirds of the salaries allotted to the classification they hold.

49.—*Assistant Teachers.*

Assistant Teachers may be appointed to schools in which the average daily attendance exceeds seventy. They will be entitled to receive a proportion of the school fees and such salary as may be determined by the Council. Assistants may be—(1) persons who have served for three years at least as Pupil Teachers; or, (2) persons who have been regularly trained in a Training Institution; but no person will be permanently appointed as an Assistant Teacher unless examined and classified.

50.—*Pupil Teachers.*

Pupil Teachers may be engaged for a term of not less than three years, for service in schools in which the average daily attendance has not been less than fifty for the six months preceding the date of appointment, provided the Teacher hold a certificate of classification not lower than Class II, Section B, and that the School is well furnished and well provided with books and apparatus.

51.—*Conditions of Appointment.*

Candidates for the office of Pupil Teacher must be at least thirteen years of age, and free from any bodily infirmity likely to impair their usefulness. Their remuneration will consist partly of instruction to be given by the Teacher, for at least one hour on every school day, and partly in a fixed yearly salary, which is paid by the Council, provided the Teacher certify as to their efficiency and good moral character, and they pass their annual examination in a satisfactory manner.

52.—*Course of Study for Pupil Teachers.*

The subjects to be studied during each year are the following:—

*Before Appointment.—Candidates.*

*Reading:* To read the "Third Book of Lessons" of the Board of National Education (Ireland) with ease, fluency, and expression; to spell well, and to understand the meaning of the passage read.

*Writing:* To write from dictation, in a neat hand, a simple prose narrative, with correct spelling and punctuation.

*Arithmetic:* To know the Arithmetical Tables, and to work the rules as far as Reduction and Proportion.

*Grammar:* To parse and analyze correctly a Simple Sentence taken from the Third Book.

*Geography:* To understand the Geographical Terms, to be acquainted with the Map of the World, and to have a knowledge of the Geography of Australia.

*Skill in Teaching:* To teach a junior class in the presence of an Inspector.

*First Year of Appointment.—Class IV.*

*Reading:* To read the "Fourth Book" of the Board of National Education (Ireland) with fluency and expression, give synonymous words and phrases, and answer upon the subject matter.

*Writing:* To write neatly and correctly from dictation, or from memory, a passage from the Fourth Book.

*Arithmetic:* To work questions in Proportion and Practice.

*Grammar:* To parse and analyze Combined Sentences.

*Geography:* The Geography of New South Wales in detail, and Europe in outline.

*Skill in Teaching:* To discipline one of the lower classes, and give a reading lesson.

*Second Year of Appointment.—Class III.*

*Reading:* To read the Fourth Book with improved intonation and expression; to paraphrase the sentences, and give the derivation of prominent words.

*Writing:* To write, in a neat and flowing hand, an abstract of an object lesson. Subject to be chosen by the Inspector.

*Arithmetic:* To Interest and Vulgar Fractions.

*Grammar:* Parsing of Difficult Sentences; with a good knowledge of Syntax, and the Analysis of Complex Sentences.

*Geography:* Australia, Great Britain and Ireland in detail; Asia in outline.

*Skill in Teaching:* Management of the Second Class, and giving a lesson on Elementary Geography or Grammar.

*Third Year of Appointment.—Class II.*

*Reading:* The "Literary Class Book," with correct intonation and emphasis, paraphrasing, and derivation.

*Writing:* To write an account of the organization of the School, or of the methods of teaching adopted.

*Arithmetic:* To understand the nature and uses of Decimals.

*Grammar:* Increased skill in Parsing, and in the Analysis of Simple and Complex Sentences.

*Geography:* Palestine, in detail—America, in outline.

*Skill in Teaching:* Ability to discipline the Third Class, and give an Object Lesson.

*Fourth*



*Fourth Year of Appointment.—Class I.*

*Reading*: To Read with ease and expression the "Literary Class Book," and reproduce, either verbally or in writing, the passage read.

*Writing*: To write an essay on some subject connected with the Art of Teaching.

*Arithmetic*: Extraction of Roots.

*Grammar*: Prosody—Analysis of Compound Sentences.

*Geography*: Physical Geography in detail—The World generally.

*Skill in Teaching*: Increased skill in the management of Classes, and in giving of Object Lessons.

*53.—Resignation of Teachers.*

Teachers are required to give one month's notice of their intention to quit their situations, such notice to be dated on the first day of any month. As a condition to the payment of the salary for the last month of their tenure of office, they are to hand over to the Local Board all the school property belonging to the Council, and are to make out, in duplicate, an inventory of the same—one copy, signed by two of the Local Board in testimony of its correctness, to be forwarded to the Council, the other to be retained by the Local Board.

*54.—Teachers' Occupations.*

Teachers in the service of the Council of Education are prohibited from engaging in any occupation not having a distinctly educational character, unless the sanction of the Council has been applied for and obtained.

## III.—DISCIPLINE OF SCHOOLS.

*55.—Punctuality and Regularity.*

With a view to the proper training of their pupils, Teachers shall conduct the operations of their schools with punctuality and regularity.

*56.—Cleanliness.*

Habits of personal neatness and cleanliness are to be encouraged among the scholars, by precept and personal example of the Teacher; and, if necessary, may be enforced by his authority. The Teacher is also responsible for keeping the school-rooms and furniture clean and arranged in an orderly manner.

*57.—Order.*

Proper measures shall be taken by the Teachers to instil into the minds of their pupils the necessity for acquiring habits of orderly behaviour, obedience to Teachers and to the rules of the school, and for maintaining a cheerful and modest demeanour. Pupils should also be trained to exhibit due respect for the property of others, whether public or private; to regard the feelings of their fellows; to be honest and truthful, attentive and diligent while under instruction, and conscientious in the discharge of every duty. Every moral virtue, in short, which the Teachers can inculcate by direct instruction, by influence, or by example, should be sedulously cultivated as they may find occasion.

*58.—Government of Pupils.*

In the government of the pupils, all degrading and injurious punishments are to be avoided. The Teacher's discipline must be mild but firm, his manner kindly, his demeanour cheerful and calculated to gain the confidence of his pupils, and his language marked by strict propriety. While he should overlook no offence, his aim should be to prevent the necessity for punishment by the improvement of the offender.

*59.—Corporal Punishment.*

Corporal punishment shall be inflicted in extreme cases only; and the Teacher must keep a record of the time and place at which pupils were corporally chastised, the amount of such punishment, and the nature of the offence.

*60.—Expulsion of Pupils.*

No pupil shall be dismissed from any school under the superintendence of the Council, unless with the express concurrence of the Local Board or of the Council.

*61.—Playground Supervision.*

The conduct of pupils in the playground must be carefully supervised by the Teacher in person; and he must also see that, in proceeding to school and returning therefrom, the behaviour of the scholars is well regulated.

## IV.—INSTRUCTION OF SCHOOLS.

*62.—Course of Secular Instruction.*

The Course of Secular Instruction for each Class shall be as follows; but in Denominational Schools it shall not be necessary to use the Scripture Lessons published under the sanction of the Board of National Education in Ireland:—

*First Class.*

*Reading*: The "First Book" of the Board of National Education (Ireland), or some reading book equivalent to it.

*Writing*: On slates, from copies and monosyllables from dictation.

*Arithmetic*: Notation, to three places of figures—Simple Addition, on slates—Mental operations involving results not higher than 60.  
*Object Lessons*: Domestic Animals and Common Objects.  
*Singing*: Simple Melodies by ear or by Tonic Sol-fa Method.

*Second Class.*

*Reading*: The "Second Book," and the "First Sequel Book" of the Board of National Education (Ireland), or some reading book or books equivalent.  
*Writing*: On slates, from memory and dictation; in books, from copies.  
*Arithmetic*: Notation—Simple Rules—Tables.  
*Grammar*: The Parts of Speech.  
*Geography*: Local Geography—Uses of a Map—Definitions.  
*Object Lessons*: Domestic Animals—Common Objects.  
*Singing*: Simple Melodies by ear or by Tonic Sol-fa Method.  
*Drawing*: Simple Rectilineal Figures, on slates.

*Third Class.*

*Reading*: The "Second Sequel Book," and the "Third Book" of the Board of National Education (Ireland), or some reading book or books equivalent.  
*Writing*: On paper, from copies; and on slates, from dictation.  
*Arithmetic*: Compound Rules and Reduction—The easier Rules of Mental Arithmetic—Tables.  
*Grammar*: Parsing, Syntax, Analysis of Simple Sentences, and Elementary Composition.  
*Geography*: Australia and New Zealand in detail—Outlines of Europe.  
*Object Lessons*: Common Minerals, Vegetables, and Animals—The simpler Manufacturing processes.  
*Singing*: Part Singing, Tonic Sol-fa Method.  
*Drawing*: Fowles' Elementary Drawing Books, Nos. I, II, and III, or some equivalent books.  
*Scripture Lessons*: Scripture Lessons, Old and New Testaments, No. 1 of the Board of National Education (Ireland).

*Fourth Class.*

*Reading*: The "Fourth Book" of the Board of National Education (Ireland), or some equivalent book.  
*Writing*: On paper, from copies and dictation.  
*Arithmetic*: Proportion and Practice—Fractions—Mental Arithmetic.  
*Grammar*: Etymology and Syntax, with Analysis of Sentences—Composition.  
*Geography*: Europe and Asia in detail—America in outline—Elements of Physical Geography.  
*Object Lessons*: Natural History, Manufactures, Elementary Mechanics; Science of Common Things.  
*Singing*: Tonic Sol-fa Method.  
*Drawing*: Fowles' Drawing Books IV, V, and VI, on paper.  
*Geometry*: Definitions and Axioms.  
*Scripture Lessons*: No. 2 Old and New Testaments, Board of National Education (Ireland).

*Fifth Class.*

*Reading*: The "Supplement to the Fourth Book" of the Board of National Education (Ireland), or an equivalent.  
*Writing*: On paper, plain and ornamental.  
*Arithmetic*: Decimals—Roots—Mensuration.  
*Grammar*: Syntax—Prosody—Analysis of Sentences—Composition.  
*Geography*: The World—Physical and Descriptive.  
*Object Lessons*: Arts and Manufactures—Laws of Health—Social Economy—Duties of a Citizen—The Laws.  
*Singing*: Tonic Sol-fa Method—Established Notation.  
*Drawing*: Perspective—Drawing from Models.  
*Geometry*: Euclid, Book I.  
*Algebra*: To Simple Equations of two unknown quantities.  
*Latin*: Smith's Inductive Latin Course; or, Arnold's Henry's First and Second Books.  
*Scripture Lessons*: As in Fourth Class.

63.—*Religious Instruction.*

During an hour of each day (designated in the Time-table) children whose parents desire that they should receive special religious instruction from the pastors or other approved religious teachers of their respective communions, shall be allowed to receive such instruction, so far as the school buildings will admit of distinct classes being formed. Every Public School is to be so arranged as to admit of the formation of one such denominational class at least; and if the simultaneous teaching of more than one be impracticable, it will be necessary to arrange that classes of the different denominations be formed on distinct days of the week. Such arrangements must however be left in a great measure to the good feelings and convenience of the parties concerned,

as circumstances will necessarily vary too much to admit of uniform regulations being applicable in all cases. In Denominational Schools, the occupation of the pupils during the hour allotted to special religious instruction is left entirely to the arrangement of the Local Boards.

64.—*Denominational Books.*

The Teacher shall take care that the religious books employed in the denominational classes be strictly confined to the time and place of denominational instruction, and that they be not left in the way of children whose parents may object to them.

65.—*Methods of Teaching.*

Every Teacher is required to make himself acquainted with improved methods of teaching, and to practise them in his own school, in order that his instruction may be productive of the greatest results.

66.—*Results of Teaching.*

As the efficiency of Teachers will be judged by the attainments and moral improvement of their pupils, the results as well as the methods of instruction should constantly be kept in view.

67.—*Teaching power to be justly distributed.*

Teachers are to provide for the equitable distribution of their time through all the classes, so that no pupils may be neglected.

68.—*Denominational predilections to be respected.*

Nothing must be said or done by Teachers calculated to offend the religious views of any pupil during the period devoted to ordinary instruction.

V.—GOVERNMENT OF SCHOOLS.

69.—*Public School Boards.*

The power to decide upon a Teacher's competency for his office is vested in the Council alone; and it also reserves to itself the power of controlling, through its officers, the internal management of schools. But the Council, for other purposes, will avail itself of the assistance of Public School Boards wherever suitable persons can be found to fill the office. Members of such Boards are appointed by the Governor and Executive Council, on the recommendation of the Council of Education. The Council will not submit for appointment the names of any persons whose habits are intemperate, or whose moral character is not unexceptionable.

70.—*Duties of Public School Boards.*

In addition to the power to visit, inspect, and report conferred on Public School Boards by the Public Schools Act (section 22), the Council will entrust to them the following duties:—

- To make due provision for keeping the school buildings in constant repair.
- To take care that they are not used for any improper purposes.
- To cause a sufficient quantity of suitable furniture and apparatus to be provided.
- To take precautions for excluding from the school, during its ordinary business, all books not sanctioned by the Council.
- To inspect periodically the School Registers and Records, and to countersign the Returns made to the Council.
- To use their influence with parents to induce them to send their children regularly to school.
- To see that the school is open on all the usual school days, and that the Teacher is present at his work.
- To observe whether the Teacher regularly and punctually discharges his duties; to report his conduct to the Council when he is in fault; and to protect him from frivolous and vexatious complaints.
- To suspend a Teacher from office, pending the decision of the Council, should there appear to be *prima facie* evidence of gross irregularity or immoral conduct.
- To sign the Teacher's Monthly Abstract of Salary, provided they are of opinion that his duties have been regularly and punctually performed.
- To be the medium of communication with the Council on behalf of the School.
- To inquire into all applications for gratuitous instruction under Section 17 of the Public Schools Act, and to direct that children shall be admitted free of charge to the schools under their supervision, in all cases in which the inability of the parents or guardians to pay school-fees is satisfactorily proved; and to report at the end of each quarter to the Council the names of children so admitted, together with the names and occupations of their parents or guardians, and the grounds on which they were admitted free.

71.—*Local Boards of Denominational Schools.*

The Council will recognize and correspond with the Local Boards of Certified Denominational Schools, Provisional Schools, and Half-time Schools. It is hoped that the Local Boards of these Schools will perform the same duties as the Public School Boards.

## VI.—CONDUCT OF SCHOOLS.

72.—*Daily Routine.*

The following Daily Routine shall be observed in all Schools aided or maintained by the Council of Education :—

8 $\frac{1}{2}$ or 9 $\frac{1}{2}$	}	Pupils to assemble in the play-ground, all school materials to be prepared for lessons.
8:55 or 9:25		
9 or 9 $\frac{1}{2}$	}	Pupils to be arranged in ranks, inspected as to personal cleanliness, and marched into school.
10 $\frac{1}{2}$ or 10 $\frac{3}{4}$		
10 $\frac{3}{4}$ or 11	}	Lessons to commence as noted in the Time-table.
11:55 or 12:25		
12 or 12 $\frac{1}{2}$	}	Recess for ten minutes, to be spent in the play-ground by Pupils and Teachers.
	}	Lessons to be resumed according to the Time-table.
	}	Class Rolls to be called and marked.
	}	School to be dismissed.

*Afternoon.*

12 to 1 or 2, or 12 $\frac{1}{2}$ to 2	}	Recess for dinner and recreation, under the superintendence of the Teachers.
12 $\frac{1}{2}$ or 1 $\frac{1}{4}$		
12:55 or 1:55	}	Pupils to re-assemble in the play-ground ; materials to be prepared for lessons.
1 or 2		
2:55 or 3:55	}	Pupils to be arranged, inspected, and marched into school.
3 or 4		
	}	Lessons to commence as noted in the Time-table.
	}	Roll to be called and marked.
	}	School to be dismissed.

73.—*General Time-table.*

The Time-table mentioned in the foregoing Daily Routine is the following :—

9 to 10, or 9 $\frac{1}{2}$ to 10 $\frac{1}{2}$	}	Special Religious Instruction, or, in Public Schools, Ordinary Instruction.
10 to 12, or 10 $\frac{1}{2}$ to 12 $\frac{1}{2}$		
12 to 1 or 2, or 12 $\frac{1}{2}$ to 2	}	Ordinary Instruction.
1 to 3, or 2 to 4		
	}	Recess.
	}	Ordinary Instruction.

Should the hour appropriated to Special Religious Instruction prove to be inconvenient, the Council may sanction an alteration on due cause being shown.

74.—*Vacations.*

The Vacations sanctioned by the Council are—a fortnight at Christmas, a week at Easter, and a week at Mid-winter.

75.—*Holidays.*

The specified Holidays, other than those occurring in Vacations, are—Anniversary of the Colony, and Queen's Birthday.

76.—*Notification of Holidays and Vacations.*

Teachers are required to state on their Time-tables the ordinary Vacations and specified Holidays of the school.

77.—*Closing School at unusual time.*

Schools are never to be closed by Teachers upon any of the usual school days without the written consent of the Local Boards, who must satisfy themselves that the circumstances are sufficiently urgent to warrant that step ; and Local Boards shall not grant permission for the closing of schools for more than one day, without the sanction of the District Inspector or of the Council.

## VII.—INSPECTION OF SCHOOLS.

78.—*Credentials of Inspectors.*

Inspectors and other persons deputed by the Council to visit schools shall be furnished with credentials under the Corporate Seal.

79.—*Duty of Teachers to Inspectors.*

Teachers are required to treat Inspectors, as the representatives of the Council, with deference, to carry out their suggestions for the improvement of schools, and to obey their instructions in all matters relating to the Public Schools Act and the Regulations of the Council.

80.—*Duty of Local Boards to Inspectors.*

Local Boards are required to afford every facility to Inspectors in the execution of their duty.

81.—*Powers and Duties of Inspectors.*

Inspectors are authorized to enforce the observance of the provisions of the Public Schools Act and of the Regulations ; but their decisions are subject to appeal to the Council. They are further empowered to examine into the condition of schools, and to inquire into all matters which it may be expedient to report to the Council. They are authorized

authorized to determine all questions of school management, and are empowered to take the teaching of a class or of the whole school into their own hands for a time, to show the teacher how defective methods may be improved.

#### 82.—*Conduct of Inspectors.*

In their intercourse with Teachers, Inspectors will be guided by a feeling of respect for their office and of sympathy with their labors. They will manifest towards Teachers a spirit of truest courtesy, treating them at all times with the kindness which the difficulties of their position render proper.

#### 83.—*Observation Book.*

The Inspector's remarks upon the state of a school visited by him will be entered in the "Observation Book" of the school, which, as a School Record, should be carefully preserved. Entries therein are not to be erased or altered.

#### 84.—*Visitors.*

The public may have free access to every school maintained or aided by the Council, during the hours of secular instruction—not to take part in the business, or to interrupt it; but, as visitors, to observe how it is conducted.

#### 85.—*Duty of Teachers to Visitors.*

Every Teacher of a school under the supervision of the Council is required to receive courteously visitors who purpose to inspect it, to afford them free access to the schoolroom, and full liberty to observe what books are in the hands of the children or upon the desks, what tablets are hung up on the walls, and what is the method of teaching; but Teachers are by no means to permit any person to interrupt the business of the school, by asking questions of the children, examining classes, calling for papers of any kind, or in any way diverting their own attention or that of their scholars from the usual business. This restriction is of course not intended to interfere with the provision made in Section 19 of the Public Schools Act, whereby access is afforded to Clergymen and Religious Teachers, for the purpose of communicating special religious instruction, nor is it intended to apply to official visits of Local Boards, or to visits of Members of the Council of Education. Should visitors wish for information which they cannot obtain by personal inspection, it will be the duty of the Teacher to refer them to the Local Board or to the Council.

#### 86.—*Visitors' Book.*

Every Teacher is required to have the "Visitors' Book" lying upon his desk, in which visitors may enter their names, and, if they think proper, any remarks. Such remarks the Teachers are by no means to erase or alter.

### APPENDIX.

#### A.

*Application for the establishment of a Public School at*

*Post-town*

*Date*

To the Council of Education.  
Gentlemen,

We, the undersigned, residents at \_\_\_\_\_, request that you will be pleased to establish a Public School at that place, under the provisions of the Public Schools Act of 1866; and we hereby engage to raise, by local subscriptions, the sum of £ \_\_\_\_\_ for the erection of schoolhouse, teacher's residence, out-buildings, and fences, for providing furniture and apparatus, and for other necessary purposes, the total cost of which we estimate to be £ \_\_\_\_\_. We further submit the following as the names of persons by whom payment of the sum of £ \_\_\_\_\_ will be guaranteed, viz.:—

We have the honor to be,  
Gentlemen,

Your most obedient Servants,

Local Committee {

WE, the undersigned, in consideration of the establishment by the Council of Education of a Public School in accordance with the above request, hereby guarantee the payment to the said Council of the above-mentioned sum of £ \_\_\_\_\_ within six months from this date.

Dated this \_\_\_\_\_

day of \_\_\_\_\_

A.D., 186 \_\_\_\_\_

*Information*

*Information to be supplied by Local Committee.*

1. Describe the position of the proposed school.
2. What other schools, maintained or aided by the Council of Education, are within two miles of the site of the proposed school?
3. If none are within two miles, what is the distance of the nearest school?
4. Are there any primary schools, not aided by the Council of Education, within two miles of the proposed school? If so, of what character, and how attended?
5. State the number of children, from four to fourteen years of age, living within a radius of two miles of the site of the proposed school, *e.g.* :—

Boys	...	...	...	...	...	...	...
Girls	...	...	...	...	...	...	...
Total							...

*Religious Denominations :—*

Church of England	...	...	...	...	...	...	...
Roman Catholics	...	...	...	...	...	...	...
Presbyterians	...	...	...	...	...	...	...
Wesleyans	...	...	...	...	...	...	...
Others	...	...	...	...	...	...	...
Total							...

6. Give a technical description of the proposed site, according to the dimensions and bearings of its boundaries by survey. If possible, annex a plan of the ground.
7. By whom is the site granted, and on what terms?
8. Is a right-of-way to the site secured?
9. Is the ground level or otherwise?
10. What is the nature of the ground upon which the building is to rest? Is it of a rocky, clayey, or sandy character? How drained? How affected by floods?
11. Of which of the following materials are the proposed buildings to be constructed? Hewn masonry; rubble; brick; studs and weatherboards; sawn or split slabs?
12. Are these materials suitable in all respects?
13. Of what materials are the public or best buildings in the neighbourhood constructed?
14. What is the cost of building-stone, and of what descriptiot? Ashlar or rubble; of bricks, per 1,000; of stone or shell lime, per bushel?
15. State the price of hardwood, cedar, and pine, per 100 feet; and of shingles, per 1,000.
16. What timber in the locality is most suitable for shingles and flooring boards? What is the usual length of the shingles?
17. Do the rates mentioned include carriage to the school site? If not, state cost of carriage.
18. What is the current rate of wages paid in the district to workmen employed in building?
19. Is there a natural supply of water, or will a tank or well be required? If a well, at what depth will water be obtained?
20. State the quantity and quality of fencing required, and the cost per rod.
21. Add any other circumstances deemed desirable for the information of the Council.

*Annex to Application for establishment of a Public School at*

We, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Public School at \_\_\_\_\_, hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)*	Distance from School	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

*B.*

*Application for the establishment of a Public School at*

*Post-town*  
Date

To the Council of Education.

Gentlemen,

We, the undersigned, residents at \_\_\_\_\_, request that you will be pleased to establish a Public School at that place, under the provisions of the Public Schools Act of 1866.

For this purpose we have provided the requisite buildings, as hereafter described; and we are prepared to execute a lease of these premises, for a term of \_\_\_\_\_ years, at a nominal rent.

We have the honor to be,

Gentlemen,

Your most obedient Servants,

Local Committee

*Information*

## PUBLIC SCHOOLS ACT OF 1866—REGULATIONS.

15

\* Information to be supplied by Local Committee.

1. Describe the position of proposed school.
2. What other schools, maintained or aided by the Council of Education, are within two miles of the site of the proposed school?
3. If none are within two miles, what is the distance of the nearest school?
4. Are there any primary schools, not aided by the Council of Education, within two miles of the proposed school? If so, of what character, and how attended?
5. State the number of children, from four to fourteen years of age, living within a radius of two miles of the site of the proposed school, *e.g.* :—

Boys	...	...	...	...	...	...	...
Girls	...	...	...	...	...	...	...
Total							...

Religious Denominations :—

Denominations :-						
Church of England	...	...	...	...	...	...
Roman Catholic	...	...	...	...	...	...
Presbyterian	...	...	...	...	...	...
Wesleyan	...	...	...	...	...	...
Others	...	...	...	...	...	...
Total						

Particulars relating to the proposed Public School at

Building.			Furniture.		Number of Pupils in actual Attendance, or expected to attend.								
Size and Material of School Building.	In whose Possession	Tenure.	Desks and Forms.	Apparatus	Boys.	Girls.	Total.	C.E.	R.C.	Pres.	Wes.	Others.	Total.
Number of Rooms													
Size of Rooms													

Annex to Application for the establishment of a Public School.

We, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Public School at \_\_\_\_\_, hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)*	Distance from School.	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

C.

Application for the establishment of a Public School at

Post-town  
DateTo the Council of Education:  
Gentlemen,

We, the undersigned, residents at \_\_\_\_\_, request that you will be pleased to establish a Public School at that place, under the provisions of the Public Schools Act of 1866.

We have erected by Local Subscription \_\_\_\_\_ which we value at £ \_\_\_\_\_. We now request that the Council will accept the land and buildings, which we are prepared to convey to the Council; and that the Council, in consideration of such conveyance, will erect any additional buildings that may be deemed necessary.

We have the honor to be,  
Gentlemen,  
Your most obedient Servants,

Local Committee {

Information



Information to be supplied by Local Committee.

- 1. Describe the position of the proposed school.
- 2. What other schools, maintained or aided by the Council of Education, are within two miles of the site of the proposed school?
- 3. If none are within two miles, what is the distance of the nearest school?
- 4. Are there any primary schools, not aided by the Council of Education, within two miles of the proposed school? If so, of what character, and how attended?
- 5. State the number of children, from four to fourteen years of age, living within a radius of two miles of the site of the proposed school, e.g. :—

Boys	...	...	...	...	...	...	...
Girls	...	...	...	...	...	...	...
Total				...	...	...	...

Religious Denominations :—

Church of England	...	...	...	...	...	...
Roman Catholic	...	...	...	...	...	...
Presbyterian	...	...	...	...	...	...
Wesleyan	...	...	...	...	...	...
Others	...	...	...	...	...	...
Total				...	...	...

- 6. Give a technical description of the proposed site, according to the dimensions and bearings of its boundaries by survey. If possible, annex a plan of the ground.
- 7. By whom is the site granted?
- 8. Is a right-of-way to the site secured?
- 9. Is the ground level or otherwise?
- 10. What is the nature of the ground upon which the building rests? Is it of a rocky, clayey, or sandy character? How drained? How affected by floods?
- 11. Of what materials are the buildings constructed?
- 12. Are these materials suitable in all respects?
- 13. Of what materials are the public or best buildings in the neighbourhood constructed?
- 14. What is the cost of building-stone? Of bricks, per 1000? Of lime, per bushel?
- 15. State the price of hardwood, cedar, and pine, per 100 feet; and of shingles, per 1000?
- 16. Do the rates mentioned include carriage to the school site? If not, state cost of carriage.
- 17. What is the current rate of wages paid in the district to workmen employed in building?
- 18. How is the supply of water to be obtained?
- 19. Add any other circumstances deemed desirable for the information of the Council.

Annex to Application for establishment of a Public School at

We, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Public School at , hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)	Distance from School.	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

D.

Application for aid to a Provisional School at

Post-town

Date

Gentlemen,  
We request that you will grant assistance to the Provisional School established by at in accordance with the 13th section of the Public Schools Act.  
submit the name of as Teacher of the school, knowing to be a person of good moral character, and believing to be competent to perform the required duties.  
have the honor to be,  
Gentlemen,  
Your most obedient Servant ,  
The Council of Education.

Information

*Information to be supplied by Applicants.*

1. Describe the position of the proposed school.
2. What other schools, maintained or aided by the Council of Education, are within two miles of the site of the proposed school?
3. If none are within two miles, what is the distance of the nearest school?
4. Are there any primary schools, not aided by the Council of Education, within two miles of the proposed school? If so, of what character, and how attended?
5. State the number of children, from four to fourteen years of age, living within a radius of two miles of the site of the proposed school, *e.g.* :—

Boys	...	...	...	...	...	...	...
Girls	...	...	...	...	...	...	...
Total							...

*Religious Denominations :—*

Denominations:—						
Church of England	...	...	...	...	...	...
Roman Catholic	...	...	...	...	...	...
Presbyterians	...	...	...	...	...	...
Wesleyans	...	...	...	...	...	...
Others	...	...	...	...	...	...
Total						

*Form to be filled up by Teachers of proposed Provisional Schools.*

Name.	If married.	Age.	Place where born.	Religious Denomination.	Where trained.	Where employed, and during what length of time, as Teacher, in the Colony.
Master.						
Mistress.						

Signatures ... }

*Annex to Application for Aid to a Provisional School.*

WE, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Provisional School at \_\_\_\_\_, hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)*	Distance from School.	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

## E.

*Form of Application for Certificate to a Denominational School.*Place  
Date

Gentlemen,

We request that the school under our management, at \_\_\_\_\_, within two miles, by the shortest highway, of the Public School at \_\_\_\_\_, may be certified as a \_\_\_\_\_ Denominational School, under the provisions of Section 9 of the Public Schools Act.

The proposed Denominational School is now in operation, with an average daily attendance of \_\_\_\_\_ children, making, together with those attending at the \_\_\_\_\_ Public School, \_\_\_\_\_ boys, \_\_\_\_\_ girls; total \_\_\_\_\_

A school-house, sufficient in all respects for the purpose, and suitably furnished, has been provided; and we beg to nominate \_\_\_\_\_ as Teacher.

We have the honor to be,  
Gentlemen,

Your most obedient Servants,

The Council of Education.

*Particulars relating to the proposed Denominational School at*

Building.			Furniture.		Number of pupils in actual Attendance.								
Size and Material of School Building.	In whose Possession	Tenure.	Desks and Forms.	Apparatus	Boys.	Girls.	Total.	C.E.	R.C.	Pres.	Wes.	Others.	Total.
Number of Rooms:													
Size of Rooms.....													

*Form to be filled up by Teachers of proposed Denominational Schools.*

Name.	If married.	Age.	Place where born.	Religious Denomination.	Where trained.	Where employed, and during what length of time, as Teacher, in the Colony.
Master.						
Mistress.						

Signatures ... }

*Annex to Application for Certificate to a Denominational School.*

We, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Denominational School at \_\_\_\_\_, hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)*	Distance from School.	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

## F.

*Form of Application for Certificate to a Denominational School.*Place  
Date

Gentlemen,

We request that the school under our management, at \_\_\_\_\_ within five miles, but not within two miles by the shortest highway, of the Public School at \_\_\_\_\_, may be certified as a \_\_\_\_\_ Denominational School, under the provisions of Section 9 of the Public Schools Act.

The proposed Denominational School is now in operation, with an average daily attendance of \_\_\_\_\_ children, making, together with those attending at the \_\_\_\_\_ Public School, \_\_\_\_\_ boys, \_\_\_\_\_ girls; total \_\_\_\_\_

A school-house, sufficient in all respects for the purpose, and suitably furnished, has been provided; and we beg to nominate \_\_\_\_\_ as Teacher.

We have the honor to be,  
Gentlemen,  
Your most obedient Servants,

The Council of Education.

*Particulars.*

## PUBLIC SCHOOLS ACT OF 1866—REGULATIONS.

19

*Particulars relating to the proposed Denominational School at*

Building.			Furniture.		Number of Pupils in actual Attendance.								
Size and Material of School Building.	In whose Possession	Tenure.	Desks and Forms.	Apparatus	Boys.	Girls.	Total.	C.E.	R.C.	Pres.	Wes.	Others.	Total.
Number of Rooms													
Size of Rooms ...													

*Form to be filled up by Teachers of proposed Denominational Schools.*

	Name.	If married.	Age.	Place where born.	Religious Denomination.	Where trained.	Where employed, and during what length of time, as Teacher, in the Colony.
Master.							
Mistress.							

Signatures ... }

*Annex to Application for Certificate to a Denominational School.*

WE, the undersigned, Parents (or Guardians) of children residing within the undermentioned distances from the site of the proposed Denominational School at \_\_\_\_\_, hereby undertake that our children, whose names are inserted below, shall attend the said school.

Name of Parent or Guardian. (To be written by himself.)	Distance from School.	Name of Child.	Age.	Religious Denomination.

\* If the Parent or Guardian be unable to write, his mark must be witnessed by a Member of the Local Committee.

G.

Date  
Residence

Gentlemen,

I have the honor to apply for admission to the Public Training School at \_\_\_\_\_ as a Candidate for employment as a Teacher under the Council of Education.

It is my intention *bonâ fide* to adopt and follow the profession of Teacher in the Schools of the Colony maintained or aided by the Council of Education, and I engage to accept a situation as Teacher in any locality the Council may deem fit.

In compliance with the requirements of the Council, I declare that I am free from any bodily infirmity likely to impair my usefulness as a Teacher; and I enclose testimonials as to my moral character. I am prepared to undergo the entrance examination; and, if admitted, I undertake to observe carefully all the Regulations of the Training School.

Messrs.



1868.

NEW SOUTH WALES.

INDUSTRIAL SCHOOL FOR GIRLS, AT NEWCASTLE.  
(REGULATIONS.)

Presented to both Houses of Parliament, in pursuance of the Act 30 Vic. No. 2, sec. 3.

Colonial Secretary's Office,  
Sydney, 18th August, 1868.

THE following Regulations for the Industrial School at Newcastle for Girls, having been made by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the 3rd clause of the Industrial Schools Act of 1866.

HENRY PARKES.

MATRON-SUPERINTENDENT.

1. The Matron-Superintendent will have entire charge of the Institution, and be held responsible for all the property belonging to the Government. She will visit and inspect every part of the Establishment daily, and ascertain that the whole is under efficient management and control. She will attend the daily musters, and appoint such girls as she thinks fit for performing domestic and other duties.

2. She will be held responsible for the proper discharge of all duties to be performed by the various officers of the Establishment; and she will be guided, from time to time, by such instructions as she may receive from the Colonial Secretary.

3. She will see that the girls are properly instructed by the Teacher or Teachers,—that they are taught habits of cleanliness, industry, and diligence; and she will be expected to do everything in her power to encourage, by force of example, moral and pious conduct amongst those entrusted to her care.

4. She will see that a portion of every day, except Saturday and Sunday, is devoted to teaching the girls some branch of useful industry, and especially all the duties of household management.

5. She will see that the girls are treated with kindness, combined with strict discipline, and check every instance of harsh conduct on the part of the officers or attendants.

6. She will see that the food is good and sufficient; that it is properly cooked, and served with regularity and order. She will also examine the Store and Diet Books, to see that the proper quantities are supplied.

7. She will keep a Register for recording the name of every girl admitted into the Institution; entering such particulars as can be ascertained respecting age, religion, parentage, &c.; also, how the girls are disposed of on leaving the Establishment; and, in case of death, the cause should be stated.

8. All complaints made by the officers, attendants, or the girls, must be carefully looked into by the Matron, in order that any abuses or infringement of regulations may be checked and rectified. The

Matron-Superintendent may suspend any officer for neglect of duty, or improper conduct, pending the decision of the Colonial Secretary, and shall have power to hire or discharge any of the servants not appointed by executive authority.

9. She must attend the Visiting Surgeon when he visits the sick, and take every care that his instructions are properly carried out.

#### VISITING SURGEON.

10. The Visiting Surgeon is to visit patients in hospital at least twice every week, or oftener if required. He is to attend the Institution at any time when he may be sent for by the Matron-Superintendent.

11. A Medical Journal is to be kept at the Institution, in which he will record all cases of sickness, disease, or death, with any particulars he may consider necessary.

12. He will see every girl that is admitted into the Institution, and examine into the state of her health, in the presence of the Matron-Superintendent; and make an entry of the result of such examination in the Medical Journal.

13. In the event of death, he should make an entry in the Medical Journal, specifying the name of the girl, the date, cause of death, with any other particulars he may consider necessary, and report the same to the Matron-Superintendent as early as possible.

14. When medical comforts are ordered, it will be necessary for him to enter, in an Order Book to be kept for the purpose, the name of the child for whom they are required, with the quantities of the articles to be supplied; and he will also have to certify to the correctness of the account for the same, on the voucher for the Colonial Treasurer.

#### TEACHER OR TEACHERS.

15. The hours for the school instruction will be from 9 o'clock to 12 o'clock a.m., and from 2 o'clock to 4 o'clock p.m. The Teacher in charge should be in attendance and have the school-room ready for commencing duties punctually at 9 o'clock.

16. She will receive the girls from the House Matron before school hours, and see that they are all clean and tidy in person; and any who may appear to her not to be so should be sent back. She will then call the muster roll, and report to the Matron-Superintendent any girls who may be absent.

17. Prayers are to be read to the girls by the Teacher and the Matron-Superintendent, by arrangement, according to their different religious persuasions, before the school duties commence, and in the evening before bed-time.

18. As many Monitors as the Teacher may consider necessary may be selected by her as assistants in the School, to whom she will give one hour's additional instruction, between 12 and 1 o'clock each day.

19. In case of the appointment of Assistant Teachers, they will perform their duties subject to the direction of the Teacher in charge, in all matters of instruction and school management.

#### HOUSE MATRON.

20. She will overlook the internal arrangement of the Institution,—will see that the dormitories are cleaned and thoroughly aired,—that the soiled and other bedding is taken to the laundry, and counted over to the Laundress. She will take care that the dining hall, hospital, &c., are kept properly clean, and that the female servants are attentive to their duties.

21. She will preside in the bath-rooms whilst the girls are being washed, will be present at all musters, and assist the Superintendent.



in inspecting the girls twice daily. She will appoint, subject to the approval of the Matron-Superintendent, the girls required to assist in the house-work.

22. She will see that the dormitories are properly lighted for the night, and every requisite for the convenience of the girls duly provided. She will be present at the evening muster in the dormitories, and will see that the lamps are turned down at Nine p.m. in winter, and Half-past Nine in summer, and that the outer doors of the dormitories are secured.

23. She will take care that every child, upon her admission, is immediately stripped, well washed, and clothed in the dress provided by the Government; and that, on leaving the Institution, every girl be furnished with clean and suitable clothing.

24. She will see that the house is thoroughly cleaned every Saturday, so as to secure a due observance of Sunday. She will notify to the Matron-Superintendent the name of any officer or servant applying for temporary leave of absence, and the provision to be made for the performance of the duties of the applicant during such absence.

25. She will keep all spare bedding and other articles drawn for the use of the Establishment in her stores, the key of which shall always be in her possession.

26. She will cut out, and measure off, all material for clothing, and will brand the same, if intended for the use of the Institution, when made up, subject to the directions of the Matron-Superintendent.

27. She will visit the dormitories in the morning and evening, to see that the girls rise and retire at the proper hour, and keep order while they are dressing and undressing.

28. She will on all occasions attend the girls when they are in the playground or out of school, unless relieved by the Matron-Superintendent, or Assistant.

#### CLERK AND STOREKEEPER.

29. He will receive and weigh all stores as they are delivered at the Institution by the contractor, and issue the same according to the scale, punctually at the hours specified in the Time-table.

30. He will make all entries in Register, Warrant, Store, and other Books of the Institution,—copy all documents, and write whatever letters may be required.

31. He will keep an account of, and issue all hardware and other stores for the use of the Institution.

32. He will assist the Matron-Superintendent at all times—when requested by her to do so—in carrying out any instructions she may consider necessary to give, for the preservation of order and discipline in the Institution.

#### ASSISTANT.

33. She will render every possible assistance to the House Matron in the discharge of her duties, from whom she will directly receive her orders; and she will not leave the Institution herself, nor allow any of the servants to do so, without the permission of the Matron-Superintendent, obtained through the House Matron.

34. She will be present in the dining-hall during the meals of the girls, will frequently visit the kitchen whilst the same are being cooked and carved, and will see that the food is served up properly.

35. She will daily inspect the coppers and cooking vessels, and will see that the kitchen is kept scrupulously clean.

36. She will frequently in the day visit the laundry, and see that the duties of that part of the Institution are effectively and economically performed.

37. She will see that the lavatory and bath-room are kept in perfect order.

38. She will assist the House Matron, morning and evening, in the dormitories, to see the girls rise and retire at the proper hours.

39. She will on all occasions, when required to do so, attend the girls when they are in the playground or out of school.

#### GATE-KEEPER.

40. He will open and close the gates at the hours appointed by the Matron-Superintendent, and see that no person is permitted to visit the quarters set apart for the girls, without first being introduced at the Office of the Institution.

41. He will regularly ring the bell at the time specified in the Time-table.

42. He will take every care that no one from the outside holds any communication whatever with any of the inmates of the Institution.

#### COOK AND LAUNDRESS.

43. The Cook will draw the food from the Storekeeper punctually when the store-bell rings, and observe proper care and economy in cooking the same.

44. The Cook will also see that the dining-room, tins, spoons, knives, forks, &c., and all culinary vessels, are kept in perfect order, and will teach the girls placed under her how to cook, and be clean in their habits.

45. The Laundress will teach the girls washing, ironing, mangling, &c. She will be at all times careful that none of the house or body linen is lost or destroyed, and she will be responsible for the security of the same, until delivered to the House Matron or Assistant.

46. The Laundress will see that the laundry is at all times kept clean, and she will be held responsible for the conduct of the girls placed under her.

#### VISITORS.

47. A Visitors' Book will be kept, in which all ladies and gentlemen who visit and inspect the Institution must be courteously requested to enter their names, with date of visit, and any remarks they may think proper to make.

48. Strangers wishing to visit any of the inmates must explain to the Matron-Superintendent, or, in her absence, to the officer in charge, their relationship to the inmate whom they desire to see, the object of their visit, and any other particulars that the Matron-Superintendent may desire to know; and either the House Matron or Assistant must be present during the interview of any such stranger with an inmate.

49. The relatives and friends of the inmates will be required, on every occasion of a visit, to enter their names in a separate book kept for that purpose.

#### LIBERTY OF INMATES OUTSIDE THE WALLS.

50. Any girl who has proved herself to the satisfaction of the Matron-Superintendent to be trustworthy, may be permitted to go on errands outside the walls.

51. Any numbers of the girls whom the Matron-Superintendent has reason to believe may be so trusted, will be permitted to attend Divine Worship outside the walls, on such occasions and under the charge of such officers as the Matron-Superintendent may approve.

#### RELIGIOUS WORSHIP.

52. The inmates must attend Divine Worship every Sunday within the Institution. If no clergyman is in attendance, prayers must be read by the Matron-Superintendent or the Teacher.

1868-9.

## NEW SOUTH WALES.

## INDUSTRIAL SCHOOL FOR GIRLS AT NEWCASTLE.

(FURTHER REGULATIONS.)

Presented to Parliament, pursuant to Act 30 Vict., No. 2, Sec. 3.

Colonial Secretary's Office,  
Sydney, 29 December, 1868.

THE following Regulations for the Industrial School for Girls, at Newcastle, having been made by His Excellency the Governor, with the advice of the Executive Council, in substitution of those published in the *Supplementary Government Gazette* of the 18th August last, are published in accordance with the 3rd clause of the Industrial Schools Act of 1866.

JOHN ROBERTSON.

## SUPERINTENDENT.

1. The Superintendent will have entire charge of the Institution, and be held responsible for all the property belonging to the Government. He will visit and inspect, with the Matron, every part of the Establishment daily, and ascertain that the whole is under efficient management and control. He will attend the daily musters to see that proper order is observed. Charge of Institution.

2. He will be held responsible for the proper discharge of all duties to be performed by the various officers of the Establishment; and he will be guided, from time to time, by such instructions as he may receive from the Colonial Secretary. Responsible for duties of officers.

3. He will see that the girls are properly instructed by the Teacher or Teachers,—that they are taught habits of cleanliness, industry, and diligence; and he will be expected to do everything in his power to encourage, by force of example, moral and pious conduct amongst those entrusted to his care. Moral training.

4. He will see that the girls are treated with kindness, combined with strict discipline, and check every instance of harsh conduct on the part of the officers or attendants. Treatment.

5. He will see that the food is good and sufficient; that it is properly cooked, and served with regularity and order. He will also examine the Store and Diet Books, to see that the proper quantities are supplied. Examination of food, &c.

6. He will keep a Register for recording the name of every girl admitted into the Institution; entering such particulars as can be ascertained respecting age, religion, parentage, &c.; also, how the girls are disposed of on leaving the Establishment; and, in case of death, the cause should be stated. Register to be kept.

7. All complaints made by the officers, attendants, or the girls must be carefully looked into by the Superintendent, in order that any abuses or infringement of regulations may be checked and rectified. The Superintendent may suspend any officer for neglect of duty or improper conduct, pending the decision of the Colonial Secretary, and shall have power to hire or discharge any of the servants not appointed by Executive authority. Power to suspend officers and dismiss attendants.

## MATRON.

- Household duties. 8. The Matron will act under the orders of the Superintendent, and give directions for carrying out all arrangements for the proper working of the household duties of the Institution.
- To appoint girls for work. 9. She will attend the daily musters, and appoint such girls as she thinks fit for performing domestic and other duties.
- School roll. 10. She will see that all the girls, whose names are entered on the School Roll, attend punctually each day.
- Prayers. 11. She will, in the absence of a Clergyman, read prayers on Sundays, when required by the Superintendent to do so.
- To direct House Matron and Assistants. 12. She will direct the House Matron and Assistants in their duties; and overlook all the internal working of the Establishment.
- Industrial training. 13. She will see that a portion of every day, except Saturday and Sunday, is devoted to teaching the girls some branch of useful industry, and especially all the duties of household management.
- Attendance on Visiting Surgeon. 14. She must attend the Visiting Surgeon when he visits the sick, and take every care that his instructions are properly carried out.

## VISITING SURGEON.

- Visits. 15. The Visiting Surgeon is to visit patients in hospital at least twice every week, or oftener if required. He is to attend the Institution at any time when he may be sent for by the Superintendent.
- Medical Journal. 16. A Medical Journal is to be kept at the Institution, in which he will record all cases of sickness, disease, or death, with any particulars he may consider necessary.
- Inspection of children admitted. 17. He will see every girl that is admitted into the Institution, and examine into the state of her health, in the presence of the Matron; and make an entry of the result of such examination in the Medical Journal.
- Deaths. 18. In the event of death, he should make an entry in the Medical Journal, specifying the name of the girl, the date, cause of death, with any other particulars he may consider necessary, and report the same to the Superintendent as early as possible.
- Medical comforts. 19. When medical comforts are ordered, it will be necessary for him to enter, in an Order Book to be kept for the purpose, the name of the child for whom they are required, with the quantities of the articles to be supplied; and he will also have to certify to the correctness of the account for the same, on the voucher for the Colonial Treasurer.

## TEACHER OR TEACHERS.

- Hours. 20. The hours for the school instruction will be from 9 o'clock to 12 o'clock a.m., and from 2 o'clock to 4 o'clock p.m. The Teacher in charge should be in attendance and have the school-room ready for commencing duties punctually at 9 o'clock.
- Muster roll. 21. She will receive the girls from the House Matron before school hours, and see that they are all clean and tidy in person; and any who may appear to her not to be so should be sent back. She will then call the muster roll, and report to the Matron any girls who may be absent.
- Prayers. 22. Prayers are to be read to the girls by the Teacher and the Matron, by arrangement, according to their different religious persuasions, before the school duties commence, and in the evening before bed-time.
- Monitors. 23. As many Monitors as the Teacher may consider necessary, may be selected by her as assistants in the school, to whom she will give one hour's additional instruction, between 12 and 1 o'clock each day.
- Assistant Teachers. 24. In case of the appointment of Assistant Teachers, they will perform their duties subject to the direction of the Teacher in charge, in all matters of instruction and school management.

## HOUSE MATRON.

25. She will, under the direction of the Matron, overlook the internal arrangement of the Institution,—will see that the dormitories are cleaned and thoroughly aired—that the soiled and other bedding is taken to the laundry, and counted over to the Laundress. She will take care that the dining-hall, hospital, &c., are kept properly clean, and that the female servants are attentive to their duties. To overlook internal arrangements.

26. She will preside in the bath-rooms whilst the girls are being washed; will be present at all musters; and assist the Superintendent and Matron in inspecting the girls twice daily. To preside at bath-rooms.

27. She will see that the dormitories are properly lighted for the night, and every requisite for the convenience of the girls duly provided. She will be present at the evening muster in the dormitories, and will see that the lamps are turned down at nine p.m. in winter, and half-past nine in summer, and that the outer doors of the dormitories are secured. Dormitories.

28. She will take care that every child, upon her admission, is immediately stripped, well washed, and clothed in the dress provided by the Government; and that, on leaving the Institution, every girl be furnished with clean and suitable clothing. Children to be properly clothed.

29. She will see that the house is thoroughly cleaned every Saturday, so as to secure a due observance of Sunday. She will notify to the Superintendent the name of any officer or servant applying for temporary leave of absence, and the provision to be made for the performance of the duties of the applicant during such absence. Establishment to be cleaned on Saturdays.

30. She will keep all spare bedding and other articles drawn for the use of the Establishment in her stores, the key of which shall always be in her possession. Stores.

31. She will cut out, and measure off, all material for clothing, and will brand the same, if intended for the use of the Institution, when made up, subject to the directions of the Matron. Clothing.

32. She will visit the dormitories in the morning and evening, to see that the girls rise and retire at the proper hour, and keep order while they are dressing and undressing. Dormitories.

33. She will on all occasions attend the girls when they are in the playground, or out of school, unless relieved by the orders of the Superintendent. Playground.

## CLERK AND STOREKEEPER.

34. He will receive and weigh all stores as they are delivered at the Institution by the Contractor, and issue the same, according to the scale, punctually at the hours specified in the Time-table. Weighing of stores.

35. He will make all entries in Register, Warrant, Store, and other Books of the Institution,—copy all documents, and write whatever letters may be required. Books of Institution.

36. He will keep an account of, and issue all hardware and other stores for the use of the Institution. Accounts.

37. He will assist the Superintendent at all times—when requested by him to do so—in carrying out any instructions he may consider necessary to give, for the preservation of order and discipline in the Institution. To render assistance when necessary.

## ASSISTANT.

38. She will render every possible assistance to the Matron and House Matron in the discharge of her duties, from whom she will directly receive her orders; and she will not leave the Institution herself, nor allow any of the servants to do so, without the permission of the Superintendent. To receive orders from Matron and House Matron.

39. She will be present in the dining-hall during the meals of the girls; will frequently visit the kitchen whilst the same are being cooked and carved; and will see that the food is served up properly. Meals.

40. She will daily inspect the coppers and cooking vessels, and will see that the kitchen is kept scrupulously clean. Cooking.

- Laundry. 41. She will frequently in the day visit the laundry, and see that the duties of that part of the Institution are effectively and economically performed.
- Bath-room. 42. She will see that the lavatory and bath-room are kept in perfect order.
- Dormitories. 43. She will assist the House Matron, morning and evening, in the dormitories, to see the girls rise and retire at the proper hours.
- Playground. 44. She will, on all occasions, when required to do so, attend the girls when they are in the playground, or out of school.

## GATE-KEEPER.

- Gates. 45. He will open and close the gates at the hours appointed by the Superintendent, and see that no person is permitted to visit the quarters set apart for the girls, without first being introduced at the Office of the Institution.
- Bells. 46. He will regularly ring the bell at the time specified in the Time-table.
- To prevent communication with inmates. 47. He will take every care that no one from the outside holds any communication whatever with any of the inmates of the Institution.

## COOK AND LAUNDRESS.

- Drawing of provisions. 48. The Cook will draw the food from the Storekeeper punctually when the store-bell rings, and observe proper care and economy in cooking the same.
- Dining and cooking utensils. 49. The Cook will also see that the dining-room, tins, spoons, knives, forks, &c., and all culinary vessels, are kept in perfect order, and will teach the girls placed under her how to cook and be clean in their habits.
- Laundress. 50. The Laundress will teach the girls washing, ironing, mangling, &c. She will be at all times careful that none of the house or body linen is lost or destroyed, and she will be responsible for the security of the same until delivered to the House Matron or Assistant.
- Laundry girls. 51. The Laundress will see that the laundry is at all times kept clean, and she will be held responsible for the conduct of the girls placed under her.

## VISITORS.

- Visitors' book. 52. A Visitors' Book will be kept, in which all ladies and gentlemen who visit and inspect the Institution must be courteously requested to enter their names, with date of visit, and any remarks they may think proper to make.
- Strangers to explain object of visit. 53. Strangers wishing to visit any of the inmates must explain to the Superintendent, or, in his absence, to the officer in charge, their relationship to the inmate whom they desire to see, the object of their visit, and any other particulars that the Superintendent may desire to know; and either the Matron or House Matron must be present during the interview of any such stranger with an inmate.
- Relatives. 54. The relatives and friends of the inmates will be required, on every occasion of a visit, to enter their names in a separate book kept for that purpose.

## LIBERTY OF INMATES OUTSIDE THE WALLS.

- Girls permitted outside walls. 55. Any girl who has proved herself to the satisfaction of the Superintendent to be trustworthy, may be permitted to go on errands outside the walls.
- Girls may attend Divine Worship. 56. Any number of the girls whom the Superintendent has reason to believe may be so trusted, will be permitted to attend Divine Worship outside the walls, on such occasions and under the charge of such officers as the Superintendent may approve.

## RELIGIOUS WORSHIP.

- How Prayers to be read. 57. The inmates must attend Divine Worship every Sunday within the Institution. If no Clergyman is in attendance, prayers must be read by the Matron or the Teacher.

1868-9.

NEW SOUTH WALES.

REFORMATORY SCHOOL FOR GIRLS, AT NEWCASTLE.  
(REGULATIONS.)

Presented to both Houses of Parliament, in pursuance of the Act 30 Vict., No. 4, sec 3.

Colonial Secretary's Office,  
Sydney, 23rd March, 1869.

THE following Regulations for the Reformatory School for Girls, at Newcastle, having been made by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the 3rd clause of the Reformatory Schools Act of 1866.

JOHN ROBERTSON.

SUPERINTENDENT.

1. The Superintendent will have entire charge of the Institution, and be held responsible for all the property belonging to the Government. He will visit and inspect, with the Matron, every part of the Establishment daily, and ascertain that the whole is under efficient management and control. He will attend the daily musters to see that proper order is observed. Charge of Institution.

2. He will be held responsible for the proper discharge of all duties to be performed by the various officers of the Establishment; and he will be guided, from time to time, by such instructions as he may receive from the Colonial Secretary. Responsible for duties of officers.

3. He will see that the girls are properly instructed by the Teacher or Teachers,—that they are taught habits of cleanliness, industry, and diligence; and he will be expected to do everything in his power to encourage, by force of example, moral and pious conduct amongst those entrusted to his care. Moral training.

4. He will see that the girls are treated with kindness, combined with strict discipline, and check every instance of harsh conduct on the part of the officers or attendants. Treatment.

5. He will see that the food is good and sufficient; that it is properly cooked, and served with regularity and order. He will also examine the Store and Diet Books, to see that the proper quantities are supplied. Examination of food, &c.

6. He will keep a Register for recording the name of every girl admitted into the Institution; entering such particulars as can be ascertained respecting age, religion, parentage, &c.; also, how the girls are disposed of on leaving the Establishment; and, in case of death, the cause should be stated. Register to be kept.



Power to suspend  
officers and dismiss  
attendants.

7. All complaints made by the officers, attendants, or the girls, must be carefully looked into by the Superintendent, in order that any abuses or infringement of Regulations may be checked and rectified. The Superintendent may suspend any officer for neglect of duty or improper conduct, pending the decision of the Colonial Secretary, and shall have power to hire or discharge any of the servants not appointed by Executive authority.

### MATRON.

Household duties.

8. The Matron will act under the orders of the Superintendent, and give directions for carrying out all arrangements for the proper working of the household duties of the Institution.

To appoint girls for  
work.

9. She will attend the daily musters, and appoint such girls as she thinks fit for performing domestic and other duties.

School roll.

10. She will see that all the girls whose names are entered on the School Roll attend punctually each day.

Prayers.

11. She will, in the absence of a Clergyman, read prayers daily, and on Sundays, to such children as are of her religious persuasion, when required by the Superintendent to do so.

Children to be pro-  
perly clothed.

12. She will take care that every child, upon her admission, is immediately stripped, well washed, and clothed in the dress provided by the Government; and that, on leaving the Institution, every girl be furnished with clean and suitable clothing.

Meals.

13. She will be present in the dining-hall during the meals of the girls; will frequently visit the kitchen whilst the same are being cooked and carved; and will see that the food is served up properly.

Cooking.

14. She will daily inspect the coppers and cooking vessels, and will see that the kitchen is kept scrupulously clean.

Laundry.

15. She will frequently in the day visit the laundry, and see that the duties of that part of the Institution are effectively and economically performed.

Bath-room.

16. She will see that the lavatory and bath-room are kept in perfect order.

Establishment to be  
cleaned on Saturdays.

17. She will see that the house is thoroughly cleaned every Saturday, so as to secure a due observance of Sunday. She will notify to the Superintendent the name of any officer or servant applying for temporary leave of absence, and the provision to be made for the performance of the duties of the applicant during such absence; and she will not leave the Institution herself, nor allow any of the officers or servants to do so, without the permission of the Superintendent.

Stores.

18. She will keep all spare bedding and other articles drawn for the use of the Establishment in her stores, the key of which shall always be in her possession.

Clothing.

19. She will cut out, and measure off, all material for clothing, and will brand the same, if intended for the use of the Institution, when made up, subject to the directions of the Superintendent.

Dormitories.

20. She will visit the dormitories in the morning and evening, to see that the girls rise and retire at the proper hour, and keep order while they are dressing and undressing.

Playground.

21. She will on all occasions attend the girls when they are in the playground, or out of school, unless relieved by the orders of the Superintendent.

Industrial training.

22. She will see that a portion of every day, except Saturday and Sunday, is devoted to teaching the girls some branch of useful industry, and especially all the duties of household management.

Attendance on  
Visiting Surgeon.

23. She will attend the Visiting Surgeon when he visits the sick, and take every care that his instructions are properly carried out.

## VISITING SURGEON.

24. The Visiting Surgeon is to visit patients in hospital at Visits. least twice every week, or oftener if required. He is to attend the Institution at any time when he may be sent for by the Superintendent.

25. A Medical Journal is to be kept at the Institution, in Medical Journal. which he will record all cases of sickness, disease, or death, with any particulars he may consider necessary.

26. He will see every girl that is admitted into the Institution, Inspection of children and examine into the state of her health, in the presence of the Matron; admitted. and make an entry of the result of such examination in the Medical Journal.

27. In the event of death, he should make an entry in the Deaths. Medical Journal, specifying the name of the girl, the date, cause of death, with any other particulars he may consider necessary, and report the same to the Superintendent as early as possible.

28. When medical comforts are ordered, it will be necessary Medical comforts. for him to enter, in an Order Book to be kept for the purpose, the name of the child for whom they are required, with the quantities of the articles to be supplied; and he will also have to certify to the correctness of the account for the same, on the voucher for the Colonial Treasurer.

## TEACHER.

29. The hours for the school instruction will be from 9 o'clock Hours. to 12 o'clock a.m., and from 2 o'clock to 4 o'clock p.m. The Teacher in charge should be in attendance and have the school-room ready for commencing duties punctually at 9 o'clock.

30. She will receive the girls from the Matron before school Muster roll. hours, and see that they are all clean and tidy in person; and any who may appear to her not to be so should be sent back. She will then call the muster roll, and report to the Superintendent any girls who may be absent.

31. Prayers are to be read to the girls by the Teacher and the Prayers. Matron, by arrangement, according to their different religious persuasions, before the school duties commence, and in the evening before bed-time.

32. As many Monitors as the Teacher may consider necessary Monitors. may be selected by her as assistants in the school, to whom she will give one hour's additional instruction, between 12 and 1 o'clock each day.

33. She will assist the Matron, morning and evening, in the Dormitories. dormitories, to see the girls rise and retire at the proper hours.

34. She will, on all occasions, when required by the Superin- Playground. tendent to do so, attend the girls when they are in the playground, or out of school, and instruct them in needle-work.

## CLERK AND STOREKEEPER.

35. He will receive and weigh all stores as they are delivered Weighing of stores. at the Institution by the Contractor, and issue the same, according to the scale, punctually at the hours specified in the Time-table.

36. He will make all entries in Register, Warrant, Store, and Books of Institution. other Books of the Institution,—copy all documents, and write whatever letters may be required.

37. He will keep an account of, and issue all hardware and Accounts. other stores for the use of the Institution.

38. He will assist the Superintendent at all times—when To render assistance requested by him to do so—in carrying out any instructions he may when necessary. consider necessary to give, for the preservation of order and discipline in the Institution.

## COOK AND LAUNDRESS.

- Drawing of provisions. 39. The Cook will draw the food from the Storekeeper punctually when the store-bell rings, and observe proper care and economy in cooking the same.
- Dining and cooking utensils. 40. The Cook will also see that the dining-room, tins, spoons, knives, forks, &c., and all culinary vessels, are kept in perfect order, and will teach the girls placed under her how to cook and be clean in their habits.
- Laundress. 41. The Laundress will teach the girls washing, ironing, mangling, &c. She will be at all times careful that none of the house or body linen is lost or destroyed, and she will be responsible for the security of the same until delivered to the Matron.
- Laundry girls. 42. The Laundress will see that the laundry is at all times kept clean, and she will be held responsible for the conduct of the girls placed under her.

## VISITORS.

- Visitors' Book. 43. A Visitors' Book will be kept in the Superintendent's Office, in which all ladies and gentlemen who visit and inspect the Institution must be courteously requested to enter their names, with date of visit, and any remarks they may think proper to make.
- Strangers to explain object of visit. 44. Strangers wishing to visit any of the inmates must explain to the Superintendent, or, in his absence, to the officer in charge, their relationship to the inmate whom they desire to see, the object of their visit, and any other particulars that the Superintendent may desire to know; and either the Matron or Teacher must be present during the interview of any such stranger with an inmate.
- Relatives. 45. The relatives and friends of the inmates will be required, on every occasion of a visit, to enter their names in a separate book kept for that purpose.

## PUNISHMENT.

- Punishment to be awarded by the Superintendent. 46. No officer or attendant will be allowed to punish any girl summarily, but the names of such girls as may misconduct themselves must be sent in, with the nature of offence, to the Superintendent, who may award such punishment hereinafter named as he may consider sufficient.
- Mode of punishment. 47. The mode of punishment to be,—black list, meals by themselves, cells during play hours, and cells with bread and water, as the Superintendent may determine, not exceeding seven days for any one offence.

1868.

## NEW SOUTH WALES.

## NAUTICAL SCHOOL-SHIP "VERNON."

(REPORTS RESPECTING.)

Presented to both Houses of Parliament, by Command.

THE INSPECTOR OF PUBLIC CHARITIES to THE PRINCIPAL UNDER SECRETARY.

Office, Inspector of Public Charities,  
Sydney, 28 July, 1868.

SIR,

I have the honor to state, for the information of the Honorable the Colonial Secretary, that I have made several visits to the Nautical School Ship "Vernon," and I am able to report at this date that everything is progressing in a satisfactory manner; several changes have been made in the staff of the vessel, since my first visit in April last, which have proved advantageous both for working the ship and for instructing and training the boys.

The appointment of a second boatswain's mate, at £100 per annum, which took place on the removal of the boatswain, appears to meet every requirement; and the duties are said to be better performed in every way, while the working of the ship goes on more harmoniously. The change effected on the 1st instant in the schoolmaster is I think a beneficial one, as the boys appear to have made but little progress under their former teacher; some of the younger boys are imperfect in the alphabet, and many in their first reading lessons. There are only a few of the boys who can read fairly; the writing and ciphering is very indifferent, but steps are now being taken to correct this. All who are sufficiently advanced are taught grammar and geography, but the progress is slow. Some of the school-books are very much mutilated, showing that proper care has not been exercised by the late teacher during the school hours. Those boys who are capable of receiving nautical instruction are taught by Captain Mein—one hour in the winter, and two hours in the summer—in the evenings, after the daily duties of the ship have been performed.

A trade instructor for tailoring was appointed on trial for one month, in May last, in order to apply the labour of the boys to make up the winter clothing; but he was not a suitable man, consequently little or no progress was made towards clothing the boys. He left at the end of his month, and the appointment of his successor, Mr. Edward Byrne, took place on the 4th instant. The appointment of Mr. Pickering as instructor for boot-making took place about the same time. Both these instructors appear to be well suited for their duties, and take a proper interest in teaching the boys placed under them for instruction. Some of the boys are beginning to sew very well, but there are hardly any of them strong enough in the hands to work the stout material used for trowsers which it was found necessary to get in order to supply the place of a suitable serge, there being

none in Sydney at the time sufficiently strong for the purpose required; this difficulty will, however, be overcome before next winter. All the boys are now provided with their winter clothes, with the exception of about twenty who have not yet received their stout cloth trousers; but these are being made up as fast as possible. A requisition has already been sent in for the material to make the summer clothing, in order that it shall be commenced so as to prevent any delay in changing the clothes at the proper time, and to be ready at an early period next year to commence the winter supply.

Considerable progress has been made in bootmaking, and they only commenced at the beginning of the present month; about twenty pair of boots have already been completed, and they will soon be able to make them either for sale or for other institutions.

The total number of boys admitted up to the present time is ..... 113.

From these 14 have been apprenticed out,

1 was killed by an accident,

4 were discharged by authority of the Executive Council,

2 deserted.

Total..... 21

Leaving ..... 92

On board at this date, who are of the following ages:—

1 at 3 years.	6 at 10 years.
1 at 4 do.	13 at 11 do.
5 at 6 do.	14 at 12 do.
2 at 7 do.	14 at 13 do.
8 at 8 do.	9 at 14 do.
12 at 9 do.	6 at 15 do.
	1 at 16 do.
—	—
29	63
—	—

These have been classed to trades as under, viz.:—

Tailors .....	15
Carpenters .....	10
Bootmakers .....	22
Sailors .....	30
Blacksmiths .....	2
Not yet decided, being either late arrivals or too young .....	13
	—
	92
	—

Each boy is allowed to select the trade he feels inclined to adopt. A carpenter has been employed since the opening of the institution, but there is no other kind of work performed except what is required for the use and repairs of the ship; and there is no regular blacksmith, but rough repairs are performed by members of the crew, with a portable forge which has been supplied, and is sufficient for the present to put the boys in training for the forge.

The whole of the boys are divided into four divisions; and every morning after prayers each division is told off to its respective duties, and again in the afternoon at 3 o'clock, viz.:—

1st Division to School.

2nd Division to Seamanship.

3rd Division to Drill.

4th Division to Trades.

All the boys in the ship are taught seamanship and drill, in the regular way, whether they take the other trades or not. The duties of the divisions are changed in the afternoon, so that all may have their proper time at school, seamanship, trades, or drill. Each day the several divisions are appointed to a different course of duty, Saturdays and

and Sundays excepted, there being no drill on those days—so that all the boys receive a regular course of instruction ; and from 4 o'clock p.m. until 6 o'clock p.m. each day, after the school and drill duties are over, they are all sent down to the trade instructors to assist at the work in a general way. By doing this, those boys who have decided on being sailors gain a knowledge of the other trades and help the work through.

The whole system appears to be working very well, and the addition of the trade instructors will prove a great benefit to the institution. Committals have not been made to the ship as fast as was first anticipated, and the present numbers are hardly sufficient to perform all duties of the ship, as many are of ages too young to do the heavy work ; but everything is kept remarkably neat and cleanly, and it is surprising to see how well the boys handle the guns and perform their drill. The vessel is commodious, convenient, well ventilated, and quite capable of holding 300 boys. Most of the general fittings and internal carpentering work have been performed on board by the ship carpenter, with the assistance of the boys ; and when the last requisitions which have been passed for the supply of tools and other articles are completed, it will enable more of the boys to be instructed in useful occupations. A spun-yarn winch is now being fitted up, and they will soon be able to make a considerable quantity of spun-yarn that can be sold and help to form a revenue for the institution. Caulking tools are also being supplied, and this work will be done by the boys, which will make a saving in the expenses. A proper store-room has lately been fitted up on board for the clothing and soft goods, which are placed under the charge of the purser, so that an efficient check can be placed upon them. No provision had been made for this up to the present time. Other fittings necessary for keeping the clothing and bedding in proper order are also being put up, which affords instruction to the boys in carpenters' work.

Occasionally the Captain takes the boys out in the boats, down the harbour fishing, or to exercise them in gun-drill in the boat. They are well supplied with provisions and appear to enjoy excellent health, none of them being laid up at the present time.

I have, &c.,

R. C. WALKER.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON," to THE PRINCIPAL  
UNDER SECRETARY.

(No. 61.)

N. S. S. "Vernon,"  
3 August, 1868.

SIR,

I have the honor to report, for the information of the Honorable Chief Secretary, as follows:—

1. That the number of boys now on board is ninety-two (92); five are laid up with bronchitis, one rheumatism, seven others on the sick list with sore feet, sore throats, and slight indisposition. Influenza is generally throughout the ship; Dr. Alleyne has been attending and prescribed for the sick; all are much better to-day than on Saturday last. The attention of the boys to ship's duties and conduct during the past week has been good.

2. The conduct of the crew good; Quarter-master Cook returned on board convalescent on Tuesday last; the rest of the crew and officers are suffering from influenza. Quantity of articles made during the past week:—Trowsers, b. cloth, 2; serge shirts, 4; caps, 5; canvass trowsers, 8; boots, 7.

3. The Rev. Mr. Byrne, R.C., held service on Sabbath last. The Church of England service was read by the schoolmaster. His report is attached.

I have, &c.,  
J. S. V. MEIN,

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"  
1 August, 1868.

SIR,

In submitting another report to you concerning the boys under my charge, I am happy to be able to say that a very considerable improvement has taken place in their general conduct and demeanour. Upon the whole, the boys have behaved with very great propriety while in school; and although some of them have from mere idleness and trifling not made so much progress as I could have wished, and as they should have done, still the greater number of them have made considerable progress in several branches. There is a marked improvement in reading and writing in the case of all the boys of the fourth classes of all the divisions; I cannot however speak so favourably in regard to the progress made in arithmetic, although even in this branch of their studies several of the boys have improved not a little. During the week now ended, I have devoted a considerable portion of time to grammar, and the boys, with one or two exceptions, have been very attentive to the oral instructions imparted; but I have not had much time for teaching geography. However I hope to be able to attend to this branch of education more hereafter, when I have less of my time occupied in drilling my pupils in the theory of the rules of arithmetic. Many of the boys have sharp intellects, and if I could only succeed in directing their energies in a right direction, they would ultimately reflect not a little credit on myself, the "Vernon," and all concerned.

The junior boys have, upon the whole, done very well during the week; John Little especially has improved very much. The same remark applies to his brother Charles, though in a less degree.

I have further to remark that there are three very idle boys who won't work all I can do with them, viz., Emanuel Wright, Joseph Bethel, and George M'Ilwrath; they are very idle and trifling fellows.

I have, &c.,  
JOHN L. M'SKIMMING,  
Schoolmaster.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON" to THE PRINCIPAL  
UNDER SECRETARY.

(No. 62.)

N. S. S. "Vernon,"  
10 August, 1868.

SIR,

I have the honor to report, for the information of the Honorable Colonial Secretary, as follows:—

1. That the number of boys at present on board is ninety-three (93); two are laid up with bronchitis, and one with a swelled knee-joint. Dr. Alleyne has been in attendance each day. The attention of the boys to ship duties and conduct during the past week has been good. The conduct of the crew has been good during the past week. The amount of clothing made during the past week has been—Trowsers, 7; shirts, 1; leather waist belts, 130; boots, 4 pairs. The schoolmaster read the Church of England Service. His report for the past week is attached.

I have, &c.,  
J. S. V. MEIN.

The



## NAUTICAL SCHOOL-SHIP "VERNON."

5

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"

8 August, 1868.

Sir,

Since my last report to you regarding the conduct and attention of the boys under my charge, I have not much to bring under your notice. During the week now ended, all the boys have advanced, more or less, in the various branches of their education, and a good many of the senior boys are evidently more interested in the work of the school, and more desirous of excelling their class-fellows than they were when I took charge of the school.

The conduct of the boys in school has been very good. My time is now much less employed than it was at first in endeavouring to secure quiet and order, and so a greater amount of work is gone through in school hours.

The only boys who have been idle and inattentive are Michael Brennan, James M'Beth, David Craig, and Emanuel Wright.

From the Weekly Report you will see that John Little is still very good and has made considerable progress in his lessons. The boy John Finlay has also behaved well, and, although a dull boy, has wonderfully improved in reading and arithmetic.

I may state that I have procured a number of small periodicals, such as "The Band of Hope Review," "The Cottager and Artisan," and "The Sabbath School Messenger," which, with your permission, I shall give out to Protestant boys on Sabbaths for perusal.

I would also suggest for your consideration the idea of forming a library of interesting and instructive books for all the boys. A very few pounds would suffice for this object, as I think I could obtain a goodly number of these volumes for this purpose from personal friends. Mr. Houlding has given me a copy of each of his works as his contribution.

I have, &amp;c.,

JOHN L. M'SKIMMING,

Schoolmaster.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON" to THE PRINCIPAL  
UNDER SECRETARY.

(No. 63.)

N. S. S. "Vernon,"

17 August, 1868.

SIR,

I have the honor to report, for the information of the Honorable the Colonial Secretary, as follows:—

1. That the number of boys at present on board is ninety-three (93); one boy is laid up with a rash, and another with a swelled knee-joint. The attention of the boys to ships duties and their conduct during the past week has been good.

2. The conduct of the crew during the past week has been good. The amount of clothing made during the week ending 15th August has been as follows:—Trowsers, 11 pairs; shirt, 1; boots, 6 pairs. The schoolmaster read the Church of England service. His report for the past week is attached.

I have, &amp;c.,

J. S. V. MEIN.

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"

15 August, 1868.

Sir,

In again submitting my report to you, I have to remark that the conduct of the boys during the week now ended has been very good. The demeanour of the boys is now almost all that one could desire, and would not a little astonish any one who had seen the school some six weeks ago. The whole of the boys have improved a good deal in reading, spelling, and writing. The boys of the higher classes, in all the divisions, have made considerable progress in arithmetic and English grammar also. We have not had much time as yet to devote to geography. The boys have only had a few lessons on the map of Europe; but I propose next week to begin with the map of New South Wales, and to prosecute the subject until they are well acquainted with the geography of all the Australian Colonies.

I have, &amp;c.,

JOHN L. M'SKIMMING,

Schoolmaster.

THE

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON," to THE PRINCIPAL  
UNDER SECRETARY.

(No. 64.)

N. S. S. "Vernon,"  
24 August, 1868.

SIR,

I have the honor to report, for the information of the Honorable the Chief Secretary, as follows:—

1. That the number of boys now on board is ninety-four (94), all in good health. Their conduct, and progress made in their various studies, duties, and trades during the past week have been fair.

2. The conduct of the crew during the past week, good. The number of articles made on board during the week:—Cloth trowsers, 11; serge caps, 9; blucher boots, 7 pairs.

3. The Rev. Mr. Chapman, of H.M.S. "Brisk," addressed the Protestant boys on Sabbath afternoon. The Church of England service was read by the schoolmaster in the forenoon. His report is attached.

There has not been any Roman Catholic Clergyman on board for three Sabbaths past; a boat has been sent regularly to the wharf for him.

I have, &c.,  
J. S. V. MEIN.

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"  
22 August, 1868.

Sir,

In again submitting my report to you, I have to state that all the boys have conducted themselves very well during the week now ended. In fact there is not one boy in the bad conduct list in the weekly report.

All the boys in the senior classes have made more or less progress in reading, spelling, arithmetic, and grammar; and a large number have done very well in all these branches, and in mental arithmetic.

The boys in the junior classes have also all made very considerable progress during the week, and are now able to read and spell much better than they could do a month ago.

I have, &c.,  
JOHN L. M'SKIMMING,  
Schoolmaster.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON," to THE PRINCIPAL  
UNDER SECRETARY.

(No. 65.)

N. S. S. "Vernon,"  
31 August, 1868.

SIR,

I have the honor to report, for the information of the Honorable Chief Secretary, as follows:—

1. That the number of boys now on board is ninety-five (95), all in good health; their conduct during the past week has been good, and progress made in their various studies, trades, and duties, fair.

2. The conduct of the crew has been good. Articles made during the past week:—Boots, 10 pairs; cloth trowsers, 11 pairs; serge caps, 13; canvass trowsers, 3 pairs.

3. The Church of England service was read by the schoolmaster on Sabbath last. His report is attached.

I have, &c.,  
J. S. V. MEIN.

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon."  
29 August, 1868.

Sir,

In again submitting my report to you upon the conduct and progress of the boys under my care, I have to remark that the whole of the scholars have made very considerable progress during the past week.

The senior boys in all the divisions have improved a good deal in reading, writing, grammar, and geography. As to arithmetic I cannot report so very favourably, for although a fair amount of work has been gone through in this branch, yet the boys do not seem to take so much interest in it, and require a vast amount of driving and drilling to secure progress.

The

The junior boys have also, with one or two exceptions, done well during the week. The two boys David Jones and Francis Ryding are very lazy, and will learn nothing well although able enough to do so.

I have, &c.,

JOHN L. M'SKIMMING,  
Schoolmaster.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON," to THE PRINCIPAL  
UNDER SECRETARY.

(No. 66.)

N. S. S. "Vernon,"  
7 September, 1868.

SIR,

I have the honor to report, for the information of the Hon. Chief Secretary, as follows:—

1. That the number of boys now on board is ninety-six (96), all in good health; their conduct and attention to duties during the past week has been good.
2. The conduct of the crew, good. Articles made during the past week:—Blue drill trowsers, 1 pair; flannel shirts, 20; leather fenders for boats, 36; boots, 9 pairs; old boots repaired, 4 pairs.
3. The Rev. Mr. Quirk, R.C., held service on Sabbath last. The Church of England service was read by the schoolmaster. His report is attached.

I have, &c.,

J. S. V. MEIN.

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"  
5 September, 1868.

Sir,

Since my last report was given to you, upon the conduct and progress of the boys under my charge, I have continued my efforts to secure the improvement of all my pupils in reading, spelling, and arithmetic; the progress made by almost all of them has been fair. The senior boys have not only made considerable progress in these branches, but also in grammar and geography. All the boys who are writing, with one exception, have improved very much.

The general conduct of the boys has been upon the whole good, and I can now command the most perfect order and attention by a word.

The boy David Martin is very idle and troublesome, and Robert Reynolds is very careless while engaged in writing.

I have, &c.,

JOHN L. M'SKIMMING,  
Schoolmaster.

THE SUPERINTENDENT, NAUTICAL SCHOOL-SHIP "VERNON," to THE PRINCIPAL  
UNDER SECRETARY.

(No. 67.)

N. S. S. Vernon,  
14 September, 1868.

SIR,

I have the honor to report, for the information of the Hon. Colonial Secretary, as follows:—

1. That the number of boys at present on board is ninety-seven (97), all in good health; their conduct and attention to their various duties during the past week has been good. On Friday morning last, the 11th instant, the boys, to the number of 59, left the ship at 8 o'clock, to proceed by train to Werrington, the residence of the Hon. Colonial Secretary. They returned to the ship without accident, and without any attempt having been made to escape.
2. The conduct of the crew (with the exception of George White, Qr. Master, who left the ship yesterday on leave and has not since returned) has been good. Articles made during past week:—Flannels, 2; dungaree trowsers, 9; caps, 6; boots, 11.
3. The Rev. Mr. McDowall, C.E., and Mr. Byrne, R.C., held service on board last Sabbath. The schoolmaster's report is attached.

I have, &c.,

J. S. V. MEIN.

The

---

The Schoolmaster, Nautical School-ship "Vernon," to The Superintendent.

N. S. S. "Vernon,"

12 September, 1868.

Sir,

In presenting another report to you, I have to remark that the conduct of all the boys during the week now ended has been good, and the progress made by almost all of them has been very encouraging and satisfactory.

The boys in the senior classes have improved in grammar, arithmetic, and writing; some of them in a very marked degree, and all of them more or less. However I cannot say as much about their manner of reading; they still read in a careless sing-song way, and I cannot get them broken off from this acquired habit. All the boys in the junior classes have improved very much also; the boy Thomas Wiley is the only one who has not made some progress.

I have &c.,

JOHN L. M'SKIMMING.

Schoolmaster.

---

Sydney: Thomas Richards, Government Printer.—1868.

[Price, 6d.]

1868-9.

## NEW SOUTH WALES.

# NAUTICAL SCHOOL-SHIP "VERNON."

(REGULATIONS.)

Presented to Parliament, pursuant to Act 30 Vict., No. 2, sec. 3.

Colonial Secretary's Office,  
Sydney, 13th January, 1869.

THE following Regulations for the Nautical School-ship "Vernon," having been made by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the 3rd clause of the Industrial Schools Act of 1866.

JOHN ROBERTSON.

## REGULATIONS FOR THE NAUTICAL SCHOOL-SHIP "VERNON."

### THE SUPERINTENDENT AND COMMANDER.

#### Charge of Institution.

1. The Superintendent will have entire charge of the Institution, and be held responsible for all property belonging to the Government; he will visit and inspect every part of the ship daily, and ascertain that the whole is under efficient management and control; he will attend the daily musters, and appoint the boys for work under the various divisions.

#### Responsible for duties of Officers.

2. He will be held responsible for the proper discharge of all duties to be performed by the various Officers of the Institution; and he will be guided, from time to time, by such instructions as he may receive from the Colonial Secretary.

#### Training.

3. He will see that the boys are properly instructed by the Schoolmaster—that they are taught habits of cleanliness, industry, and diligence; and he will be expected to do everything in his power to encourage, by force of example, moral and pious conduct amongst those entrusted to his care. Those boys who are capable of receiving nautical instruction are to be taught by the Superintendent and Commander, one hour in the winter and two hours in the summer.

#### Treatment.

4. He will see that the boys are treated with kindness, combined with strict discipline, and check every instance of harsh conduct on the part of the Officers or Instructors.

#### Register to be kept.

5. He will keep a Register for recording the name of every boy admitted into the Institution, entering such particulars as can be ascertained respecting age, religion, parentage, &c.; also, how the boys are disposed of on leaving the Institution; and, in case of death, the cause should be stated.

#### Power to suspend Officers and dismiss Instructors.

6. All complaints made by the Officers, Instructors, or the boys, must be carefully looked into by the Superintendent, in order that any abuses or infringement of the Regulations may be checked and rectified. The Superintendent may suspend any Officer for neglect of duty or improper conduct, pending the decision of the Colonial Secretary, and shall have power to hire or discharge any of the Instructors not appointed by the Executive authority.

#### CHIEF OFFICER.

#### To take charge in absence of Superintendent.

7. The Chief Officer will take charge of the Institution in the absence of the Superintendent, and will see that all orders are punctually and efficiently carried out; he will have to keep watch,

and assist the Superintendent to instruct the boys in navigation and seamanship, when required to do so; he will also be held responsible for the issue of Boat-swain's stores.

#### PURSER.

Charge of Stores and Clothing.

8. The Purser will have charge of all Stores and Clothing, except those placed under the Boatswain, and he will be held accountable for the same before issue. No Stores or Clothing of any description are to be issued without the orders of the Superintendent. Upon receipt of the provisions from the Contractor, the Purser, with the Steward's assistance, will weigh out the rations, and see that each Mess has its fair allowance.

#### VISITING SURGEON.

To visit at least twice a week.

9. The Visiting Surgeon is to visit the sick at least twice a week, or oftener if required; he is to attend the Institution at any time when he may be sent for by the Superintendent.

Medical Journal.

10. A Medical Journal is to be kept at the Institution, in which he will record all cases of sickness, disease, or death, with any particulars he may deem necessary.

Inspection of boys admitted.

11. He will see every boy that is admitted into the Institution, and examine into the state of his health, in the presence of the Superintendent, and make an entry of the result of such examination in the Medical Journal.

Deaths.

12. In the event of death, he should make an entry in the Medical Journal, specifying the name of the boy, the date, cause of death, with any other particulars he may consider necessary, and report the same to the Superintendent as early as possible.

Medical Comforts.

13. When Medical Comforts are ordered, it will be necessary for him to enter, in an Order Book to be kept for the purpose, the name of the boy for whom they are required, with the quantities of the articles to be supplied; and he will also have to certify to the correctness of the account for the same, on the voucher for the Colonial Treasurer.

#### SCHOOLMASTER.

Hours of attendance for teaching.

14. The hours for the school instruction will be from 9 o'clock to 12 o'clock noon, and from 1 o'clock to 4 o'clock P.M. The Schoolmaster in charge should be in attendance and have the school-room ready for commencing duties punctually at 9 o'clock.

Muster Roll.

15. He will receive the boys from the Commanding Officer at school hours, and see that they are all clean and tidy in person; any who may appear to him not to be so should be sent back; he will then call the Muster Roll, and report to the Superintendent any boys who may be absent.

Prayers.

16. Prayers are to be read to the boys at divisions every morning by the Schoolmaster.

Monitors.

17. As many Monitors as the Schoolmaster may consider necessary may be selected by him as Assistants in the School, to whom he will give one hour's additional instruction, between 4 o'clock and 5 o'clock P.M.

#### CARPENTER.

Instruction to Carpenter.

18. The Carpenter to work at his own trade, and to instruct the boys who may be told off as carpenters during the day; he will also have to take charge of a night watch.

#### MASTER-AT-ARMS.

Responsible for Cleanliness of Boys.—Escape of Boys from Lower Deck.

19. The Master-at-Arms to have charge of the lower deck, and to be responsible for the order and cleanliness of the same; he should see that the boys properly wash themselves, and that their clothes are clean and tidy. Every morning he will have to muster and inspect the boys before divisions with the Chief Officer, and to report when all are present; he will be held responsible for the escape of any boys from off the lower deck, and will also have to perform the duties of Gunner.

#### BOATSWAIN'S MATES.

Watches.—Boatswain's Stores.

20. The Boatswain's Mates have to perform their duties under the Commanding Officer, and to keep watches when required; they will have to instruct boys in seamanship and boats; the senior Boatswain's Mate to have charge of Boatswain's Stores, which are not to be issued without the orders of the Commanding Officer.

#### WARDERS.

Watch on Lower Deck.—Washing at Divisions.—Care of Bags, Clothes, &c.

21. The Warders or Seamen Instructors to keep watch on the lower deck both by day and by night, under the immediate orders of the Master-at-Arms; one to attend the boys when washing, at divisions, and inspection; they are to see that all bags are properly stowed away, the boys' clothes in order, and the decks kept clean. Clothes are not to be left on the lower deck, nor allowed to hang between decks. Mess traps, tables, stools, &c., must be kept clean and in good order. The Warders will also have to instruct the boys when required to do so.

#### QUARTERMASTERS.

Watch, upper deck.—Boats to be kept off.—To report boats approaching.

22. The Quartermasters or Seamen Instructors to keep watch on the upper deck both day and night, to instruct in seamanship and boats; when on the watch to keep off all boats from alongside, unless they have business with the ship; to see that boys do not go over the side, unless by orders; to report all boats approaching the vessel to the Commanding Officer; at night all boats to be hailed and warned off, unless they have an order on duty.

#### BARBER.

Hair to be cut once a month.—Charge of Bath-room.

23. The Barber to perform both Bugler and Barber's duties, to attend the boys with the Warder when they are washing; each boy's head to be examined once a month, and his hair cut. He will also take charge of the bath-room, and see that it is kept clean and in proper order.

#### STEWARD AND COOK.

Boys to be instructed.

24. The Steward and Cook to perform their own duties, and instruct such boys as may be placed under them in their art.

## TAILOR AND SHOEMAKER.

## Trade instruction.

25. The Tailor and the Shoemaker will have to instruct any boys who may be told off to them in their trades, and will have to take charge of them whilst at work.

## GENERAL RULES.

## Caution to Officers.

26. Every Officer must bear himself in such a manner before the boys as not to set a bad example by either word or deed; and not only any offence such as drunkenness will be visited with instant dismissal, but such dismissal will follow from ascertained unsuitableness without any special bad conduct.

## Book for Visitors.

27. A Visitors' Book will be kept, in which all ladies and gentlemen who visit and inspect the Institution must be courteously requested to enter their names, with the date of visit, and any remarks they may think proper to make.

Strangers to explain relationship to boys when visiting.—Warders to be present during interviews with boys.

28. Strangers wishing to visit any of the boys must explain to the Superintendent, or, in his absence, to the Officer in charge, their relationship to the boy whom they desire to see, the object of their visit, and any other particulars that the Superintendent may desire to know; and either the Master-at-Arms or Warder must be present during the interview of any such stranger with a boy.

## Relatives to enter names in book.

29. The relatives and friends of the boys will be required, on every occasion of a visit, to enter their names in a separate book kept for that purpose.

## Boys permitted on shore.

30. Any boy who has proved himself to the satisfaction of the Superintendent to be trustworthy, may be permitted to go on errands on shore.

## Boys permitted to attend Divine Worship on shore.

31. Any number of the boys whom the Superintendent has reason to believe may be so trusted, will be permitted to attend Divine Worship on shore, on such occasions and under the charge of such Officers as the Superintendent may approve.

## Prayers to be read by Schoolmaster in absence of Clergyman.

32. The Officers, Instructors, and boys must attend Divine Worship every Sunday on board the ship; if no Clergyman is in attendance, prayers must be read by the Schoolmaster.

## PUNISHMENT.

## Punishment to be awarded by the Superintendent.

33. No Officer or Instructor will be allowed to punish any boy summarily, but the names of such boys as may misconduct themselves must be sent in, with the nature of offence, to the Superintendent, who may award such punishment, hereinafter named, as he may consider sufficient.

## Punishments to be awarded in presence of Ship's Company.

34. All punishments shall be administered at divisions after prayers, every morning (Sundays excepted), when the whole of the boys and Ship's Company are present.

## Mode of punishment.

35. The mode of punishment to be, black list, mast-head, meals by themselves, loss of dinner, cells during play-hours, cells with bread and water.

## Restriction to punishment.

36. Corporal punishment not to exceed six cuts with the cane on the hand. For stealing, immoral conduct, and malversation, the boy to be placed over a gun,

and punished with a plain leather strap, but no more than twenty stripes shall be given for any offence. This last mode of punishment is only to be resorted to when all other chastisements have failed to have effect upon the conduct of any boy, or in cases of very gross breach of discipline.

## CLOTHING BOYS.

37. As soon as a boy has been entered, he is to be sent to the Barber to have his hair cut and his head examined; he is then to have a warm bath and be turned over to the Boatswain in charge, who will supply him with a hammock, bag, clews and lashing, a bed, blanket, and bed cover, which are to be legibly marked before being issued.

38. As soon as the clothes are received, an Instructor, told off for the purpose, is to take them to be marked and issued, and he is to see the boy place them in his bag. No further supply of clothes is to be issued without the sanction of the Commanding Officer.

39. The following articles of clothing are to be supplied to each boy during the year:—

2 pairs blue cloth trousers	1 hat (cabbage-tree)
2 do. drill do.	1 ribbon with name
1 pair canvas trousers	1 neckerchief
1 canvas jumper	1 knife and lanyard
2 blue serge frocks	1 rug
2 blue drill do.	1 blanket
2 flannel shirts	Needles and thread
2 pairs socks	2 combs
2 pairs boots	2 towels
1 comforter	1 scrubbing brush
2 caps	2 pocket handkerchiefs

1 clothes brush, with blacking brushes and blacking, for every mess of twelve boys.

## MESSING.

40. Two boys are to be told off as Captains to each mess; they are to wear a distinctive badge, and to be selected with great care; they should be boys of good character and of good disposition; they are to be held responsible for the good order of their messes, and to portion out the food to each boy. At 11.30 A.M., one Cook is to lay out the table with the mess traps, &c., and one is to go to the coppers for the meat, &c.; this is to be divided, and a portion put into each plate by the Captain of the mess, under the superintendence of the Seamen Instructors and Master-at-Arms. The boys are to be ranged outside of the stools, standing. When the dinner has been portioned out, it is to be inspected by the Chief or other Officer; the senior boys of each mess are then to say grace, the boys are to take their places, and to dine with their caps off. If on inspection it is found that any boy has an undue proportion of bone, the senior boy should be made to exchange dinners with the one that has an unfair share given him; by this means this selfish practice will be easily corrected.

## Apprenticeship.

41. Each boy, upon being apprenticed, or otherwise discharged from the ship, will receive a certificate of service, signed by the Superintendent and Commander, of the following form:—

No.

CERTIFICATE of Service on board the Nautical School-ship  
"Vernon."

Name.	No.	Entry.	Discharge.	Conduct.	Abilities.		Trade.
					Seamanship.	Gunnery.	

Captain's signature.



42. Each boy, upon being apprenticed to the sea, is to be supplied with the following outfit:—

1 bed	2 pairs socks
1 blanket	1 canvas bag
1 rug	1 rack comb
2 pairs trousers	1 small tooth comb
2 blue shirts or jumpers	1 jack knife and lanyard
2 flannels	1 knife and fork
2 caps	1 spoon
1 pair boots	1 plate
1 comforter	1 panikin
1 neckerchief	1 Bible
2 towels	

43.

#### SCHOOL ROUTINE. Working of Divisions.

Days.	A.M.	P.M.
Monday.....	1st division, starboard watch	1st division, port watch.
Tuesday.....	2nd do., do. do.	2nd do., do. do.
Wednesday	General sail drill .....	1st do., starboard watch.
Thursday ...	1st division, port watch	2nd do., do. do.
Friday .....	2nd do., do. do.	1st do., do. do.
Saturday ...	Clean ship.....	Clean ship.
Sunday .....	10-30. Divine Service	1-0. Church of England Sabbath School. 3-0. Roman Catholic Sabbath School.

#### Changing divisions.

44. Every Friday afternoon a different division to be sent to school, so that each boy will receive the same number of hours' schooling during the month.

#### Idle boys.

45. Idle and inattentive boys who will not learn, but play, will be kept in to study during their play-hours, till they give signs of progress.

Boys not to be called out of School.

46. Boys are not to be called out of school, under any circumstances, without the permission of the Superintendent.

#### Books to be kept posted up.

47. The following books are to be kept posted up by the Schoolmaster, and ready for inspection at any moment, viz.:—Register of Average Attendance at School, School Routine, Progress Book, School Record Book, and Quarterly Examinations.

#### INSTRUCTION IN SEAMANSHIP.

##### Classes.

48. The boys are to be arranged in classes, and a system devised by which a boy will be gradually passed out of one class to a higher one, a register of which is to be kept by the Instructors.

#### FIRST INSTRUCTION.

##### Drilling.

49. The names of all the masts and yards, decks, &c., and drilling at the monkey topsail yard on the gangway, also learning to pull in a boat.

#### SECOND INSTRUCTION.

##### Sailor's work.

50.

Reef knot	Cat's-paw
Bowline knot	Sheep-shank
Bowline on bight	Carrick bend
Running bowline	Bend hawsers
Clove hitch	Sling a cask
Timber hitch	Inside clench
Blackwall hitch	Outside clench
Two half hitches	Clap on siggers and stoppers
Rolling hitch	
Bend studding sail	
halyards	

For this instruction, a jackstay is to be stretched along, and set up; at intervals of three feet, pieces of rope, one fathom long, are spliced in it; each boy in the class will hold one of these in his hand, and wait the orders of the Instructor, who is to give directions which knot or bend is to be made; and when it is finished, each boy will wait until the Instructor comes round to examine the work, and to explain its uses.

#### THIRD INSTRUCTION.

##### Splicing, pointing, &c.

51.

Long splice	To make a clue
Short splice	Worming
Eye splice	Parcelling
Mathew Walker knot	Serving
Stopper knot	Strapping blocks
To make a grummet	Turning in dead eyes
To make a Turk's head	Reeving a lanyard
To make a point	Rattling down rigging
To make a gasket	To point ropes
Shroud knot	To pass an earing

#### FOURTH INSTRUCTION.

##### Naming Rigging, &c.

52. The boys are to learn the names of all the running rigging and blocks, to set up rigging, as also to use the palm and needle. Each boy is to be able to sew a seam and work an eyelet hole well.

Instruction not to be continued too long.

53. The foregoing should be varied with the gunnery instruction. No boys should be kept long at any instruction, otherwise they will get tired and weary, therefore the seamanship instructions are to be alternated with the gunnery classes. The hours for changing the instructions are to be 10-15 A.M. and 2-15 P.M.

##### Pulling in Boats.

54. Two boats are daily to be sent with the boys that are in the first instruction, to learn to pull; and on Wednesday afternoon and Thursday forenoon the watch not at school are to man all the boats, and to go away for the purpose of boat exercise, viz.:—Under sail, to practice getting up and down masts, making and shortening sail, tacking, wearing, reefing, steering by compass, attending sheets, halyards, &c.

#### TRADES.

Boys to be told off to Trades.

55. One division of boys is to be told off to trades at 9 o'clock A.M. and 1 o'clock P.M.; all trades-boys to be sent to their respective trades after divisions, at 4 o'clock P.M., until 6 o'clock P.M.

#### GUNNERY.

##### Exercise with Guns, and Powder and Shot.

56. Boys to be taught the first, second, and third instructions of gun drill with detail, manning both sides, and handspike drill, also cutlass and rifle drills. Occasionally to be exercised with powder, that they may be accustomed to its use, and when practicable to be exercised with shot; they are also to be taught to aim at a movable target; a boat pulling abreast of the ship, to be used for that purpose.

#### SUMMER ROUTINE.

##### MONDAY.

4-30 A.M. Turn the hands up.

4-45. Instructors to inspect hammocks, then stow them.

5-3. Three divisions to clean upper decks. Boats to be lowered, washed out, and gear cleared; one division to bathe.

7-0. Breakfast.

7-30. Watch to clean, stow bags. Watch below clean lower deck.

7-45. Overhaul lifts and braces.

8:0. Cross top-gallant royal yards, loose sails, one watch to square yards, spread awnings, flemish down ropes, clean wood-work, and sweep decks; one watch at quarters to clean guns and arms.

8:30. Clean lower deck.

8:45. Inspection of all decks, boys to fall in at bugle call for muster with their Instructors, to see they are all properly washed, cleaned, and combed.

9:0. Divisions and prayers, after which the boys are to be told off for exercise, viz.:—One division at gun drill, one division at seamanship and boats, the remainder at school, agreeably to the school routine.

10:15. Roll of drum, stand at ease ten minutes, boys in the first instruction to go over the masthead; change drill—boys that were at gunnery exercise to rifle drill.

11:30. Furl sails, square yards, reeve clothes-lines; cooks and captains of messes to prepare the dinner tables.

11:45. Inspection of messes.

Noon. Dinner.

1 P.M. Boys to fall in by sound of bugle, clear up and inspect lower deck; the divisions to be told off as in the forenoon, viz.:—One division to be told off to gun drill, one division at seamanship and boats, the remainder at school.

2:15. Roll of drum, stand at ease ten minutes, and change drills—boys in the first instruction to go over the masthead, one division at sword drill, one at seamanship and boats.

4:0. Dismiss drills, down topgallant yards.

5:0. Supper.

5:30. Fire stations. Hoist up all boats not required, after which boys to bathe and skylark.

7:0. Stand by hammocks.

7:10 P.M. Furl or haul over hammock cloths.

8:30. Captains of messes report to the Instructors that their messes are cleaned up. The Instructors are to see that all the boys are in bed before the rounds.

9:0. Rounds.

#### TUESDAY.

4:30 A.M. Turn the hands up. Instructors to carry on the same routine as on Monday; after prayers the boys to be told off to drills—one division at gun drill, one at seamanship and boats.

10:15. Roll of drum, change drills as on Monday.

11:30. Furl sail.

P.M. Boys fall in as before, one division at gun drill to change to sword drill, one division at seamanship and boats; routine as on Monday.

#### WEDNESDAY.

A.M. Routine as before.

9:15. General sail drill, boys to be exercised, making, shortening sail, reefing, &c.; this to be alternated with drilling at stations and manning the ropes.

11:30 A.M. Clear up decks.

P.M. Boys not at school, at general boat exercise, except newly raised boys, who will be exercised at the monkey sail.

4 P.M. Dismiss drills.

#### THURSDAY.

A.M. Routine as before.

9:15. General muster per open list, then one watch at school, and one at general boat exercise, except newly raised boys, who will be exercised at the monkey sail.

The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday; the other watch on the second Thursday of every month.

Every boy should bring with him for inspection at divisions on Thursday, hammock and clothes stops, knife, and combs.

P.M. Mend clothes.

#### FRIDAY.

A.M. Boys not at school to exercise at general quarters, except junior boys, who will exercise at topsail drill or boats.

1 P.M. Boys not at school to assemble under arms for general rifle drill. After supper, wash clothes.

#### SATURDAY.

A.M. Hands up at 4:30. Get all bags on deck, rig engine, lead hose along, &c., lower all boats, overhaul the gear for cleaning, up all mess traps, stone lower deck and poop.

7:0. Breakfast.

10:0. Down all bags, stone upper deck and fore-castle.

P.M. Air bedding, square yards, repair ratlines, &c.; one watch at quarters to clean guns, after which clean all boats and scrub the gear.

4 P.M. Divisions to serve out, clean hammocks (alternate weeks). Every boy to be passed through the bath on Saturday afternoon, if the weather will admit of it. The Ship's Corporal to attend to muster them. After supper, sling clean hammocks.

#### SUNDAY.

A.M. Hands up at 5:30. Sweep all decks.

9:30. Divisions.

10. Divine Service.

1 P.M. Sunday School.

3. Roman Catholic do.

NOTE.—Clothes-lines to be rove on Tuesdays and Fridays before 3:30 P.M. Hammock gauntlines to be rove on Monday after supper, and the hammocks scrubbed the next morning, and triced up at 8 A.M. When the weather is warm, the boys to bathe three times a week, at 5:30 P.M. Every boy's hair is to be cut, and his head examined by a Barber, the first week of every month. Boats' crews, messenger, and side-boys, to be changed every Monday morning at 7 A.M. The Barber to attend divisions when the boys are inspected. All the boys to be examined in March, June, September, and December, as to their proficiency in school, gunnery, and seamanship; the result to be inserted in the Progress Book against each boy's name, as also his conduct during the quarter. All boys in the first instruction to go over the masthead at the hours of changing drills. The Instructors are always to attend with them whilst going aloft. Anything that may occur to interrupt the proper carrying out of the Routine Regulations, must be reported to the Superintendent.

#### WINTER ROUTINE.

##### MONDAY.

6 A.M. Hands up.

6:15. Lash up and stow hammocks, under the inspection of the Seamen Instructors.

6:30. Clean decks.

7:15. Breakfast.

7:45. Watch below clean lower deck, stow bags, &c.

7:55. Watch fall in, sweep upper deck, coil down ropes, lower boats, &c., according to weather.

8:30. Square yards, spread awnings if required, clean wood-work, &c.

9:15. Bugle to sound, boys fall in for inspection.

9:30. Divisions and prayers, after which boys are to be told off for exercise, viz.:—One division at gun-drill, one division at seamanship and boats, and the remainder at school, according to school routine.

10:30. Roll of drum, stand at ease ten minutes, and change drills.

11:45. Inspection of messes.

Noon. Dinner.

1 P.M. Boys fall in at sound of bugle, clear up and inspect lower deck. Divisions to be told off as in forenoon.

2:15. Roll of drum, stand at ease ten minutes, and change drills.

3-30. Divisions assemble at sound of bugle, and drills dismissed.

4. Hoist up all boats not required.

4-30. Supper.

5. Fire stations.

7-30. Hang up hammocks, and down all bags.

8. Rounds. (The Seamen Instructors are to see that all the boys are in bed before the time for rounds.)

#### TUESDAY.

A.M. Routine as on Monday.

1 P.M. Boys fall in as on Monday; one division at gun drill to change to sword drill.

Routine as on Monday.

#### WEDNESDAY.

A.M. Routine as on Monday.

9-30. After prayers, general sail drill; boys are to be exercised making and shortening sail, &c.; this to be alternated with drilling at stations and manning ropes.

P.M. Boys not at school, at general boat exercise, except junior boys, who will exercise at the deck topsail.

#### THURSDAY.

A.M. Routine as on Monday.

9-30. After prayers, a general muster per open list, then one watch at school and one at general boat exercise, except junior boys, who will be exercised at the deck topsail.

The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday, the other watch on the second Thursday of each month. Every boy should bring with him for inspection at divisions on Thursday, hammock and clothes stops, knife, and comb.

P.M. Routine as on Monday.

#### FRIDAY.

A.M. Boys not at school to exercise at general quarters, except junior boys, who will exercise at topsail drill or boats.

1 P.M. Boys not at school to assemble for general drill (to land if practicable).

#### SATURDAY.

6 A.M. Hands up, get all boys on deck, rig engine, and pass hose along, &c., lower boats and overhaul the gear for cleaning.

7-15. Breakfast.

7-45. Up all mess traps, and stone lower deck.

10. Down all bags, stone upper deck, poop, and fore-castle.

1 P.M. Air bedding, square yards, repair ratlines, &c.; one watch at quarters to clean guns and complete gear, after which they are to clean all boats and scrub the gear.

4. Divisions—to serve out, clean hammocks on alternate weeks. Every boy is to be passed through the bath on Saturday afternoon, weather permitting. The ship's Corporal to attend to muster them. After supper, sling clean hammocks.

#### SUNDAY.

6 A.M. Hands up, sweep all decks.

10. Divine Service.

2 P.M. Sunday School.

NOTE.—Hammocks are to be scrubbed after breakfast on alternate Tuesdays, and triced up to dry in

the early part of the forenoon, on which days prayers at 10 A.M., or earlier if practicable. Clothes are to be washed on Tuesdays and Fridays at 2-15 P.M. Hammocks are always to be collected and inspected at divisions, and issued in the same manner. Clothes-lines are to be rove at 11 A.M. on washing days. Hammock gauntlines are to be rove every Monday after supper. Every boy's hair is to be cut, and his head examined by the Barber, the first week of every month. Boats' crews, messengers, and side-boys, are to be changed every Monday, at 7 A.M.

#### RULES TO BE OBSERVED BY THE SEAMEN INSTRUCTORS AND BOYS OF N. S. S. "VERNON."

1.—Instructors are expected on all occasions to show an example of cheerfulness and willing obedience in executing their several duties; they are not only to abstain from using violent or harsh language themselves, but they are uniformly to discourage all improper conduct in others.

2.—The Instructors in their several stations are expected to report all skulking characters, and to point out all those who, by activity and good conduct, deserve encouragement.

3.—Nothing whatever is to be taken in at, or thrown out of, the ports, nor are any clothes to be hung about the chains, head, rigging, or in the messes between decks.

4.—When any duty is being carried on, the strictest silence is to be kept.

5.—All complaints are to be made on the quarter-deck, to the Commanding Officer, in order that they may be communicated to the Commander.

6.—It is the duty of every boy to report all skulkers and lazy characters, in order that they may be made to do their share of the work.

7.—It is the duty of every boy to detect a thief, as a common enemy to all on board; and any boy screening or holding communication with a thief will be considered as equally bad in character, and will not be allowed to mess with the other boys. No article can ever be lost on board, therefore everything found is to be taken to the ship's Corporal for its proper owner.

8.—All quarrelling and fighting will be severely punished, and on no account are cards, dice, or gambling of any sort, to be allowed in any part of the ship.

9.—If any boy should disobey the orders of his Instructor or Captain of Mess, he will be punished.

10.—Selling or exchanging clothes, and all traffick-ing, is strictly forbidden, and will be punished by the forfeiture, on both sides, of the article so sold or exchanged, and further as may be deemed necessary.

11.—The boys are to be mustered at divisions, according to the instructions to which they belong. The Warrant Officers in charge of the boys, assisted by their Instructors, will be responsible for the progress they make in their instructions; they will take care never to allow them to appear otherwise than clean in their skin and orderly in their clothes.

12.—All are expected to feel a proper pride in their ship, and to merit encouragement by showing activity and a cheerful spirit in the performance of their several duties.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## NAUTICAL TRAINING-SHIP "VERNON."

(RETURN SHOWING COST OF, &c.)

---

*Ordered by the Legislative Assembly to be Printed, 25 February, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 19 January, 1869, That there be laid upon the Table of this House,—

" A Return showing the cost of the Training-ship 'Vernon';  
 " the cost of fitting that vessel up; the amount paid for  
 " salaries, books, provisions, &c.; the cost, per head, of  
 " maintaining the boys thereon, including proportion of  
 " interest on original cost of vessel and fitting up; and  
 " also, of the number of boys on board, and of the persons  
 " employed thereon."

(*Mr. Morrice.*)

---

# NAUTICAL TRAINING-SHIP "VERNON."

RETURN of the cost of the Nautical Training-ship "Vernon," from the date of purchase, in February, 1867, to 31st January, 1869; and the cost, per head, for maintenance of the boys, during the year 1867; with proportion of interest on outlay added, at 5 per cent.

Cost of ship, repairs, fittings, &c.	Amount.	Total.
	£ s. d.	£ s. d.
Purchase of ship, &c., as detailed .....	2,841 6 0	
Repairs, fittings, &c., do. ....	7,172 11 4	
Ship's stores, do. ....	701 15 10	
Painting and ballast, do. ....	224 13 5	
Guns, boats, and davits, do. ....	461 11 9	
		11,401 18 4
Cost of maintenance during 1867.	Amount.	Total cost per head for 48 boys,—the average number from 1st June, 1867.
	£ s. d.	£ s. d.
Provisions .....	414 11 2	8 12 9
Water .....	23 7 6	0 9 8½
Fuel and light .....	36 2 6	0 15 0½
Clothing and bedding, &c. ....	572 6 5	11 18 5½
Sundries.....	7 10 0	0 3 1½
Salaries and wages .....	1,357 5 3	28 5 6½
TOTAL .....	£ 2,411 2 10	50 4 7½
Proportion of interest on cost of ship, &c.—£11,401 18s. 4d.—for 7 months, at 5 per cent. ....	332 11 0	6 18 6½
TOTAL .....	£ 2,743 13 10	57 3 2½

R. C. WALKER,  
Inspector of Public Charities.

17 February, 1869.

RETURN of the cost of maintenance of the Nautical Training-ship "Vernon," including amount paid for salaries, books, provisions, &c., and cost of repairs, fittings, stores, &c., during the year 1868, with interest on outlay added, at 5 per cent.

Cost of maintenance, 1868.	Amount.	Cost per head per annum for 93 boys,—the daily average number on board during the year 1868.
	£ s. d.	£ s. d.
Provisions .....	956 2 4	10 5 7½
Water .....	59 2 6	0 12 8½
Fuel and light .....	46 2 8	0 9 11
Clothing and bedding .....	431 18 9	4 12 10½
Stores .....	284 14 8	3 1 2½
Sundries .....	59 9 10	0 12 9½
Salaries and wages .....	1,840 1 2	19 15 8½
Repairs, fittings, and ballast, &c. ....	113 10 3	1 4 5
TOTAL .....	£ 3,791 2 2	40 15 3½
Interest on the cost of ship, &c.—£11,401 18s. 4d.—at 5 per cent. ....	570 1 11	6 2 7½
TOTAL .....	£ 4,361 4 1	46 17 10½

Total number of boys on board, on 31st January, 1869 ..... 123  
 Total number of officers and attendants on board, on 31st January, 1869 ..... 17  
 TOTAL ..... 140

R. C. WALKER,  
Inspector of Public Charities.

17 February, 1869.

RETURN

## NAUTICAL TRAINING-SHIP "VERNON."

3

RETURN shewing the cost of the Training-ship "Vernon"; the cost of fitting that vessel up; and the amount paid for salaries, books, provisions, &c., to the 31st January, 1869, on account of the year 1867.

Particulars.	Amount.	Total.
	£ s. d.	£ s. d.
<b>COST OF SHIP :—</b>		
Purchase .....	2,800 0 0	
Surveyor's fees .....	22 1 0	
Towage .....	5 5 0	
Stamp on bill of sale .....	14 0 0	
		2,841 6 0
		2,841 6 0
<b>COST OF FITTING THE VESSEL UP :—</b>		
Repairs, fittings, &c. :—		
Shipwright's work .....	6,578 18 8	
Binnacle .....	15 12 11	
Bolts .....	12 7 6	
Frames for ship's rules .....	1 16 0	
Cooking-stoves .....	111 4 0	
Gratings .....	41 9 4	
Brackets .....	10 12 6	
Furniture .....	182 14 0	
Clothes-bags .....	85 16 0	
Bell .....	1 15 0	
Compass .....	8 8 0	
Safe .....	46 8 11	
Tanks .....	66 0 0	
Barometer, clock, &c. ....	6 0 6	
Timber .....	3 8 0	
		7,172 11 4
Ship's stores, &c. :—		
Sails .....	225 0 0	
Frames for ship's rules .....	1 16 0	
Ironmongery .....	54 0 1	
Mess articles .....	40 4 6	
Drum and bugle .....	7 5 0	
Palliasses .....	7 13 0	
Leather .....	8 18 4	
Stationery .....	27 16 11	
Anchors, chains, flags, handspikes, &c. ....	329 2 0	
		701 15 10
Painting and ballast :—		
Ballast .....	60 0 0	
Painting .....	164 13 5	
		224 13 5
Guns, boats, and davits :—		
Guns .....	112 16 0	
Boats and davits .....	348 15 9	
		461 11 9
		8,560 12 4
<b>MAINTENANCE :—</b>		
Clothing, bedding, &c. :—		
Hammocks .....	171 12 0	
Boots and shoes .....	14 8 0	
Bedding .....	70 13 8	
Flannels .....	11 14 1	
Clothing .....	303 18 8	
		572 6 5
Provisions .....		414 11 2
Fuel and light :—		
Oil .....	4 17 6	
Coal .....	31 5 0	
		36 2 6
Water .....		23 7 6
Salaries and wages .....		1,357 5 3
Sundries .....		7 10 0
		2,411 2 10
<b>GRAND TOTAL.....</b>		13,813 1 2

The Treasury, New South Wales,  
9 February, 1869.

GEORGE LAYTON,  
Accountant.

RETURN

## NAUTICAL TRAINING-SHIP "VERNON."

RETURN shewing the cost of the Training-ship "Vernon," the cost of fitting that vessel up, and the amount paid for salaries, books, provisions, &c., to 31st January, 1869, on account of the year 1868.

Particulars.	Amount.	Total.
	£ s. d.	£ s. d.
Provisions .....	956 2 4	956 2 4
Water .....	59 2 6	59 2 6
Fuel and light .....	46 2 8	46 2 8
Materials for clothing, bedding, &c. :—		
Beds .....	41 12 0	
Thread .....	5 9 3	
Canvas .....	82 7 0	
Buttons .....	0 9 0	
Blankets .....	39 12 6	
Serge .....	37 16 0	
Flannel .....	132 18 6	
Drapery .....	73 14 6	
Hats .....	15 0 0	431 18 9
Stores :—		
Brushes .....	3 11 9	
Brooms .....	4 14 6	
Scrubs .....	4 16 0	
Flags, &c. ....	20 0 6	
Timber .....	17 19 3	
Canvas .....	16 18 4	
Tools .....	0 18 9	
Lead, padlocks, &c. ....	33 13 6	
Leather .....	33 5 6	
Knives .....	2 8 0	
Paint, &c. ....	117 9 1	
Lime .....	1 1 8	
Soap .....	3 0 4	
Ship's stores .....	24 17 6	284 14 8
Salaries and wages .....		1,840 1 2
Sundries :—		
Combs .....	8 18 6	
Cab-hire .....	3 13 9	
Net .....	19 15 0	
Stationery .....	15 14 8	
Paint .....	2 1 4	
Tubs .....	5 0 2	
Medicine .....	3 18 11	
Flue .....	0 7 6	59 9 10
Repairs, fittings, and ballast :—		
Baths .....	47 18 3	
Closets .....	4 8 0	
Scuppers .....	27 12 0	
Pump .....	0 15 0	
Ballast .....	25 7 0	
Sextant .....	6 0 0	
Brooms .....	1 10 0	113 10 3
TOTAL .....	£	3,791 2 2

The Treasury, New South Wales,  
9 February, 1869.

GEORGE LAYTON,  
Accountant.



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

TRAINING-SHIP "VERNON";

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

---



---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
25 *March*, 1869.

---



---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

[*Price*, 2s. 7d.]

179—a

1869.

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 20. TUESDAY, 12 JANUARY, 1869.

20. Training-ship "Vernon":—Mr. Driver moved, pursuant to Notice,—  
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report to this House upon, the general management of the Training-ship "Vernon."  
 (2.) That such Committee consist of Mr. Robertson, Mr. Parkes, Mr. Neale, Mr. Tighe, Mr. Alexander, Mr. Farnell, Mr. W. Campbell, Mr. Burns, and the Mover.  
 Debate ensued.  
 Question put and passed.

VOTES, No. 54. FRIDAY, 12 MARCH, 1869.

5. Training-ship "Vernon":—Mr. Driver moved (*with the concurrence of the House*) without Notice,—  
 (1.) That the Select Committee appointed to inquire into, and to report to this House upon, the general management of the "Training-ship 'Vernon,'" be authorized to make visits of inspection to that ship.  
 (2.) That the said Committee be authorized to require the services of a shorthand writer in such visits of inspection, and to take any evidence they may think necessary for their inquiry.  
 Question put and passed.

VOTES, No. 62. THURSDAY, 25 MARCH, 1869.

4. Training-ship "Vernon":—Mr. Farnell, as Acting 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 12 January, 1869, together with Appendix.  
 Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings .....	2
Progress Report .....	3
Proceedings of the Committee .....	4
List of Witnesses .....	7
List of Appendix.....	7
Minutes of Evidence .....	1
Appendix .....	1

1868-9.

---

TRAINING-SHIP "VERNON."

---

PROGRESS REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 12th January, 1869,—“ *with power to send for persons and papers*”—“ *to inquire into, and report to this House upon, the general management of the Training-ship ‘Vernon’*”—have agreed to the following Progress Report :—

Your Committee have examined numerous witnesses, but are unable, at this late period of the Session, to complete the inquiry into the matter referred to them. They therefore beg to lay before your Honorable House the evidence taken, and recommend that the inquiry be resumed next Session.

JAMES S. FARNELL,

Acting Chairman.

No. 2 Committee Room,

Sydney, 25 March, 1869.

---

# PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 20 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Burns,	Mr. Tighe,
Mr. Farnell,	Mr. Driver,
Mr. W. Campbell.	

Mr. Driver called to the Chair.

Committee deliberated as to their course of proceedings.

*Ordered*,—That Captain Mein (Superintendent of the Training-ship "Vernon"), be summoned to give evidence at the next meeting.

[Adjourned to Friday next, at 11:30 o'clock.]

FRIDAY, 22 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Driver, in the Chair.

Mr. Burns,	Mr. Tighe,
Mr. Farnell,	Mr. Parkes,
Mr. Neale.	

Captain J. S. Mein (*Superintendent and Commander of Nautical School-ship "Vernon"*), called in and examined.

Witness handed in certain documents having reference to this inquiry. (*Vide Appendix, A 1 to A 21.*)

Mr. Burns objecting to a question put by the Chairman to elicit the names of certain boys on board the "Vernon"—

Witness withdrew.

Committee deliberated, and decided that the names should be taken down, but not printed.

Witness recalled, and examination continued.

Witness produced "Black-list Book," and withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 10 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Driver, in the Chair.

Mr. Tighe,	Mr. Alexander,
Mr. Farnell,	Mr. Neale,
Mr. W. Campbell,	Mr. Burns.

Captain J. S. Mein, again called in and examined.

Witness withdrew.

*Ordered*,—That Mr. M'Skimming (Schoolmaster), Mr. Cook (Quartermaster), and Mr. Martin (Chief Officer), be summoned for next meeting.

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

FRIDAY, 12 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Driver, in the Chair.

Mr. Burns,	Mr. W. Campbell,
Mr. Farnell,	Mr. Neale,
Mr. Parkes,	Mr. Tighe.

Mr. George Martin (*Chief Officer of the "Vernon"*), called in and examined.

Witness withdrew.

Mr. John Locke M'Skimming (*Schoolmaster*), called in and examined.

Witness withdrew.

*Ordered*,—That Mr. James Gorman (Master-at-arms), Mr. James Pickering (Shoemaker), and Mr. Edward Byrne (Tailor), be summoned for next meeting.

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

WEDNESDAY,

WEDNESDAY, 17 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Driver, in the Chair.

Mr. Parkes,		Mr. Farnell,
Mr. Neale,		Mr. W. Campbell,
Mr. Burns,		Mr. Tighe,
Mr. Alexander.		

Mr. James Gorman, V.C. (*Master-at-arms*), called in and examined.

Witness withdrew.

Committee deliberated.

*Ordered*—That Mr. Cook, Mr. James Pickering, and Mr. Edward Byrne, be summoned for next meeting.

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

FRIDAY, 19 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Burns,		Mr. Tighe,
Mr. Farnell,		Mr. Parkes,
Mr. Alexander.		

In the absence of the Chairman, Mr. Burns took the Chair for this meeting.

Mr. James Pickering (*Trade instructor—shoemaking*), called in and examined.

Witness withdrew.

Mr. Edward Byrne (*Trade instructor—tailoring*), called in and examined.

Witness withdrew.

Mr. William Cook (*Quartermaster*), called in and examined.

Witness withdrew.

Committee deliberated.

Clerk instructed to summon H. G. Alleyne, Esq. (*Health Officer*), for next meeting.

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

FRIDAY, 26 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Driver, in the Chair.

Mr. Tighe,		Mr. Farnell,
Mr. Neale,		Mr. W. Campbell,
Mr. Alexander.		

Clerk submitted "Return of Cost of Boots made on board the 'Vernon'"—made by Mr. Pickering, which was ordered to be appended. (*Vide Appendix B.*)

H. G. Alleyne, Esq., M.D. (*Health Officer*), examined.

Witness withdrew.

Clerk instructed to write to Henry Parkes, Esq., M.P., intimating that the Committee would be glad to receive any information on the subject he might be willing to afford.

*Ordered*,—That A. Springel and J. Robinson (*Boatswain's mates*), be examined next meeting.

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

WEDNESDAY, 3 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Driver, in the Chair.

Mr. Parkes,		Mr. Burns,
Mr. Farnell,		Mr. W. Campbell,
Mr. Tighe.		

Clerk submitted Communication from Captain Mein, enclosing Letters from various persons giving favourable testimony as to the conduct of boys employed by them from the "Vernon," and Extracts from the Visitors Book.

Clerk also submitted Statement of Captain Mein relative to the working of the Institution since its establishment, and suggestions as to its future management, &c., which was read by the Chairman.

*Ordered*

Ordered to be appended. (*Vide Appendix A 22.*)  
 Henry Parkes, Esq., M.P., a Member of this Committee, examined in his place.  
 Mr. Abraham Springel (*Boatswain's mate*), called in and examined.  
 Witness withdrew.  
 Mr. Joseph Robinson (*Boatswain's mate*), called in and examined.  
 Witness withdrew.

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

*FRIDAY, 5 MARCH, 1869.*

MEMBERS PRESENT :—

Mr. Farnell, | Mr. Neale,  
 Mr. W. Campbell.

In the absence of the Chairman, Mr. Farnell took the Chair for this meeting.  
 Committee deliberated.

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

*THURSDAY, 11 MARCH, 1869.*

MEMBERS PRESENT :—

Mr. Driver, in the Chair.

Mr. Alexander, | Mr. Farnell,  
 Mr. Parkes.

Mr. Edward N. Waller (*Purser*), called in and examined, and produced Letter-book of the ship.

Witness withdrew.

Mr. William Shaw (*Carpenter*), called in and examined.

Witness withdrew.

Mr. Joseph Brady (*Barber and Bugler*), called in and examined.

Witness withdrew.

Mr. James Gorman, V.C. (*Master-at-arms*), again called in and examined.

Witness withdrew.

Committee deliberated, and requested the Chairman to move the House for permission for the Committee to make visits of inspection to the "Vernon," accompanied by a short-hand writer, for the purpose of taking evidence if necessary.

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

[Adjourned.]

*THURSDAY, 18 MARCH, 1869.*

MEMBERS PRESENT :—

Mr. Burns, | Mr. Farnell,  
 Mr. W. Campbell.

In the absence of the Chairman, Mr. Farnell took the Chair for this meeting.

Clerk read extract from Votes and Proceedings of 12th March, authorizing the Committee to make visits of inspection to the "Vernon."

Committee deliberated, and proceeded on a visit of inspection.

*THURSDAY, 25 MARCH, 1869.*

MEMBERS PRESENT :—

Mr. Farnell, | Mr. Tighe,  
 Mr. W. Campbell.

Mr. Farnell read a letter which he had received from the Chairman, which he read, as follows :—

"Wednesday, 24 March, 1869.

"My dear James,

"I have been confined to my bed since Monday night with an attack of gout, and am still unable to put my feet to the ground. Will you, therefore, kindly ask Mr. Vivian to call a meeting of the "Vernon Committee" for to-morrow at 11, to consider Progress Report. You will please draw it up and bring it up to the House to-morrow night, as I am afraid I will not for some few days be able to do anything.

"Yours faithfully,  
 RD. DRIVER."

"J. S. Farnell, Esq., M.L.A.

In the absence of the Chairman, Mr. Farnell took the Chair.

Acting Chairman submitted Progress Report.

Same read, verbally amended, and agreed to.

Acting Chairman requested to report to the House.

LIST

## LIST OF WITNESSES.

	PAGE.
Alleyne, H. G., Esq., M.D. ....	43
Byrne, Mr. E. ....	39
Brady, Mr. J. ....	62
Cook, Mr. William ....	42
Gorman, Mr. J. (V.C.) ....	24, 62
Martin, Mr. G. ....	13
M'Skimming, Mr. J. L. ....	19
Mein, Captain J. S. ....	1, 7
Parkes, Henry, Esq., M.P. ....	46
Pickering, Mr. J. ....	35
Robinson, Mr. J. ....	53
Shaw, Mr. W. ....	61
Springel, Mr. A. ....	51
Waller, Mr. E. ....	58

## LIST OF APPENDIX.

(To Evidence given by Captain Mein, 22 January, 1869.)

	PAGE.
Orders and rules to be observed by seamen instructors and boys ..... A 1 to A 4.	1-4
Regulations as to messing ..... A 5.	4
Division or school list ..... A 6.	4
Professions and trades of boys ..... A 7.	5
Tailors and shoemakers division and time-table ..... A 8.	6
Stations of boys ..... A 9.	7
Religious persuasion of boys ..... A 10.	8
Master of barque "Dashing Wave," Captain Vandervord, to Captain Mein, reporting favourably of two apprentices transferred from the "Vernon." 19 January, 1869..... A 11.	9
Master of the "Ashburton," Captain Smith, to Captain Mein, also reporting favourably of two apprentices from the "Vernon." 21 January, 1869..... A 12.	9
John McGrane, formerly on the "Vernon," to Captain Mein, respecting his present occupation. 15 January, 1869..... A 13.	9
List of boys apprenticed and discharged ..... A 14.	10
List of boys discharged to parents and otherwise ..... A 15.	10
Scale of victualling ..... A 16.	10
Regulations for the nautical schoolship "Vernon." 13 January, 1869 ..... A 17.	11
Extract from the <i>Sydney Morning Herald</i> of 14 January, 1869, giving an account of the passage of the barque "Ashburton" from Puget Sound, and praising the conduct of two apprentice boys from the "Vernon" named M'Ivory and Plowright ..... A 18.	17
Captain Mein, complaining of the conduct of a boy ..... A 19.	17
The Principal Under Secretary to the Superintendent of the "Vernon," 30th September, 1867, pointing out a course of correction for the boy mentioned above..... A 20.	18
Directions for examining men applying for employment on board the "Vernon" ..... A 21.	18
Statement of Captain Mein's, relative to the management of the "Vernon"..... A 22.	18

(To Evidence given by Mr. J. Pickering, 19 February, 1869.)

Statement of number and cost of boots made on the "Vernon" by the boys..... B.	19
--	----





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

## TRAINING-SHIP "VERNON."

FRIDAY, 22 JANUARY, 1869.

Present:—

MR. BURNS,  
MR. DRIVER,  
MR. FARNELL,MR. NEALE,  
MR. PARKES,  
MR. TIGHE.

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Capt. James Seton Veitch Mein examined:—

1. *Chairman.*] You are Master of the training-ship "Vernon"? Yes, I am Superintendent and Commander of her.
2. What is the date of your appointment? I cannot say just now. I joined the ship on the 13th of February, 1867.
3. Has the ship since you joined her been fitted out as a training-ship? Yes.
4. Under whose direction was it fitted out? Under my own directions, with the approval of the Colonial Secretary.
5. Were your recommendations in every case carried out in respect to fitting up the ship? I cannot say just at present as to that.
6. You cannot say? I came here unprepared, not knowing what questions I should have to answer—I did not know anything specially I should have to answer; if I had, I should have come prepared.
7. *Mr. Parkes.*] Surely you can answer that? Nearly in every sense I think they were.
8. *Chairman.*] How many officers have you on board the ship? Sixteen,\* all told, I believe.
9. Can you name them? Yes. Mr. Martin, chief officer; Mr. Waller, purser; Mr. M'Skimming, schoolmaster; Shaw, carpenter; Gorman, master-at-arms; Springle, first boatswain's mate; Robertson, second boatswain's mate; M'Fadden, senior warder; Holmes, another warder; 4 quartermasters, viz.,—Joyce, Neale, Cook, and Gray.\*
10. Have you any regulations that have been made for the government of the vessel? They have lately.
11. Within the last month? Yes, within the last two or three days.
12. *Mr. Neale.*] Had you no regulations for the conduct of the vessel previous to that? We had rules, but no regulations; we had one set for the lower deck.
13. *Chairman.*] One set for the lower deck! Had you no rules for the general management and government of the ship? There were written rules prepared by myself.
14. Were those rules in force up to the time that these regulations were made? They were in force, but they were not so strictly carried out as the regulations are now.
15. Can you produce a copy of those rules? Yes. (*Vide Appendix A 1, 2, 3 and 4*) I have an order book, and I used to write the orders down in it.
16. Do you produce the order book? I have not got it with me, but it can be produced if it is required. All the orders have been copied out of it by the purser.
17. Do you produce the books kept on board the vessel? Yes, I have them all outside in a cab.
- 18.

Capt.  
J. S. V. Mein.  
22 Jan., 1869.

\* NOTE (on revision):—Nineteen (19), all told, including myself and two (2) instructors.

\* NOTE (on revision):—Also, Brady, bugler; Alleyne, steward; Moore, cook; Byrne, tailor; Pickering, shoemaker.

- Capt.  
J. S. V. Mein.  
22 Jan., 1869.
18. What are your duties on board the vessel? To superintend the ship.
  19. The general superintendence of the vessel? The general superintendence of the vessel—the command of the ship.
  20. What are the duties of the chief officer? To carry out my orders and instructions.
  21. The duties of the master-at-arms? He is in charge of the lower deck, to see that the boys are kept clean.
  22. Anything further? He has to do gunner's duty as well, to drill the boys when required, to look after the messing, clothing, and so on.
  23. How many boys are there at present on board the ship? 124 boys belong to the ship at present—one is in the Infirmary.
  24. Have any complaints been made on board ship as to improper practices being carried on among these boys? One complaint has been made.
  25. Only one? Only one. There was also one the other day, which I investigated too—I forgot that.
  26. No other cases have been reported on board the vessel? No other cases, to my knowledge.
  27. You have no doubt about that, have you? I have no doubt that these are the only cases that have been reported to me. One boy complained about other boys, but there were no reports from any of the officers.
  28. Is that what you mean by saying that no other complaints have been made? No complaints have been made to the officers of the ship.
  29. Then statements reached your ears on board the ship of other cases? One boy has stated other cases of boys who had left the ship.
  30. Then you say that, until recently, but one case had been reported? Yes, except this statement of the boy about other boys who had left, which I investigated and found no foundation for.
  31. Investigated when? I cannot say the day.
  32. Since the Committee has been appointed? I have investigated one since the Committee has been appointed.
  33. Any previous? One previously.
  34. What was done in that case? Three boys were punished.
  35. What was the third boy punished for? Because he said he had done something bad himself, but there was no proof.
  36. He admitted it? Boys are not to be believed—they are frightened into this sort of thing.
  37. You punished this boy because he was frightened? He was punished because I thought him a bad boy.
  38. In what respect? In playing with the other boys.
  39. What do you mean by playing with the other boys? I had no proof that he ever committed any wrong, only the boy stated so himself.
  40. How came the boy to make this statement? I cannot tell; I presume he said so before the master-at-arms and the other officers.
  41. I do not want the names taken down in the evidence, but will you state the names of the boys?  
Mr. Burns objected to the question.  
The witness withdrew.  
The Committee deliberated.  
The witness was again called in.
  42. What was the precise charge made against these boys? The charge made against the boys was for sodomy, but you will allow me to explain something about it. The man who made the charge was Quarter-master Cook. He said that he did not see anything wrong take place; he merely said he saw them in the head with their trowsers down and their persons exposed.
  43. *Mr. Farnell.*] I think it would be as well for you to state first the charge made, then how you investigated it, and then the statement given in evidence? The man who made the charge said he did not see anything take place, he only supposed so; and on investigating it, I found that nobody in the ship saw anything of the kind.
  44. *Chairman.*] But you punished the boys? I punished the boys for being in a suspicious position.
  45. Was a boy named —— concerned in that? Yes.
  46. Did you investigate that charge yourself? I investigated that charge myself.
  47. What witnesses were examined? I may omit some, but the boys themselves were examined; Quarter-master Cook, the person who made the charge, was examined.
  48. I think I understood you to say that that was the first case that was reported to you? Exactly.
  49. Did you ever tell any person on board, that cases of sodomy had been reported to you before that case? Never.
  50. Never to any one on board the ship? No.
  51. Did you at any time tell any one on board the ship, that it was a very common practice in public schools in this Colony? Never on board the ship. I told some person on shore, not connected with the ship at all.
  52. And that a boy had been punished for the same offence at the school to which you belonged? Yes, I knew several instances at the school I belonged to.
  53. You never mentioned this fact on board to any one? Never to my knowledge. I might to Mr. Martin have been talking about it; he was at school with me.
  54. *Mr. Burns.*] You mean Mr. Martin your chief officer? Yes; I may at some time when we have been talking together.

55. *Mr. Parkes.*] Did you mean the actual crime of sodomy, or did you mean that sexual uncleanness which boys exhibit in their own persons to one another? I do not mean the actual crime of sodomy—I mean boys playing with themselves. Capt.  
J. S. V. Mein.  
22 Jan., 1869.
56. That is the thing which you mean occurred at school? That is what I mean.
57. *Chairman.*] That is what you meant when you described the case you spoke of as sodomy? I do not believe that sodomy ever actually took place.
58. Have any similar cases been reported to you? One case has been reported to me since this matter was brought before the House; it was reported to me on Sunday last. I investigated that case, and found there was no truth in it at all; it was a charge trumped up; it would never have got into the boys' heads if they had not seen these cases in the papers.
59. Have you two boys on board named ——— and ———? Yes.
60. Has any report been made to you about those two boys? That is the very case I am speaking of.
61. When was that report made? Last Sunday morning was the first I heard of it.
62. *Mr. Parkes.*] Will you state the result? The boy who made the accusation was punished for false accusation.
63. *Chairman.*] You are quite certain of that? I am quite certain of that; I took a copy of the evidence.
64. When was the offence alleged to have taken place? Two Sundays before, but that was the first time it came to my ears.
65. Had you a boy named ——— on board? Two.
66. What were their Christian names? ——— and ———.
67. Was any complaint made about the boy ———? There was a complaint made about him.
68. What was the complaint about him? Abusing himself, in the head.
69. Was it inquired into? Yes.
70. What became of it? He was punished.
71. By abusing himself, you mean playing with his person? Yes.
72. *Mr. Farnell.*] You mean in the head of the ship? In the head of the ship.
73. *Chairman.*] Is the ship under naval regulations? No, the regulations are here.
74. Have you copies of the regulations you say have been in force? Here are the lower deck regulations. (*Vide Appendix A 5.*)
75. Whose duty is it to report cases of misconduct? The chief officer reports to me.
76. Who to the chief officer? Any person who sees it occur—the boys may report them.
77. Whose particular duty is it to report to the chief officer? Any person in the ship.
78. It is not the particular duty of any officer? Only the master-at-arms has charge of the lower deck; he reports anything that occurs there. Any officer can report to the chief officer.
79. You have two instructors on board, have you not? Two trade instructors—a shoemaker and a tailor.
80. What time is taken up by the boys daily in receiving instruction from either of those people? They are told off at 9 o'clock to the trades; at 12 they are changed; they come up and get their dinners; they are told off again at 1 until 4, when drills are dismissed. That is in summer; in winter, of course, it is different.
81. What is the average attendance per day—how many hours per day for each boy? Perhaps he might not get it at all one day; they get it in turns the same as the school, in divisions.
82. How many hours a week should you say a lad receives instruction from either person? Those who are receiving instruction as shoemakers get 15 hours a week each, the tailors 21 hours a week each.
83. Have complaints been made as to the clothing of these boys? No.
84. At any time? Last year the boys were for a certain time badly clothed, but we made canvas clothes for them.
85. Were all the boys on board supplied with flannels? As fast as they are made they are: they lose them very often. They are supplied with the right number, but they are constantly losing them. There are one or two of the boys on whom we find we cannot keep the flannels; they throw them away as fast as they are given to them. There is one boy especially on whom we find it difficult to keep any clothes. He is hardly right in the head I think—the boy seems a little silly.
86. Where is the washing done for the boys? The boys wash their clothes themselves.
87. At what time? Twice a week—Tuesday and Friday; hammocks once a fortnight, on Tuesday morning.
88. Are they occasionally compelled to wash in the rain? No, they wash in the bath-house, *i.e.*, when it is raining.
89. Are they occasionally compelled to wash in the rain? They may have been occasionally, but they have been in the rain very seldom.
90. Has it been reported to you that the lads have occasionally turned in with wet clothes on? No, never.
91. If such a thing has occurred on board ship, it has been entirely without your knowledge? Entirely without my knowledge; it is the first I have heard of it.
92. It has never been reported to you by any officer? Never; if it had been, I would not have allowed it.
93. Have complaints reached you of anything uncleanly on the part of these boys? In what way?
94. Are they allowed to have lice and vermin upon them? They always come on board with lice on their heads—nearly every boy comes on board in that state.

- Capt. 95. Who is the Health Officer? Dr. Alleyne.
- J. S. V. Mein. 96. Do you recollect his paying a visit to the vessel about ten days ago? He comes on board nearly every day.
- 22 Jan., 1869. 97. Do you recollect this particular visit a week or ten days ago? I cannot say.
98. Did you not hear that he called the attention of the officer to the state of a boy's head, who was standing in the gangway? Yes, I heard of that. I was out of the ship at the time.
99. How long had that boy been on board the ship at that time? I cannot say. I do not just now know exactly who the boy was.
100. We shall be compelled to have you here again—perhaps you will be good enough to prepare yourself to answer this question. Was that the only case—the only case of his drawing attention? No, he has prescribed for the boy's head.
101. Repeatedly? Some few times. I have great difficulty in getting them to use mercurial ointment, and he objected to it. He said it was not a nice thing to use. Boys frequently come on board with vermin, and from these they get to other boys who are sick and ill.
102. What are the working hours on board ship? They are in the rules. They turn out at half-past 4 in summer-time.
103. Are they in the habit of turning out at half-past 4 in winter? No.
104. Never? Not to my knowledge.
105. Do you sleep on board? Always. I seldom sleep out of the ship, and I never heard of it.
106. Never until now? I am quite certain I did not in winter; they could not, without my knowledge.
107. At what time in winter? 6 o'clock, then half-past 5, and so on; it goes gradually down or up, as the days shorten or lengthen.
108. Are the boys encouraged or rewarded in any way on board the vessel? They are encouraged in good conduct.
109. In what way? They get stripes on their arm, or good conduct badges.
110. For good conduct? Yes; good conduct boys also have an opportunity of being first apprenticed.
111. Has your attention been called, at any time, to the state of the provisions sent on board? Yes, it has.
112. By whom? I think I called attention to it myself; I do not remember any other officer pointing it out. Yes; the purser pointed it out once or twice.
113. What has been done in such cases? The contractor has been written to.
114. Have complaints been made of insufficient food on board? No.
115. If these matters have been reported to any person, the reports have never been furnished to you? No.
116. You have no doubt about that? No doubt that it has not been reported as insufficient—that they have not had enough to eat.
117. That is what I mean? Never.
118. You say the whole of the books you have been requested to produce are here? As far as I know.
119. I want the old punishment book? It is here.
120. The old one? Both are here.
121. The old one is not in use just now on board the ship? No.
122. *Mr. Burns.*] Did you say that you had no rules for the management of the ship till recently? No authorized rules.
123. You had some regulations of your own framing? Some rules I wrote out.
124. Were those rules approved by the Colonial Secretary? I do not think they were ever submitted. These are the only ones approved by the Colonial Secretary, which I have here.
125. When you said, just now, that you punished three boys on suspicion,—did you mean that their conduct was improper, but short of the charge? Yes, the charge was not proved against them; I did not think it took place; the boys were too young to do anything of the kind, but I believed they had been acting improperly.
126. Have you any return showing the trades of the boys? No.
127. Will you furnish a list of the boys, the trades they are learning, and the number of hours per day they devote to the learning of these trades? (*Vide Appendix A, 6, 7, 8, 9, and 10.*)
128. *Mr. Tighe.*] What were the ages of these boys who committed these acts for which you punished them? If I bring the entry book, you will see it.
129. Do not you remember? About ten or eleven.
130. Not older? No; I think one was younger.
131. It took place in the head of the vessel in every case? No; this case that came before me, which I investigated last Sunday, was supposed to have taken place in the lower-deck, at night.
132. The third case? In the head of the vessel. There are two cases I know about.
133. Is that the only place in the vessel where, in the day time, anything of that kind could possibly occur without being at once discovered? Yes; there is always an officer on watch on deck.
134. Could you keep any watch on the head of the vessel—could you not station an officer, or one of the elder boys, there? I have that now.
135. Since this case has been reported to you? Yes.
136. Since this new regulation has been made, it is not possible for anything of the kind to occur again without being immediately discovered? No.\*
- 137.

NOTE (on revision):—That is, if the look-outs do their duty.

137. Since you say one of these cases occurred in it—how would it be possible to prevent such occurrences? One man is on watch all night.
138. Has that been since the report? No, a man was always on watch between decks all night.
139. Is there a light kept burning all night? Yes.
140. Did you take any precaution to secure that the man did not go to sleep while on watch? There is one watch on deck to call him every half-hour.
141. He is supposed to be awake, and walking up and down? To walk up and down to see that everything is right, and that the boys are all asleep in their hammocks.
142. What punishment did you give the boys? They were flogged over the guns.
143. How many? Twelve stripes.
144. How many boys? There were three boys who were well flogged in the first instance, and two in the last instance, and one put in the cells.
145. Is it your opinion that the practice has prevailed to any extent among the boys? I do not think so; I do not think sodomy has been committed in the ship at all; but the offence the boys were punished for was for being found together in the head.
146. Then the two boys you punished for being in a suspicious position—you do not suspect they were attempting any crime of that kind when they were found in the ship's head? They might have been attempting, but I do not think they committed any crime of that kind; I do not think they are old enough.
147. *Mr. Farnell.* You think they had the intention, but not the ability? I think they had not the ability; they might have had the intention; they were in a suspicious position.
148. *Mr. Tighe.* These same two boys, if they stay long enough on board the ship—if they do not alter their ways or reform—when they get a little older, will be likely to have not only the intention but the ability? I think the punishment of the ship will cause them to alter their ways; one of them is very small; one of them is in the hospital.
149. *Chairman.* What is the matter with him? Fever, I believe; he was sent by Dr. Alleyne's order.
150. *Mr. Burns.* It is open to any one on board the vessel who observes anything improper to report it to you? Yes, the custom is to report through the chief officer.
151. *Mr. Tighe.* Who is now stationed in the head of the vessel—one of the boys? One of the elder boys walks across the fore-castle—that is only since these cases came before me. He was not there before—the man on the poop was supposed to look all round the vessel.
152. *Mr. Parkes.* As commander of the "Vernon," you are simply in the position of any other commander of a ship? Yes.
153. As Superintendent, your duties are defined under the Industrial Schools Act, are they not? Yes.
154. That is, because the provisions of the law render it necessary a Superintendent shall be appointed to do certain things, which certain things are defined? Yes.
155. When you state that no regulations were framed, you simply meant no such regulations as are required by the Industrial Schools Act to be made by the Executive Council? Exactly.
156. You mean the regulations provided for by law? By law.
157. But rules were made for the government of the ship, were they not? Yes.
158. And these rules were observed? They were observed, as far as I knew.
159. Were they found sufficient for the good order of the ship? Yes.
160. Do you remember the reason stated why regulations should not be promulgated by the Executive Council—do you remember ever hearing it stated that it was desirable to gain experience before regulations were promulgated by the Executive Council? I think I do, now you bring it to my memory.
161. You yourself transmitted to the Colonial Secretary the draft regulations? Yes.
162. And the Colonial Secretary declined to give force to them, and explained that it was desirable to gain more experience before such a step as that was taken? Yes.
163. With regard to the manner in which these boys are domiciled—Do they sleep in berths, in which they can come at each other at night? They sleep in hammocks.
164. Which are slung at a certain distance from each other? Yes, fourteen inches apart.
165. It would be impossible for one boy to reach another, when in these hammocks, except with his hands? Yes, except with his hands or feet.
166. A light burning during the night, and a person pacing the decks to see that no impropriety takes place? Yes.
167. That light has always been kept burning, a person has always been placed on duty between decks, and the boys have never slept except in hammocks slung in the manner you have stated? Except those who have been in the cells.
168. In the normal state of the school? Yes.
169. Did you yourself attend a large school when a boy? Yes, I attended several large schools.
170. Have you seen anything more improper among the boys of the "Vernon" than you know to have taken place in these large schools—are the boys generally as well behaved? Yes.
171. And as free from any indecency? Just the same.
172. Have you had much experience of large ships where boys have been apprenticed? Yes, a good deal.
173. Did you ever know of any indecency among boys there? Not that I know of.
174. As far as your experience of large schools is concerned, you saw as much indecency among the boys in them as on board the "Vernon"? As much, and worse.

- Capt.  
J. S. V. Mein.  
22 Jan., 1869.
175. You say you have seen worse conduct among boys in large schools than you have known on board the "Vernon"? I have seen worse conduct in large public schools than I have on the "Vernon."
176. I think you have stated distinctly to the Committee that the charges of unnatural offences were disproved, or rather not proved to your satisfaction? Not proved.
177. I think you stated also to the Committee your disbelief that any unnatural offence had occurred on board the ship? I disbelieve it entirely.
178. That is your deliberate opinion? That is my deliberate opinion.
179. Do many persons visit the ship? A good many; not so many as formerly.
180. Members of the Assembly? Yes, Members of Assembly also.
181. Has any one ever expressed an opinion adverse to the discipline, good order, and cleanliness of the ship? Never.
182. These persons have come to visit the ship suddenly, without notice? Quite unexpectedly; some have gone on board when I have not been there.
183. Do you know whether any dissatisfaction exists among the boys? I have not heard any expressed.
184. Have you heard the Colonial Secretary ask the boys whether they had any complaint to make? Yes.
185. Was it not my practice, whenever I went on board, to ask this question of the boys? It was.
186. What response did they make? They said they had none.
187. That response was given by all the boys? Yes.
188. Quickly? Quickly; with no hesitation.
189. I did that more than once? You did.
190. *Mr. Farnell.*] You have stated that the boys on one occasion were short of clothing—How do you account for that? I think the Estimates were not passed in the House—that was the reason. The requisitions were in, but I could not get a supply because the vote was not passed.
191. *Mr. Parkes.*] The Government refused to authorize the supplies till the Estimates were passed? Exactly.
192. *Mr. Farnell.*] Is the food supplied to the "Vernon" supplied by a contractor? By a contractor.
193. And the stores for the ship? By contractors too.
194. Is everything that is supplied to the ship contracted for? Some extra things that are not in the contract we have to get ourselves.
195. Upon your own responsibility? Yes, small things that are not in the contract.
196. *Mr. Tighe.*] Just a trifle, I suppose? A few trifling things.
197. *Mr. Farnell.*] You say these boys received stripes over their arm for good conduct, and stripes over the gun for bad? Silver stripes over their arm.
198. Which did they prefer, the stripes over their arms or stripes over the guns? They would rather have stripes over their arms, I suppose.
199. It is usual on board ship when people get up early, to have coffee? The men get coffee, the boys hominy.
200. Do they get it at half-past 4? No; they breakfast at 7.
201. They do not get any coffee? No.
202. Do you not think they are as much entitled to coffee as the men? It might disagree with them.
203. *Mr. Parkes.*] What progress, in your judgment, have the boys made under their present teacher, Mr. M'Skimming? I think they have made fair progress; nothing very remarkable.
204. Do you think a single teacher is sufficient to attend to the boys, so far as you can judge? I think so—the schoolmaster only gets one division at a time.
205. *Chairman.*] You say the boys generally are as well behaved as the boys at any public school that you have seen? Yes.
206. Did you ever see the master of a public school swearing at the boys? I have often heard masters in a public school swear.
207. Very frequently? Not very frequently—at times.
208. Do you ever do it? Not to my knowledge.
209. Did you ever do it? I might have done it in one instance.
210. Not more than once? I am not aware of it.
211. You keep a monkey on board the vessel? Yes.
212. Has anything been said to you about him by the boys? No.
213. Is he not in the habit of making exhibitions that the boys should not witness? I do not know that he is.
214. Have you never heard it? Heard what?
215. Of his playing with his person? All monkeys do that.
216. He is kept there for the boys to look at? To amuse the boys.
217. That is the amusement he affords? He plays with them, and runs about the deck with them.
218. *Mr. Parkes.*] Do you mean that he is kept merely to exhibit himself indecently to the boys? No, such a thing never struck me.
219. Is that what you meant when you said all monkeys will do it? All monkeys will play with themselves. You may see them in the Gardens, not only when boys but when ladies are walking round.
220. *Mr. Farnell.*] When you referred to public schools you did not mean our public schools as established under the Public Schools Act? No, I have never been inside one of them.



221. *Mr. Parkes.*] You meant large schools that are open to the public? Yes. I have letters here from some of the apprentices, and from some of the owners of vessels that have taken these boys. (*Vide Appendix, A 11, 12, and 13.*) Also, a list of the boys apprenticed and discharged. (*Vide Appendix A, 14 and 15.*) I also hand in a scale of the victualling. (*Vide Appendix A 16.*) Also, a copy of the present regulations. (*Vide Appendix A 17.*)
222. *Mr. Parkes.*] Are the regulations recently adopted by the Executive Council, for the most part the draft regulations sent in by you? Yes. I also beg to hand in an extract from the *Herald*, and copies of letters from the Colonial Secretary's Office; also, copy of the regulations for the examination of officers. (*Vide Appendix, A 16, 17, 18, 19, 20, and 21.*)

Capt.  
J. S. V. Mein.  
22 Jan., 1869.

WEDNESDAY, 10 FEBRUARY, 1869.

Present:—

MR. ALEXANDER,	MR. FARNELL,
MR. BURNS,	MR. NEALE,
MR. W. CAMPBELL,	MR. TIGHE.

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Captain James Seton Veitch Mein further examined:—

223. *Chairman.*] Did I understand you to say, when you were last examined, that no boys had been punished for the crime of sodomy? No boys had been punished for the crime of sodomy.
224. And that none had been charged with it? They had not been charged with it. I think I stated last time the particulars of the charge.
225. You still adhere to the statement you made on the former occasion? Decidedly.
226. This is the charge-book (*handing a book to witness*)? This is the black-list book.
227. Will you look at this entry, page 19? Yes, I see it is written across in red ink.
228. What is the charge entered? Nothing was proved. It is entered by the master-at-arms.
229. By whose authority? I told him to keep the book myself.
230. The charge there entered is sodomy? It is.
231. Was the boy punished? The boy was punished.
232. What was the punishment? He had a dozen cuts with the tawse, one month cells, and bread and water for seven days, and to be kept from all the other boys until further orders.
233. How long was he kept from the other boys? I cannot say exactly the length of time; till he improved, and was found to be a good boy.
234. When was that alteration made in red ink? I think some time after, when the book came up to me.
235. How often was the book brought to you about that time? It was not sent regularly; you can see that by the way it is initialled.
236. You cannot fix any date when the alteration was made? No.
237. Was it before or after the appointment of this Committee? That I cannot say; it might have been after. The book was only kept for reference for myself. I did not think about its being produced.
238. There is another entry, at page 78. Will you look at that—the offence there was entered as sodomy (*handing the book to witness*)—is it not so? Yes, it is put here as that.
239. Has that also been altered? Not altered; a red-ink mark is over the top.
240. The word "attempt," or "attempted"? It is "attempt at."
241. Has been written in red ink over the original entry? Over the other man's entry.
242. By whom is that written? All this is by the master-at-arms.
243. The word "attempt" is your own? Yes.
244. When was that written? I cannot say; at the same time the other was.
245. You are certain of that? Yes.
246. What caused you to make these alterations? In looking over the book I saw it down, and as I knew it was wrong I made the red-ink mark.
247. Had you no other reason? I cannot say that I had.
248. Was it not in consequence of statements made out of doors? I cannot say—it might have been.
249. Was it not after this Committee was moved for in the Legislative Assembly? I cannot say whether it was before or after; it might have been after.
250. Was that boy punished? Yes.
251. What punishment did he receive? A dozen cuts with the tawse, a month in the cells, and bread and water for seven days; to be kept from all other boys till further orders.
252. Will you look at another page, page 91—Another boy appears to have been punished for the same offence? Yes.
253. Was any alteration made there? No, only two red-ink strokes.
254. By whom were these made? They were evidently made by me.
255. When? I cannot say.
256. Was that entry also made by the master-at-arms? Yes, all this writing is his.

257.

- Capt.  
J. S. V. Mein.  
10 Feb., 1869.
257. Under whose directions were these charges entered? I think he entered them of his own accord, because this book was kept by him, and was sent up only occasionally to me.
258. Is it part of the duty of the master-at-arms to keep this book? No, the chief officer keeps it.
259. Was it at that time? At that time I gave it him, because I had so much other work to do.
260. When did you give it to the chief officer? At the beginning of the year.
261. Before or after the appointment of this Committee? Before, I think—I do not know anything about the appointment of the Committee—I do not know what time the Committee was appointed—I forget.
262. At the time these charges were entered by the master-at-arms, it was his duty to enter them? Yes, I gave him the book to keep.
263. Who communicated the charges to him? I cannot say.
264. Whose duty was it to do so? Any person's under whose notice anything of the kind might come.
265. Cannot you give the Committee any idea as to whose duty it was to report such cases? No I cannot, further than that it would be the duty of any person, seeing anything going wrong, to report it.
266. Whose duty would it be to award the punishment? I award the punishment in the presence of the ship's company.
267. Then he would take the punishment from yourself? Yes; but he would enter it in the book afterwards.
268. How often did you see this book? Not very regularly; you can see that from my initials.
269. Are you not in the habit of seeing it almost daily? No.
270. Weekly? Not even weekly; I asked for it weekly, but often I did not get it at the time, and then the pressure of other business put it out of my head for the time.
271. Have you been in the habit of asking frequently for this book? Occasionally.
272. Not frequently? Not at stated intervals, as will be seen from the book—I could not get it.
273. Do you mean by that, that it was impossible for you to get the book when you wanted it? Not at all; I could get the book by going for it, or sending for it.
274. And you say you never noticed these charges before? Noticed them before when?
275. Before you made the alterations there? I did not pay attention to it, I had so much other work to do; it is as much as I can do to get through my own work.
276. *Mr. Tighe.*] You state that in page 19 of that book a boy is entered as having committed the disgraceful offence the Chairman has mentioned? Yes.
277. Is only one boy mentioned in that charge? There is only one boy.
278. How could only one boy commit the offence which has been mentioned? It was said to be with the other boy mentioned in page 78.
279. Those two boys are connected in the same charge? Yes.
280. Do you investigate these cases yourself? Yes.
281. Do you keep any account of the evidence given? I did not in this case.
282. Is it usual to keep any record of the evidence given in cases of this kind? I did not think it of sufficient importance—I did so in the last case.
283. Was the case one which deserved to have the name of so serious an offence applied to it? No.
284. Was it an offence of a milder degree? Of a milder degree.
285. Why of a milder degree? Because, to my belief, it never occurred.
286. It was an act of indecency? They were exposed, and in a suspicious position.
287. It was not proved? It was not.
288. Were any of the other cases proved to be real attempts? Not any.
289. What was the nature of the other two cases? Three boys were all brought up at one time.
290. All for one offence? The charges were investigated at one time, and I never heard of any other, except the one I alluded to when I was last before the Committee.
291. You have no record of the evidence given? No.
292. Who gave evidence against them? Quartermaster Cook.
293. Was he witness to the fact? He was the officer who reported the offence.
294. From his own observation? From his own observation—he surprised the boys in the head, in a suspicious position.
295. What induced you to make these red-ink marks after the entry was made? I do not know; I just put them down because I saw it wrongly entered.
296. What caused you to suppose that it was wrongly entered? Because the actual thing did not take place.
297. Did you make an investigation which led to that conclusion? Yes.
298. What investigation? By inquiry from them all, and from this man's evidence; and when the book came up afterwards I made these red-ink marks.
299. It was in consequence of this investigation? Yes, it was not true.
300. Would the evidence lead you to suppose that if these boys had not been surprised by Quartermaster Cook, that the offence would really have taken place? No, it would not; because I do not think the boys were old enough to do anything of the kind.
301. How old are they? Nine and ten I think.
302. Did you take any steps after these charges had been made, to prevent conduct of the kind occurring again in the vessel? In what way, may I ask you?
303. By having one of the elder boys in the head of the vessel, by having lights, and so on? Yes, we always had lights below.

304. Do you think it is impossible such things can be repeated now that these precautions are taken? I do not think it is possible they can do it without being seen.
305. How many cases of the kind have been reported to you? This case here.
306. That is only one case of the three boys? There was another case which I never could make out; and there is one case which I have investigated since the Committee has been appointed.
307. What were the ages of the boys into whose conduct you made this investigation? I did not get their ages, but I think one was about fourteen and the other about nine.
308. You have told us that the arrangements made and the precautions taken by you, since the first charges were brought before you, would prevent the repetition of such offences, and you now tell us that there have been such practices since the appointment of this Committee? No, I said that charges had been made, but nothing was proved.
309. It was a false accusation? Yes.
310. Have you a record of the evidence in that case? I have a record of the evidence in that case.
311. Was it a malicious and spiteful charge? Yes, by other boys, to get them punished. I told them I believed it was untrue, and one of the boys afterwards came forward and said it was all false.
312. Therefore, in reality there have been only two cases where there have been any colour or ground for the charge? Really only one case—the one of the boys in the head.
313. Was the other case proved to be false too? There was nothing proved about it.
314. I am referring to the case at page 91—was that proved to be false? I could get no information about this at all.
315. What was the boy punished for then? Being generally a bad boy.
316. He must have been punished for some specific act? He was a dirty boy, generally speaking.
317. He was charged with this offence before you, on the occasion in question? It was not so strong as the term used here. He was charged with playing with other boys.
318. Indecently playing? Yes.
319. Was he really guilty of that? I could get no proof.
320. Why then did you punish him? Because it was my impression that he was naturally a bad boy.
321. *Mr. Neale.*] What was the punishment inflicted upon him? A dozen cuts with the tawse.
322. *Chairman.*] Something else beside? Seven days bread and water, cells for a month, and to be kept from the other boys until further orders.
323. *Mr. Tighe.*] There must have been something serious in the nature of the charge to induce you to give him such a sentence? It was his dirtiness and filth, and playing with other boys. He said he was filthy himself; it was from his own mouth I punished him.
324. Who takes down the evidence given when you try a case? I generally write it down myself.
325. Does the person who gives the evidence sign it? No.
326. Is it read over to him? Sometimes. I do not go through a regular form in any case. This was all verbal.
327. *Mr. Alexander.*] Is it not usual in this institution to keep a diary or journal of the whole of the proceedings? There are several books kept. I keep a private journal, and there is the log-book.
328. Is not that in the hands of the Committee? If they wish to have it, it can be produced.
329. Are any of these cases you have referred to, noted down in that book? I think not—only in the punishment book.
330. How can you account then for that book (*the punishment book*) being so particularly written up? This is kept by the man in the lower deck. We did not keep proper books till the regulations of the ship were made. We have had these only lately.
331. What I object to is the way in which that book is kept? That was kept only for my private information, that I might see what boys were good and what bad, in order to award good conduct stripes.
332. I think the Government should direct that a record should be kept of all that occurs on board the ship? We have a log book kept by the chief officer, and the punishment book also kept by the chief officer.
333. What is the general conduct of these boys? I think generally their conduct is good.
334. How do you account for the punishment of this boy in the way you have stated, when there was no specific charge against him? Because he acknowledged himself that he was a dirty boy.
335. *Mr. Tighe.*] You mean that he was indecently dirty? That he was indecently dirty. I had no authority from the Government to punish him in this way, but I thought it best to do it.
336. *Mr. Burns.*] You were satisfied that this boy, although he had not been guilty of the charge laid against him at the time, had behaved improperly? I do not think he was guilty of the charge, but he was guilty of misconduct.
337. His conduct generally was bad? His conduct was bad.
338. Have you had any complaint made to you of the boys making use of bad language when people have been passing in boats, particularly ladies? Yes. Only on one occasion when females were present in a boat, and then the boys were addressed in the first instance by the people in the boat.

Capt.  
J. S. V. Mein.  
10 Feb., 1869.

- Capt. 339. Have you punished them on charges of this kind? Yes, I think so.  
 J. S. V. Mein. 340. Who has charge of the magazine? The master-at-arms.  
 10 Feb., 1869. 341. Are the boys allowed to go there by themselves? Not by me.  
 342. Has it been the practice for them to do so? Not that I know of.  
 343. Your attention has not been drawn to it? No.  
 344. Could they behave improperly there if they were so disposed? They ought not to be allowed to go there—they might blow up the ship. It is quite against my orders for any of them to go there without the master-at-arms or some other officer.  
 345. What time is allowed for learning trades on board the Vernon? That is stated in the paper I have handed in.  
 346. How many hours per day are the boys employed in learning the duties of sailors? They are at that all day—not always the same boys—they are in divisions.  
 347. At what time are those boys who are learning trades expected to be absent from their trades, to learn other duties? Twice a week they are absent, perhaps three times a week. On Saturday they clean the ship; they do not work at trades on Saturday; they are engaged in cleaning the ship all day long; on Friday they have gun drill, and on Wednesday they have sail drill.  
 348. What is the regular routine of the work, with regard to the time the boys devote to learning trades, and the time they devote to ship work? It is all in the regulations.  
 349. Are the boys who are learning trades usually later at work than those who are learning to be seamen? No, I do not think so—they are working at trades till 6 o'clock; and at that time generally the other boys hoist the boats up.  
 350. At what time do the boys who are learning to be seamen leave off work? They are dismissed drill at 4 o'clock in the afternoon.  
 351. Have they work to do after that? They are hoisting boats up and clearing the decks generally till supper time, and attend to other duties connected with the ship after their supper is over.  
 352. What is supper time? 5 o'clock.  
 353. Would they not then have the advantage by one hour of the boys who were learning trades? I do not think so.  
 354. Are not the boys who are learning trades kept at work till 6 o'clock? Yes, but they have an hour, and the boys who are learning to be seamen are employed in hoisting boats and so on after drill.  
 355. Do you not think the tendency of giving boys who are learning seamanship more time for play than the others is, to discourage the boys generally from learning trades? I do not think so, because the tradeswork is easier work than the other.  
 356. Could it not be so managed that all should commence and end at the same time, although learning different matters? It might be so arranged, but there would then be complaints that the boys did not get a sufficient number of hours work at their trades.  
 357. How many hours a week are the boys engaged in learning their trades? Shoemakers fifteen hours a week, and tailors about twenty-one.  
 358. How many hours a week are the boys engaged in learning to be sailors? From twenty to twenty-two hours.  
 359. How many hours is each boy at school per week? Six and a quarter hours, exclusive of the time spent at Sunday-school, and occasional night school.  
 360. Are the boys allowed to follow the bent of their own inclination, as to whether they will become tailors, shoemakers, or sailors? Their own inclination, when they are at a proper age to understand. If they are very young, they are put down as too young to make a choice.  
 361. *Chairman.*] What do you consider a proper age? Between ten and twelve.  
 362. *Mr. Burns.*] During what hours are all the officers required to be on board the vessel—they get leave of absence, I suppose, at times? Yes, they must not be twelve hours out of the ship.  
 363. Does that apply to the tradesmasters as well as to the other officers? It has not been applied to them hitherto, because it was thought better, as they were married men, that they should live on shore.  
 364. Are not some of the other men married? Several of them.  
 365. Are they allowed to live on shore? No; if they break their leave they are reported to the Colonial Secretary.  
 366. What amusements are provided for the boys on board? Not many.  
 367. Do you think music might be introduced there, as it has been at Randwick? I think it would be a very good thing if it were. We have a musician on board, but I do not think he would be able to teach them—we have not the instruments.  
 368. Do you think if music were introduced, you could form a band? Yes, and I think it would be a great thing if that could be done.  
 369. You are aware that they have a band at Randwick? Yes; but economy has been impressed upon me, and if this were carried out it would be necessary to have a teacher who must be paid something.  
 370. *Mr. Campbell.*] Do I understand you to state that you never had any regulations to guide you in the management of the ship till lately? I had no authorized regulations—I had regulations written out by myself.  
 371. You have been allowed to do as you have pleased since you first took charge? No, I have not been allowed to do as I have pleased, because I have been directed by letters from the Colonial Secretary.  
 372. *Mr. Farnell.*] In reference to these boys who were charged with the offence of sodomy, whose evidence did you take against them? Quartermaster Cook's.  
 373. Any other evidence? I heard the boys' own statement; there was no other.

Capt.  
J. S. V. Mein.

10 Feb., 1869.

374. The boys that were charged? Yes.
375. That was in defence? I do not think there was any other evidence.
376. Was that evidence taken down when given? It was not taken down.
377. Do you not think that when so grave a charge was preferred, the evidence should be taken down in writing? I think it might have been taken down in writing, but I did not think at that time it was of much importance, because it was not proved. I see now that it would have been better if it had been taken down.
378. You were judge in the case; and, from the evidence taken by you, you believe the offence was not proved? Yes; and the man who reported it said he did not see anything take place.
379. He first made a report charging these boys with sodomy, and then in his evidence did not prove the charge? He did not prove that it took place, only that he saw them in a suspicious position with their persons exposed.
380. These boys were punished? Yes.
381. What were they punished for—for a less offence? For a less offence—not for the actual crime.
382. What was the offence for which they were punished? I do not know what term to apply to it—dirtiness.
383. *Mr. Alexander.*] Would you consider there was an attempt? They might have been attempting, but they were so young.
384. *Mr. Farnell.*] There must have been two boys to commit such an offence? Two boys were concerned.
385. Did you punish them both? I punished them both. I have their ages here—ten and nine.
386. Why did you make these marks in red ink in the book? I made them some time after, because it was not the real thing; it ought not to have been written down as that.
387. As it was written down, did you think it right to alter it? I have not altered it. I have merely made a remark, and I thought I was justified as Superintendent in making any remarks.
388. Have you not a book with a record of these charges made by the quartermaster? That is the only record.
389. Did I not understand you to say that you had taken down the evidence? That was in another case.
390. You have that written down in another book? Yes.
391. Do not you think you should have recorded the former statement also? Perhaps I should have done so.
392. And stated whether it was a less offence or not? Perhaps I should.
393. Then, the only case you have recorded is the last case, which has taken place since the appointment of this Committee? Yes. I thought I might be asked some questions about it, and I took down the evidence myself.
394. Are any of these boys guilty of filthy habits, but of a less abominable character than sodomy? I hardly know in what way you mean.
395. I think you will find in your black-book some record of what I refer to? Some of the boys have, I know, been filthy.
396. You mean that they have been filthy in their own persons, by the practice of onanism? In that way—one or two.
397. Is the supervision on board the "Vernon" now such as to prevent the repetition of this offence? I think so.
398. Do you think the supervision sufficient to prevent onanism? I think so.
399. I see by the return you have laid before the Committee, you have not given, in particular, the number of hours the boys are engaged in school? It is in the regulations.
400. I understand that the boys are not all in school together, but are sent in divisions? There are four divisions; one goes in the forenoon and the other in the afternoon of alternate days, so that the whole of the four divisions attend in two days.
401. The whole of the boys do not receive instruction on the same day? No, unless they attend the night school. I have not had it lately, because there has been too much work to do, and some of the officers have been laid up.
402. I see here, in the "Summer Routine," "5:30, fire stations; hoist up all boats not required; after which, boys to bathe and skylark"—What does that mean? To have a swim, and play about the ship. We do not follow that out exactly, because we take them to Garden Island to bathe, from fear of sharks.
403. "Skylarking" is a man-of-war phrase? It is a sailor's phrase for playing.
404. Are these the only hours allotted to these boys for play? No, they play between 12 and 1 o'clock, and on Saturday afternoon. On Sunday they go to the Sunday-school.
405. Are any of these boys proficient in the trades they are now being taught? Not yet.
406. How long have these instructors been on board the ship? I cannot tell exactly; I think they joined the beginning of last winter.
407. *Mr. Campbell.*] Are these entries made in the book before or after the boys are punished? After the boys are punished—the same day.
408. Does it not strike you as rather unjust in that case where you could not prove sodomy, that the boy should have been punished, and that the offence should be so entered in the book? The entry is not right certainly.
409. *Mr. Farnell.*] Are there any boys there whose friends or parents pay for them? Yes.
410. How many? There are thirteen, I think on the list, but they do not all pay. I think there are eight who pay, but thirteen are supposed to pay.



Capt.  
J. S. V. Mein.  
10 Feb., 1869.

411. At what rate do they pay per week? From 2s. up to 7s. £80 at the end of last year was paid into the Treasury.
412. Whose duty is it to see that these payments are made? Mine.
413. Have you reported these cases? I summoned in one case. When I think I cannot get the money, I report the matter to the Colonial Secretary.
414. *Mr. Alexander.*] By summoning do you generally get the money? I did in that instance—that is the only instance.
415. *Chairman.*] Do you keep a list of the boys whose parents are liable for the maintenance of them? Yes, I have it entered in a book.
416. You keep a proper book showing the amounts ordered to be paid by the Magistrates, and the amounts actually paid? Yes.
417. How many persons have paid? About eight.
418. There are five defaulters? Yes. I think they want writing to, and that they will then pay.
419. Have you furnished any return of the defaulters? I send in a return monthly to the Treasury.
420. Have you sent in that return to the Treasury? Yes, every month it goes in.
421. You say the charges about which you have spoken were preferred by Quartermaster Cook? Yes.
422. Did he prefer the whole of them? No.
423. Who preferred the second charge? Do you mean the one that was made after the appointment of the Committee?
424. No, before? I cannot say who preferred it.
425. Have you any book shewing by whom that charge was preferred? I do not know that I have.
426. You say it was in consequence of an investigation that you discovered this crime had not been committed? My investigation.
427. Was that investigation made before the boys were punished? At the time.
428. Then that would have been long before the appointment of this Committee? Long before the appointment of this Committee, of course.
429. Is Quartermaster Cook still on board your vessel? Yes.
430. *Mr. Tighe.*] Are the charges entered in that book consecutively, as they are made? I would not vouch for this book at all; it is kept merely for the information of myself.
431. Is there any date over them? Yes.
432. Can you explain the reason why the boy mentioned at page 19, and the boy mentioned at page 78, which you say is one case, are on pages so widely apart the one from the other? I cannot explain, unless it is from the difference in the initials of the names.
433. In the case to which you have referred as having occurred since this Committee was appointed, where boys were falsely accused, how did you deal with the boys who made the false charge? I punished them.
434. What punishment did you give them? They were flogged with the tawse.
435. Were they aware that they would be flogged, when they acknowledged that they had given that false evidence? They were quite aware.
436. Do the boys receive any religious instruction from clergymen? They go to church, and a clergyman comes on board, but not regularly.
437. They do not receive instructions of the kind generally given in Sunday-schools? The Roman Catholic clergyman comes on board on Sundays, but not regularly.
438. Does no other clergyman come on board, or have you no Sunday School teacher? The schoolmaster teaches the Protestant boys their religious duties.
439. The Roman Catholic boys are well provided for? By their own clergymen.
440. Has this schoolmaster been long there? Not very long—I do not think he has been there twelve months.
441. Was John M'Geane, who wrote to you from South Grafton, under Mr. M'Skimming's care and tuition? Yes.
442. How long had he been under Mr. M'Skimming's tuition? From the time Mr. M'Skimming came on board till about the 23rd December.
443. Had the boy had any teaching before he went to Mr. M'Skimming? Yes, from the former schoolmaster—he had more than twelve months altogether.
444. Was he totally ignorant of his letters before he received instruction on board the "Vernon"? I do not think he was; I think he knew his letters.
445. Did he know anything more than his letters—could he read and write a little? I would not be positive.
446. How old was he when he left? About fifteen.
447. Was he a boy of ordinary intelligence or capacity? He was very dull.
448. You have seen this letter of his dated 15th January, 1869? Yes.
449. Do you think that is a fair sample of the progress made by the boys at school on board the "Vernon"? I think many of the boys make better progress than this.
450. Do you not think a boy of fifteen years old who had been under instruction for upwards of twelve months, should be able to write more accurately than this? An intelligent boy would.
451. Would you refer this evident deficiency to the want of capacity in the boy, or to the want of sufficient teaching? I do not think he had much capacity to learn.
452. Is there any examination by persons outside of the boys in the school? No.
453. Do you not think it advisable that the Government should send an Inspector occasionally to examine this school, in the same way as they are now sent to examine the Public and Denominational Schools? I think it would be advisable.
454. Would it not be likely to stir up the master to greater exertion? I think it would be advisable.

455. Even allowing for incapacity, do you not think this letter shews the boy had not been instructed so much as he might have been? Perhaps it does. Capt.  
J. S. V. Mein.  
10 Feb., 1869.
456. If you had a son fifteen years old, and for any reason that might be supposed you had been prevented from having him taught before, would you be satisfied with the progress evidenced in this letter if you had paid for his instruction for a year at school? I should not; but you must recollect that the boys have to attend to other things besides their lessons at school.
457. How many hours a day? If he went to school on Monday, he would not go again till Wednesday, and then not till Friday.
458. Do the majority of the boys make better progress than this? Yes.
459. Have you no means of testing whether the schoolmaster does his duty or not? No; the boys have never been examined by a Government official unconnected with the establishment.
460. Is there likely to be any means adopted soon—are you aware of any steps having been taken? I cannot say.
461. *Chairman.*] You said, just now, that it was quite against your orders to allow the boys to go into the magazine? Yes, unless somebody is with them.
462. Do you know whether they have been on any occasion? I do not know that they have gone there without the master-at-arms.
463. Do you know whether they have been down alone on more than one occasion? No.
464. If they have done so —? There must have been neglect on the part of the man who is in charge of the magazine, or of the chief officer.
465. Do these boys wear boots with heavy nails in the soles? No, they have pegged boots; there may be a few small nails in the heels, but they are not allowed to wear nails in their boots, because they would tear the decks.
466. Do you know whether on any occasion the boys have thrown their boots down into the magazine? I do not.
467. It has not been reported to you? No.
468. You are certain of that? I am certain—never.
469. Do you know whether your chief officer has been spoken to upon the subject? No; they threw their clothes down—not their boots.
470. Are you certain whether the officer has been spoken to about it? No.
471. It is clearly against your orders? Yes.
472. It was the duty of your chief officer, in your absence, to see that your orders were obeyed? Yes, he has my orders.
473. *Mr. Alexander.*] How long do you think it would take, under your present system of teaching, that is, devoting fifteen hours a week to the purpose, to make boys efficient in their trades? I do not know much of the trades, but I think they ought to learn a trade in three years.
474. Under ordinary circumstances, boys are apprenticed for three or five years to learn a trade, the whole of their time being devoted to it; how, then, can you expect a boy to learn a trade in the same period, being engaged only fifteen hours a week? I think it is a waste of time. I believe a trade might be learned in a much shorter period; indeed I think some of the boys can make a rough pair of boots now.

FRIDAY, 12 FEBRUARY, 1869.

Present:—

MR. BURNS,		MR. FARNELL,
MR. CAMPBELL,		MR. PARKES.

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Mr. George Martin examined:—

475. *Chairman.*] What are you? Chief Officer of the "Vernon."
476. How long have you been so employed? From 3rd March, 1868. Mr. G. Martin.  
12 Feb., 1869.
477. Do you recollect when the "Vernon" was opened as a training ship? I recollect from accounts in the papers—not otherwise.
478. What are your duties on board? I am supposed to have the general supervision of the work, to take the captain's orders, and to see them carried out; also, to take the captain's place when he is absent, or laid up by sickness.
479. How many boys are there at present on board the ship? 126, I think.
480. How many of them are taught trades? I could not say, off-hand. I think there are about 18 learning one trade, and about 16 the other.
481. How many hours per diem are these boys instructed in any trade? I could not state with certainty, off-hand. I think there are about 18 learning to be shoemakers, and about 16 learning to be tailors; but the numbers vary much, as some of the boys that were training as sailors have become shoemakers and tailors, and others from those trades have become sailors. Lately, as I have learned from the tradesmen, the tailors get 21 hours, and the shoemakers 18 per week.
482. Whose duty is it to keep the time-table? I believe the tailor keeps one for his own information, but no person is authorized to do so.



Mr. G. Martin. 483. No regular time-table has been kept on board? No other than that of the ship's routine duties.

12 Feb., 1869. 484. Have the boys had a choice as to the trade they should learn? As far as I have seen, they have always had their choice. I have nothing to do with that. The captain inquires, I believe, what trade the boy wishes to learn.

485. Has any attempt been made, as far as you know, to interfere with the free choice of the boys in that respect? Not that I am aware of. The boys who learn trades get longer hours than the sailor boys. That may act as a slight objection to their learning trades.

486. Are the boys advised by any one as to their choice of a trade? No person has anything to do with it but the captain; he inquires, when they come on board, as to what they will be.

487. Have you never done so? I have never done so.

488. Have you never advised one of the boys to leave his trade and to take to the sea? Never, nor to change his trade.

489. When charges are preferred against any of the boys, to whom are they reported in the first instance? At present they come to me; that has been the practice since about the 1st of December of last year; before that they were made to the master-at-arms.

490. Do you know the black or punishment book? I keep it at present myself; until the 1st of January it was kept by the master-at-arms.

491. What led to the change? I believe Captain Mein's own words were, that the master-at-arms had not been sufficiently impartial in sending in the names of boys; he thought he had favoured some and disfavoured others.

492. Did the captain tell the master-at-arms so? I do not know; he merely mentioned this in speaking to me.

493. Have any charges of sodomy been preferred against any boys on board? Yes, two or three charges have been made—one before I went there; I could not say that it was sodomy—it was indecent conduct of some kind. Since I have been there, there has been one brought forward by Quartermaster Cook; it was inquired into, and three boys were punished for it.

494. Was the charge in that case proved? Quartermaster Cook said he would not say that it actually took place, but from the position of the boys when he discovered them he had a suspicion that it did.

495. Where was the offence said to have been committed? In the ship's head.

496. In the fore part of the ship, just under the bowsprit? Just under the bowsprit.

497. Is it not the fact that one of the boys was found lying on his side? I cannot explain his position. Cook said the boy's trowsers were down, and the other boy was in such a position as to lead him to suspect the offence.

498. The boy was punished? The boy was punished, and another, not implicated in that, but in some other transaction.

499. The quartermaster was examined as a witness on that occasion? He was, by the captain, and the master-at-arms was present.

500. In whose presence are these charges usually investigated? In the case of a crime of that nature, by the captain, but formerly the master-at-arms would investigate it, and then report it through me to the captain, for further investigation, and the captain punished.

501. In whose presence are these charges now investigated? Any charge in the nature of a grave crime is investigated by the captain, in my presence, and very likely of the master-at-arms; there is no settled rule, but I have usually attended.

502. Have any charges been preferred where the parties making the charge have not been called to give evidence? Not that I am aware.

503. Have any been made to you? There was a charge; I cannot say it was sodomy. Let me explain—it is the third case; it did not come before me in that form, but some boys preferred a charge against others of skylarking between decks; I passed it over to the master-at-arms to inquire why the boys were allowed to skylark, in order that he should ascertain whether the warders were doing their duty.

504. Did you know a person named M'Evoy lately employed on board the ship? Yes; as one of the warders.

505. Do you recollect his making any charge to you last Christmas-day? No.

506. Do you not recollect his making any report to you on that day? I think he did, about one boy charging another with having done something to a third boy, behind the tanks in the hold. When the boys came up, I asked whether one of them had used the expressions he was charged with; he denied having used them. I then asked the others, but could get no certain information of the words having been used\*.

507. Was M'Evoy examined? He was standing by at the time.

508. Do you recollect any one being punished? No; except for telling lies.

509. Are you sure any boy was punished? I think a boy named —— was punished.

510. What was the punishment? I think four or five cuts with a cane on the hand. This boy denied having used the words.

511. Was he not confined to the cells for four hours? No, he was not, as far as I can remember.

512. Could you ascertain by reference to the punishment book? I could if it was entered. (*The witness referred to the book.*) ——'s name is not entered here. The master-at-arms, I believe, was in the habit of entering the punishment when it amounted to six cuts—nothing under that—so that the boy could not have been punished so severely.

513.

\* NOTE (on revision):—Except from the boy ——, who positively asserted that —— had used the words in reference to him, ——

513. Do you know a boy named ——— ? He is the captain's servant at present, and has Mr. G. Martin been on board ever since the vessel was established, I believe.
514. What are his duties ? Cabin-boy and servant to the captain—he is apprenticed to 12 Feb., 1869. him, I believe.
515. By whom was he apprenticed ? By the Colonial Secretary, I believe.
516. Is he instructed in any trade on board ? Nothing, except as cabin-boy and body servant—as steward he may be.
517. In what condition are these boys as to cleanliness ? I think they are very clean.
518. How long have they been so ? When I first joined the vessel they were very dirty—scarcely a boy could keep himself clean ; but they have been improving every day.
519. Since you have been on board ? They might have been improving before ; I only speak of my own experience. They often come on board in a filthy and ragged condition—filthy and lousy.
520. Do they remain so for any time ? No. We now cut their hair off as soon as they come on board ; formerly we were not allowed to do so, and their hair was then only combed.
521. You have a barber on board, have you not ? Yes.
522. Has it not been mentioned that the boys were very lousy ? I have mentioned it to the captain, and he has recommended that their heads should be combed.
523. Were these reports frequently made ? Not very frequently—perhaps once a month it has been stated that the boys have been very dirty. I made a special report on one occasion, and he said they must be combed and kept clean. They have been combed every day since.
524. Have you ever seen the captain drunk on board ? Never.
525. Have you heard it stated on board that he had been drunk ? I have heard that the accusation was made before I went on board, but I could not speak from my own observation.\*
526. Have you two boatswains on board ? Two boatswain's mates.
527. What are their names ? Springle is one, and Robinson the other.
528. How long have they been on board ? They were both there when I was appointed, and have been there ever since ; but Robinson was quartermaster some time until the boatswain left the vessel ; Robinson was then made boatswain's mate.
529. Does the captain swear at the boys at all ? I never heard him swear, but I have heard him use such an expression as "You may go to the devil," once, I think.
530. Is the food you get on board good ? It is now better than it has been ; it has been very indifferent.
531. When did the change take place ? There has been better food since Mr. Sutherland came on board—the meat has been better.
532. Did Mr. Sutherland come on board after he accepted office—since he has been Minister for Works ? Since he has accepted office.
533. Have the boys, since you have been on board, complained of scarcity of clothing ? There has been no cause of complaint. I beg pardon—I misunderstood the question. They were very ragged when I went on board, but now there is no cause of complaint.
534. When did the change take place ? They could never be kept supplied until we had the tailor and shoemaker on board, and even then we could not overtake the demand.†
535. Do you know whether the captain has interfered with the religion of the boys ? I believe there have been boys who have been entered as of one religion, who have afterwards been found to be of another.‡
536. That is not an answer to my question ? I cannot say that he has interfered with them.
537. Have you had any conversation with the captain about this inquiry ? Yes, we have spoken together about the matter.
538. Was anything said by either of you about sticking to each other ? Not on my part.
539. Was anything said by either of you about sticking to each other ? The captain may have made the observation that the interest of the ship would be better served if we both stuck together.
540. Was that before or after the captain was examined ? I think he was talking about observations made by some third party ; I think it was after—I will not be positive about the time ; we have often talked about it, both before and since.
541. Can you suggest any improvement in the management of the vessel ? I understood, when I first joined the vessel, that it was only an experiment ; and that the experience which would be gained in its working might enable the Government to establish proper rules for the management of the vessel. Perhaps if certain rules were now framed, the boys might have more hours for school than they have at present.
542. Have you ever reported the provisions as being bad ? Very often.
543. To whom ? I did not understand that it was my duty to report the state of the provisions, but the purser's ; he had the control and issue of the provisions. I have spoken to him about them, and also to the captain.
544. Is there a magazine on board the vessel ? There is.

545.

\* NOTE (on revision) :—Question : Have you heard it stated that he has been accused of being drunk on board ? Answer : I have heard that the accusation was made before I went on board, but I could not speak from my own observation that he was so accused.

† NOTE (on revision) :—The demand was for summer clothing in advance ; and the winter clothing will not be ready when winter sets in, at the present rate of progress.

‡ NOTE (on revision) :—I understood the question here put to be—Did the captain endeavour to proselytize any of the boys ? The captain did interfere in one case with a boy's religion, although I pointed out at the time that he was acting erroneously ; but I believe he so acted more from obstinacy of disposition than from any desire to proselytize.

- Mr. G. Martin. 545. Is it properly fitted up? \* It is a safe place, as far as I can judge.
546. Has it been pointed out by any person that the magazine is not properly fitted?
- 12 Feb., 1869. Never to my knowledge.
547. Who has charge of it? The master-at-arms has the immediate charge, and I have control over him. It is supposed not to be open without my orders.
548. What is kept in the magazine? Powder, shot, and shell. There has been also some iron-work belonging to the guns kept there, and some other things, but yesterday it was all taken out.
549. Are the boys allowed in the magazine, or near the magazine, without being in charge of any person? No boy was allowed there unless he was sent by the master-at-arms; he might have gone down to get up the single-sticks, or something for the guns.
550. In making entries in the book, from whom did the master-at-arms receive instructions? This book was kept before I joined the vessel. The master-at-arms then made his report of misconduct on a slip of paper, and sent it in to the captain, who wrote the punishment under it in red ink.
551. And handed it to whom? It was handed to me after I came on board, to see that the punishment was carried out.
552. What became of the slip? It was never kept to my knowledge; the entry was made from the slip, by the master-at-arms, if the boy was sentenced to receive six cuts, but anything under that punishment was not entered.
553. The master-at-arms made the entry in the book from the slips he received from the captain? He received the slips from the captain, through my hands, and no doubt he made the entries.
554. Mr. Burns.] I understood you to say that, when the boys went on board, the captain asked them what trades they would like to follow? Yes.
555. That is the practice? That is the practice.
556. Are they asked to choose a trade immediately after they enter the vessel? Sometimes they are not for two or three weeks or a month. The captain's own words on the subject are—"It is better to let them settle their minds—they are not able to judge in so short a time."
557. Do you know whether any persuasions are used by the officers to induce them to choose a trade? Not by me.
558. It is quite a matter of free choice with them? As far as I know.
559. Do not you think that the circumstances of the boys who are learning trades being kept at their work longer hours than those who are learning to be sailors, would tend to discourage boys from becoming tradesmen? I think it might have that effect.
560. Is it not the fact that you discontinue the general work of the ship with the sailor boys at 4 o'clock? Yes.
561. And the boys who are learning trades are often kept at work till 6? Yes. The other boys are employed in hoisting up boats and clearing up the decks after 4 o'clock.
562. That is almost play? It can be done in half an hour.
563. Then they have an hour and a half longer than the other boys for play? Yes, but they are frequently called away for other work.
564. Do you not think that some arrangement could be made on board the vessel, by which the boys who are learning to be sailors and those who are learning to be tradesmen could leave off work at the same time? They might all leave off at 4 o'clock, but I believe the present arrangement was made to meet the complaint of the tradesmen that they had not sufficient time to teach the boys.
565. Have you ever observed the boys at work when they have been learning their trades? Frequently; I walk round to see that they are at their work.
566. Do they show capacity for learning the trades taught on board? As far as I can learn they do. Both the tradesmen tell me the boys are very apt.
567. They have manufactured a good deal of clothing since they have been on board? Yes, all the boots worn by the boys are made on board, and they have also made boots for the Industrial School at Newcastle.
568. I see, by a Return handed in to the Committee, that there are 66 boys learning to be sailors, 11 learning to be carpenters, 18 to be shoemakers, 13 to be tailors, and 11 too young to make a choice. It would appear from this return that the majority of the boys are learning to be sailors? The majority are.
569. There is no one but the captain who asks the boys what trades they would like to learn? No one by authority, but others might ask them.
570. Have you been present when the question has been put to them? Sometimes I have.
571. Can any person make a complaint direct to the captain, if he observes anything wrong on board? It generally comes through me.
572. Have you ever heard any complaint of boys using indecent language when persons have been passing in boats, particularly ladies? I think some boys have been punished for it; I cannot say exactly; I think there was a case one Sunday when I was out of the vessel. I cannot say whether it was for anything indecent, but it is against orders to call out to any one from the vessel.
573. Is the boys' clothing good? Very good.
574. Was it good some time ago? It was not.
575. Is there great care observed on board in regard to the boys' personal cleanliness? They wash every morning, have a fresh-water bath every Saturday, and they are frequently taken to Garden Island in order that they may bathe.

776.

\* NOTE (on revision) :—I understood the question to be—Is it a safe place?

576. Has it ever been the practice to scrub the ship on Sunday? Not that I am aware; I think once there was about 14 feet square of soot fell on the deck, and it was cleaned. Mr. G. Martin.  
12 Feb., 1869.
577. Who has charge of the magazine? The master-at-arms.
578. Can the boys get access to the magazine without his consent? No one is supposed to go there without his orders.
579. No one is supposed; but as a matter of fact, do the boys go there without his orders? I dare say they could get off the hatch, and go down; but there is a warder constantly on watch between decks, to prevent improprieties, and if he observes any of the boys disobeying orders, it is his duty to stop them at once.
580. Have the trademasters ever made any complaint as to not receiving co-operation from the officers of the ship in carrying out their duties? They have never made any to me.
581. During what hours have the trademasters, according to the regulations, to be on board? From 9 to 6.
582. Then they may absent themselves from the ship, if they think fit, after 6 o'clock? They do immediately, and after 12 o'clock on Saturday.
583. As a rule, the ship work ceases at 4? Yes.
584. You think arrangements might be made by which the boys learning trades might discontinue work at the same time as the sailor boys? Very easily.
585. What amusements have the boys on board the ship? Very little. Some of them go into school in the evening, and either the purser or myself attends to them; they make any inquiries they like, and they have any books they may wish to read, or play at dominoes.
586. Do you not think music might be introduced? With great advantage.
587. I suppose you know that they have a band at the Randwick Asylum? I have heard so.
588. Have you any person on board who could teach? The barber is called a musician, but I do not think he is capable of teaching.
589. Do you think it advisable that music should be introduced? I do—it would engage the boys' attention and keep them out of mischief.
590. Do you keep many monkeys on board? None at all; the last monkey died about a month ago.
591. Do you think the monkey's death was a desirable consummation? I never paid any particular attention to it.
592. Do you think his habits were likely to improve the boys? Like other monkeys, he was addicted to obscene practices.
593. Have you heard any remarks made on board the ship about the monkeys? None at all.
594. Were there not complaints frequently made about the food, before Mr. Sutherland went on board? It was very often talked about.
595. Whose fault was it that the ship was not better supplied? The complaints were passed on to the captain.
596. Whose duty was it to examine the food\*? Mine, to see that the boys had good food.
597. Have complaints been made to the contractor that the food was not good? Not through my hands. I understood that they had been made, but without effect.
598. Now, you say, the food is sufficient and of good quality? Yes, excepting that the beef is sometimes bad, but that may be expected occasionally.
599. But as a general rule the food is good? Yes. The boys do not like hominy in the morning—they say they will not eat it; and they have not sufficient bread without the hominy.
600. They prefer bread to hominy? Yes.
601. *Mr. Farnell.* Whose duty is it to receive the provisions from the contractor? Mr. Waller, the purser, goes to the wharf every morning, and brings the provisions on board; and he reports if the supply is short, or of bad quality.
602. He has power to object to receive it from the contractor, if it is not good? There is a dispute on that subject; the contractor says he will not take it back unless the opinion of a third person not connected with the vessel is taken.
603. Has this contract all the usual provisions of ordinary contracts? I have had no experience of such matters, and therefore cannot say.
604. When once it is brought on board, you have no power of refusing it? I believe we can. I know, in the case of milk, that the contractor refused to receive it back after it had been taken on board the vessel.
605. Are these complaints reported to the captain? Almost invariably.
606. Has he taken any action in the matter, or reported it to the Colonial Secretary? I do not interfere with the captain's business. I do not know.
607. You have stated that you were present at certain investigations with reference to the punishment of some of the boys? Yes.
608. That was when the captain investigated these cases? Yes.
609. Were you always present? I cannot say that I was always present, but I have been on several occasions.
610. In what capacity are you present, to assist him in giving judgment? I think he requires my presence that I may see he deals fairly.
611. Have you any voice in the decision? None whatever.
612. Have you been present when the evidence has been taken down? Yes.

613.

\* NOTE (on revision) :—When cooked.

Mr. G. Martin. 613. Has this evidence been taken down in writing? It was in one case—a charge of sodomy, which the captain took down in writing.

12 Feb., 1869. 614. Is that evidence recorded? The captain has it on board; the charge was groundless, and the boys were punished for making a false charge.

615. After hearing the evidence, does the captain consult you as to his decision, or ask your opinion? He never consults me; in fact, when I suggest, he seems as though he would rather I would not interfere.

616. He is sole judge in the matter? He is.

617. So far as your presence is concerned, it is of no use whatever? No more than to see fair play.

618. You are not allowed to interfere? I am not allowed to interfere, but I see what is going on; I may ask questions, but I have no voice in the decisions.

619. You are allowed to ask questions? I may ask questions.

620. You have no report of any of these cases that have been previously tried? Not that I am aware of; only this last one.

621. Are the charges that are made against these boys made verbally, or in writing? Verbally. The offence and punishment are afterwards entered in this book.

622. Do you not think it would be as well if all the charges made against these boys were made in writing? Before it goes to the captain it is in writing; it comes to me verbally, and I write it.\*

623. Do you examine into the merits of the case before you pass it on to the captain? There are many trivial charges which I examine myself. If it is an important charge, such as this of sodomy, I take it to the captain for examination.

624. You convey that in writing to the captain? No; the captain examines into the case himself. This last case he took down in writing. He sometimes writes both the offence and punishment under it; but, as a rule, I write the offence, and he puts down the punishment under it in red ink.

625. I understood you to say that you received charges from some officer on board, whose duty it was to make them? Any person can make them to me.

626. I understood you to say that you then put these charges in writing, and delivered them to the captain? If they are of a grave nature, I pass them on to him, for further investigation.

627. In writing? Not in writing; after investigation I put down the nature of the offence, and he writes the punishment under.†

628. Then there is no regular record of the proceedings kept? No more than this book furnishes. I keep another book on board the vessel, of a similar nature to this.

629. You said something with reference to the boys being filthy, and having vermin in their heads. Do you know whether the ship itself is clean? As far as I can judge, it is very clean.

630. Supposing all the boys were taken out of the ship, and a number of clean boys were put on board—do you think the latter would be likely to get vermin in their heads? No.

631. Have the officers felt any inconvenience from vermin being in the ship? I have not.

632. I suppose you are aware that, when emigrant ships become dirty, and vermin get into them, clean people who go on board may be attacked by vermin? In emigrant ships there are fittings which harbour vermin, and they cannot be cleaned properly; but there are no fittings on board the "Vernon." The boys sleep in hammocks, which are taken down and scrubbed.

633. You think the ship is free from vermin? Except it may be bugs. I have heard complaints of their being in the fore-castle, but not from the boys.

634. Mr. Campbell.] Do you still keep single-sticks and odds and ends in the magazine? No, we took them away yesterday.

635. Do you know how much powder is kept in the magazine? I think twelve cases of ammunition, live shell and powder.

636. Do you know how many cases would be enough to blow up the ship? One case would be sufficient.

637. Hitherto you have allowed these odds and ends to be kept in the magazine? I have had nothing to do with it.

638. Is it not the first officer's duty to look after everything? It is now.

639. Was it not before? No. Words have passed between myself and captain, at various times, respecting these things, and he has now thrown the responsibility of the whole of the subordinate officers upon my hands.

640. It is generally understood that everything is to pass from the captain through you? Yes.

641. It is now carried out in that way? Yes, and has been for about a month past.

642. Are precautions taken about lights going into this magazine? There are never any lights taken there.

643. Mr. Burns.] Can a boy reach the magazine from the hold? He might go and break it through, if he had an axe.

644. Mr. Campbell.] How could any one see without a light, if it is low down in the ship, as magazines are usually placed below the water-line? They are usually kept under the

\* NOTE (on revision):—These charges are brought to me verbally or written, by any person who may choose to make them; and after satisfying myself of their correctness, I pass them on to the captain, always in writing, with the exception of charges of a grave nature (such as this of sodomy), which are investigated and reduced to writing by the captain himself.

† NOTE (on revision):—This is an error. These grave charges are written by the captain himself, and he also writes the punishment.



the water-line—this one is not. There is a scuttle over it, on the main deck; and over Mr. G. Martin. that, on the poop, there is a skylight.

645. You are sure it is perfectly safe? Yes, except it were struck by lightning. All 12 Feb., 1869. the powder is in cases. There is a platform, about 4 feet off the deck, and the powder is kept on that.

646. The opening is from the top, and not from the side? From the top.

647. *Chairman.*] The boys wash their own clothing, do they not? Yes.

648. Has it been reported to you, on any occasion, that the boys have been compelled to turn in with wet clothing on? I think it was the case once.

649. Only once? Only once. The boys were hoisting up the boats, I think, and got wet. I forget what it was exactly.

650. Can you speak with any degree of certainty upon that subject? I cannot.

Mr. John Locke M'Skimming examined:—

651. *Chairman.*] What are you? Schoolmaster on board the "Vernon."

652. How long have you been so employed? From 1st July, 1868.

653. Have you, on any occasion, heard it stated by Capt. Mein that cases of sodomy have occurred on board the "Vernon"? Yes. Mr. J. L.  
M'Skimming.  
12 Feb., 1869.

654. Did he mention how many? He did not particularize them; he said there had been previous cases. It was on a Sabbath day, after a certain case had occurred.

655. About how long since? I think about the beginning of September—on the 3rd of September. I could not be mistaken that it was early in September.

656. Have you yourself seen anything that would lead you to suppose that such practices prevail? I have seen things done in the school that led me to suppose something nasty was going on sometimes, with very little boys.

657. Have you reported this matter? I did mention it to the captain once. Two little boys were working with their privates under the table. I suspected them, and watched them by looking from my seat, which is placed between two ranges of tables, so as to prevent a distinct view, but from the way they were working their bodies, I suspected something nasty, and I took the boys out, and whipped them on the bottom with my open hand.

658. And afterwards mentioned the matter to the captain? And afterwards mentioned the matter to the captain.

659. What was done by the captain? Nothing in reference to the case of these boys.

660. How many boys attend at school? We have them in divisions. There are four divisions—thirty in each of two divisions, and thirty-one in each of the two others; but I have had as many as forty-seven and fifty-four on other occasions. On Wednesday morning, when there is general drill, I have only four, six, or seven.

661. These boys are not general in their attendance on the school? On Wednesday, the day of the general drill, only the little boys, who are of no use, are sent to school—they are sent to be out of the way; the others are on deck, on the spars, or in the rigging. I have the numbers entered in the book. That was not kept before I joined the ship—only the average attendance, but now I keep the daily attendance.

662. Have you that book with you? I was not called upon to bring papers. I can show it from the 1st July.

663. Some of these boys are almost constantly under your notice? They are all, at one time or other. There are, as I have said, four divisions: the first division of starboard on Monday morning; the first division of port on Monday afternoon; the second division of starboard on Tuesday forenoon; the second division of port on Tuesday afternoon. On Wednesday forenoon there is general sail drill, and of course all the big boys are out, and there are only four, six, seven, or nine little fellows there. On Wednesday afternoon there would be, according to the routine, the first division of starboard again; on Thursday morning the first division of port; Thursday afternoon, the second division of starboard; Friday forenoon, the second division of port; and on Friday afternoon, to equalize the divisions, they come in rotation, so that one division comes in the third time in each week once a month. So that the boys virtually have school twice a week, except the division that comes in once in four weeks three times.

664. How many hours per week do the boys receive instruction in the school? The divisions that come in the forenoon are there two hours and twenty minutes, and the boys who come in the afternoon are in three hours less ten minutes. They are allowed ten minutes for a little exercise, or to go to the head; so that those in the afternoon get thirty minutes more than those in the forenoon.

665. Have you seen vermin on the boys in the school? Plenty of them.

666. On more than one occasion? Yes.

667. Does that occur frequently? I have seen it not so much of late, within the last fortnight or three weeks, but I have seen them more or less on some of the boys, and I have got them on myself.

668. Up to the last fortnight or three weeks? Yes.

669. You have no doubt of that? No; the children at home have got very large ones from me that I have taken from the ship.

670. Do you know whether other persons on board the ship have seen them? I know other persons have found them on their clothes after they have gone home from their work on the ship. It has been stated to me by some of the tradesmen.

671. Have you seen the boys at school without flannels? Yes.

- Mr. J. L. M'Skimming. 672. Frequently? Occasionally. There is one now in the school with no flannel. He has not had one on for the last four or five times. I have found fault with him for it—have asked him whether he had any flannel, and told him not to come again without it.
- 12 Feb., 1869. 673. Did he make any reply? He is a peculiar boy—I think he is a little silly.
674. Do the boys occasionally sleep in school? Very often.
675. How do you account for that? I think they get too little sleep at night—they are up too early in the morning. I have reported as many as fifteen out of thirty-five in one division to the captain as sleeping in the school.
676. At what time do they rise in the morning? Of my own knowledge I cannot speak—I do not live on board. I have not slept on board excepting one stormy night in winter, when I could not get off.
677. Have you heard the captain swearing at the boys? Well, I could not exactly say I have heard him swear at them; I have heard him speak roughly to them, as Joseph did to his brethren.
678. Is the food you get on board good? It has improved within the last fortnight; before, it was very bad often.
679. Have you ever complained of it? Several times.
680. To whom? I complained of it to Mr. Walker, on one occasion, in the presence of the captain. Mr. Martin was also present. We were at the table as Mr. Walker came through the room with the captain; and I remember Mr. Martin said it was a piece of some "old scrubber" they had sent us—complaining of the meat. Those were the words Mr. Martin used to Mr. Walker.
681. *Mr. Burns.*] Who did he mean had sent you the scrubber? The contractor.
682. *Chairman.*] How are the boys punished on board? By cuts with a cane on the hand, and by flogging over the gun for more serious crimes, by being deprived of their dinners, by being set up in a row—what they call being black-listed—which is rather fun to them than anything else.
683. Have they been punished with undue severity, in your opinion, at any time? In several instances, had I been the head of the establishment, I should not have awarded such severe punishments. I might have given harder punishments, severer in degree, but not of the same kind; but that is a matter in which there may be difference of opinion.
684. The captain had a monkey on board? Yes.
685. Was he in the habit of performing nasty, disgusting tricks before these boys? He was; I have seen it myself.
686. In the captain's presence? Not that I am aware of.
687. The monkey is dead now? Yes.
688. Do you know whether the captain has at all interfered with the religion of the boys? I think he has; I have had words with him, on two or three occasions, with reference to the matter.
689. When? I could not exactly give you the date just now, but I could come near it. It was with reference to the boy ———, first of all; that was on the second Sabbath after the "Challenger" came in the last time, because the chaplain, the Rev. Mr. M'Douall, was on board at the time—either the second or the third Sabbath. I had Sabbath-school in the forenoon, and he came in the afternoon.
690. What took place between you and the captain on that occasion? After prayers were begun, and I was sitting with my prayer-book and Bible before me, the door was thrust open, and this boy was pushed in. Believing and knowing this boy to be a Roman Catholic, I set him up in a corner, and kept him there till prayers were done.
691. How did the captain interfere? After the boys were all out, and the chaplain was gone to put off his surplice, and I was still speaking to the boy ———, as I had asked him before, when he entered the school, to satisfy myself as to his religion, the captain stepped into the school-room; and I said—"Here is a boy who says he is a Roman Catholic, and I believe he is, who has been pushed in here after I had sent him up." "Make him a Protestant," he said. I said—"He says he is a Catholic," when he repeated the same thing in a very imperious way.
692. What became of this boy ———? He is still on board.
693. What religion is he now? Roman Catholic.
694. Is that the only case? There have been several others.
695. Can you name any others? There was the boy ——— who was sent to me as a Protestant boy, and was so considered for about three months. He has been made a Roman Catholic.
696. By whom? By the captain's orders.
697. Have you had any conversation with the captain about these boys? I have.
698. Have you protested against his interference? I could not protest exactly; but I showed him that it was likely to bring the institution into trouble, as nothing was more likely to provoke hostility. I took the boy ——— to him one Sunday. I had spoken to the captain sometimes, when I had been off duty, about such cases, as I was unwilling to be a party to the teaching of boys who, in my conscience, I believed to be Roman Catholics. I took this boy out of the Sunday-school to the captain, in the presence of Mr. Martin, and said—"This boy is sent to me again, and he still says he is a Catholic"—
699. Were only Protestant boys sent to you for instruction? They were all sent to me for secular instruction in the week, but on Sabbath, Protestants only were sent to the Sunday-school, where I read prayers, and gave general, though not sectarian, instruction.
700. You say you spoke to the captain on several occasions about these boys? Yes, we had pretty strong words, because he speaks very gruffly to me.



701. *Mr. Burns.*] Have you been present at any time when the boys, after their arrival on board, have been asked the trades they would like to learn? No. Mr. J. L. M'Skimming.
702. You are not aware how it is boys are led to select their trades? No.
703. Are you aware of any interference with their choice in the matter? Not of my own knowledge. 12 Feb., 1869.
704. Do you think the arrangement in regard to the time the boys are at school, also in regard to the time they are at their trades, might not be improved? I think it might be, very much.
705. Do you think the boys generally might learn their respective business or trade, and —? I think the routine of the ship might be altered, and made something like that of institutions of a similar nature elsewhere, so that every boy might be at school every day.
706. Is there not now quite an uncertainty as to the attendance of the boys? Quite an uncertainty. The boys are piped out of school—the captain's pet boys, and sometimes they lose their instructions for a fortnight.
707. Is it not the fact that, under the present system, the boys are often away from school on days when, according to your arrangement, they should be present? All boys belonging to the port or starboard division should be present at one time, and I go to the captain or chief officer if I miss a boy.
708. Are you aware of any tendency on the part of the officers of the ship—I mean either of the superior officers, the captain, or the chief officer—to discourage the boys from learning trades? I know nothing in regard to the chief officer, but I do know something with regard to the captain; and from the views he entertains with reference to the purpose of the vessel, I think it likely he would discourage trades; in fact, he said to myself there should be no trades at all on board.
709. He would prefer that the boys should all be sailors? Yes.
710. Are you aware that the boys who learn trades are kept at work some hour or two longer than those who are learning to be sailors? Of my own knowledge I do not. I leave the vessel as soon as I close the school.
711. Are the boys who learn trades at work when you leave the vessel? Yes, they have been at work when I have been detained on board till 5 o'clock; and recently, when I was on board till 6, they were at work until then.
712. The boys learning to be sailors? Knock off work at 4 o'clock, or half-past 4.
713. Boys learning trades are at work after that time? I could not speak from my personal knowledge.
714. Do you not think the tendency of that arrangement is to discourage boys from learning trades? Yes, I should think it would, the class of boys who are on board; they are anxious to get quit of any kind of labour as soon as possible.
715. Is it not likely to create a feeling of disgust to the learning of trades? No doubt it has that tendency.
716. When you spoke of the food being bad on board, to whom did you complain in the first instance? I spoke to Mr. Martin of the bad cooking.
717. Had your complaint reference to the cooking only? And to the food also; we could not touch it sometimes.
718. The contractor did not supply proper food? It was not good when it came to our table; I could not look at it often.
719. Do you not know that there is a provision in the contract that, if any well-founded complaint be made, a Board should be called to determine the matter? That is not my department, but I believe there is.
720. You have complained of the food? I have complained to the captain several times, and I mentioned to Mr. Sutherland that the food was bad, especially the food I got myself when Mr. Martin was not on board—on the Sabbath.
721. You say that during the last fortnight there has been an improvement? There has been an improvement generally in everything since the appointment of this Committee.
722. You have stated that you have seen vermin on the boys? Yes; in two cases I picked them off, and put them on the boys' hands to throw them overboard.
723. Was that recently? About two months ago.
724. Have vermin appeared on the boys till recently? Yes, but they have all been overhauled, and have been carefully looked after within the last fortnight. I have seen their heads swarming with large bugs behind their ears, and have called the attention of the master-at-arms to them frequently.
725. Are you satisfied with the progress made by the boys generally? Considering the time they are at school, I think they have done very well—a great many of them, but a good deal more could be made of them if they had more time in school.
726. Can you make any suggestion to the Committee as to the re-arrangement of the time? I think the time of attendance in the forenoon and afternoon should be equalized. I think there would be no difficulty now, since there are so many boys on board to carry out the sailors' duty, to give each boy two hours and a half or three hours' school in the forenoon or afternoon, and I think I could then make something of them that would give satisfaction.
727. You are aware of the object for which the "Vernon" was first established? As an industrial and training school.
728. Can you, at your leisure, prepare a paper to submit to the Committee, making suggestions for its improved management, as to the arrangement of time, and other matters? I am very much engaged, but will endeavour to do so.
729. When you spoke of the captain interfering with the religion of the boys, what did you mean by interference? That he did not take proper means to ascertain whether the boy ——— was a Catholic or not, but said to me, in a very dogmatical way,—“Make him a Catholic, make him a Catholic.” 730.

Mr. J. L. M'Skimming. 730. I see you have about 124 or 125 altogether? I think there are eighty Protestant boys in the Sabbath-school. Last Sabbath I had seventy-five or seventy-six present. One was sick, and there were two little fellows who the doctor said were not to come to school.

12 Feb., 1869.

731. Does not a Roman Catholic clergyman visit the vessel? Yes.

732. Does he hold a service there? In the afternoon he has a sort of Sabbath-school.

733. I suppose he has the same facilities for performing service there as others have? Yes. In fact, by the arrangements of late, my school has been seriously interfered with. I have been turned out of it, and have been able to give the boys little more than half an hour's teaching. Last Sabbath they had only 37 minutes.

734. You hold service in the Sabbath-school? In the forenoon the boys go to their respective churches.

735. They go ashore? Yes, to Dr. Steel's; and the Roman Catholic boys to St. Mary's Seminary.

736. The service you refer to as being held on board is in the afternoon? Yes.

737. When you also hold a Sabbath-school? Yes. The Roman Catholic clergyman comes on board about 3 o'clock.

738. There is no interference with the boys, as regards their religion, to send the children to the services of a religious denomination, to which denomination they do not belong? The captain and I have had some words about that.

739. Do you think there is a disposition on the part of the captain to make proselytes? I would not say that; but boys who have been Roman Catholics have been made Protestants for three months, and then he has made Catholics of them. On Sabbath, 6th December —

740. *Mr. Parkes.*] What is the process of making a person a Protestant or a Catholic? I do not know.

741. *Mr. Burns.*] What you mean is, that boys who have been entered as Roman Catholics he has compelled to attend Protestant worship? I do not think there has been till recently any entry of the religion of the boys in the books.

742. What you mean is, that boys who have since been found out to be Catholics have attended the Protestant service? Roman Catholic boys have come to attend the prayers of the Church of England. It was so in the case of this boy —

743. Was he sent in by the captain's orders? Yes. I told him I thought this boy was a Roman Catholic, as I had asked him if he had gone to St. Mary's, and he said he had gone often. I also asked him if he had got holy water, which is a sure test, and he said yes.

744. How old is that boy? About thirteen. He is a big, stout fellow, and was sent in for stealing from St. Francis' Church.

745. I presume nothing is done to interfere with the boys in determining to what religion they belong? There is a boy named —, and as I had some doubts about his religion, I asked his mother, when she came on board, to what religion he belonged. She said she was a Catholic, but the boy's father was a Protestant, and his step-father also was a Protestant. I said—"Where was the boy christened?" She said by Mr. Styles, of Windsor, at the English Church. I knew by the name that he was a clergyman of the Church of England. I had some doubt what to make the boy, but thought, as his father was a Protestant, he also should be one. On Sabbath, the 6th December, the captain and I had some words about it. When I went on board, the captain received me in the school-room, and said—"I have made — a Catholic." "Indeed!" I said, "You may make him what you please for me—you may make him a Mohammedan, if you like."

746. Your statement is to this effect,—that the captain made a Roman Catholic a Protestant, and afterwards made a Protestant a Catholic? He made the same boy go back from being a Protestant to being a Roman Catholic. I may state that I know another officer on board has remonstrated with him.

747. Quite recently? About the same boy —

748. Who was that other officer? Mr. Martin.

749. The effect of your evidence is, that, so far as you are concerned, the boy should exercise a free will? They should have fair play—they should be brought up in the religion of their parents; and, in a doubtful case, it is not the captain, but the Colonial Secretary, who should decide; but he is above the Colonial Secretary, if you believe him.

750. You have been on board the vessel how long? Since the 1st of July, 1868.

751. From your observation, do you not think it desirable that two or three of the officers should meet, and hear, when the boys were admitted on board, what denomination they belonged to? I think it is desirable.

752. Instead of allowing one person in an arbitrary way to decide it? I think it very desirable that some person from the Colonial Secretary's Office should visit the ship (say) once a month.

753. Do you feel that you are able to teach all these boys? By the present arrangement I have only thirty-one boys in the school at one time; but I have had eight classes in eight different stages of instruction.

754. Do you get assistance from pupil teachers? I may take a pupil teacher if I please. I did select one; but I soon dismissed him, as I found he was not qualified.

755. Do you not think you might select some boys as pupil teachers? There is not one I could really trust, as the moment my back is turned they begin to strike the smaller boys. There is one little boy who is a pretty good scholar, but he is too young.

756. You do not find the boys wanting in intelligence? No, they are very smart; there are a few dull boys.

757. Do you think some additional amusement might be provided for them? I think they should have more play, and less work.

758.

758. *Mr. Farnell.*] Do you think the hours of labour are too many for these boys? I think so. Mr. J. L. M'Skimming.
759. You said something about a pupil teacher having been turned out of the school—What was your objection to him? The first was, that he had stolen a loaf after divisions one morning; second, there was a charge of sodomy circulated or brought against him. 12 Feb., 1869.
760. That was your objection? That was one; there was yet another. I found he pronounced many little words wrongly, and struck the boys if my back was turned. I could not trust him at all. I gave him a trial for a week.
761. You state that you have only one boy in the establishment who is at all fit for a pupil teacher. He is not fit.
762. What is your objection to other boys? If I have given a class to any of the boys to hear the rest read, I have found they have only played together, and I have had to go over the work again.
763. Do you require assistance? If what I have suggested were carried out, and half the boys were to attend school at one time, I should, to do the boys justice, require a pupil teacher.
764. Have you had large experience in teaching? I have.
765. I suppose you are a properly trained schoolmaster? I taught when I was a little fellow, with my father. I studied four years at Glasgow, and I have taught both in Glasgow and Edinburgh.
766. Have you ever taught in a public school? No.
767. Have you taught in a denominational school? In Scotland we have parish schools. In Glasgow I have taught in private families.
768. Have you ever taught in any schools in the Colony? No. I have examined schools in the Colony. I have visited them, examined the classes, and looked to their working.
769. Have you been trained to teach in a way similar to the plan adopted in our public schools? I have not been trained, but I understand the working of public schools.
770. Have you introduced that system of teaching on board the "Vernon"? As far as I could carry it out.
771. Has there been any inspection? There has been no inspection, except that visitors have come on board and seen the boys in school.
772. Have they examined the classes in your school? No. They have been at liberty to do so.
773. You say you have had large experience in teaching, and that some of the boys on board this ship have been guilty of dirty practices. Have you known boys to be addicted to similar practices in any of the schools with which you have been before acquainted? I never saw anything of the sort.
774. It appears, from what you have stated, that there is no continuous instruction of these boys? No. The boys I have on Monday forenoon I have not in the school again till Thursday.
775. Is not that a very great drawback to the teacher? Certainly it is.
776. Have you any other means of ascertaining the religion of the boys than of asking them themselves? Not generally; but in this case of ——— I had other means.
777. I understand your position there is secular teacher? I am; but on Sabbath I am a sort of chaplain, and give them religious instruction, without anything of a sectarian character.
778. That is, to the Protestant boys? Yes.
779. Do you think it is any part of your duty to examine any boy as to his particular religion? I examined this boy as to the reason of his being sent in, and why he was crying; and he said the carpenter struck him with a colt and sent him in.
780. With respect to the vermin that you have seen upon these boys, do you think they have been introduced by boys who have been sent in from the different Police Courts, from time to time? I have seen them on boys who have been there a considerable time—not on new arrivals; but I have not the management of anything with regard to their cleanliness. I speak only of what I have seen in school.
781. This, I think you say, has been the state of the boys for a long period? Yes, ever since I have been on board the vessel.
782. Every boy in the school, I suppose, is not in this condition? No, there are some clean boys.
783. What means are taken now to clean these boys? Recently they have cropped every boy's head, and smeared it with tar or some black mixture.
784. With tar? I do not know what it is, but it reminded me of sheep I have seen at home.
785. Do you know whether the ship itself is clean—free from vermin? There are bugs on board.
786. No other vermin? Cockroaches. There are mice, I suppose—yes, I have seen mice.
787. You mentioned that you have taken lice from the ship yourself? Yes.
788. To your own home? Yes—very large ones.
789. Have you heard any other of the officers complain of the same thing? I have heard the tailor say, on one occasion, that he had them on him after he went home.
790. Have you heard any of the officers who live on board make any complaint? I have heard Mr. Martin say that he had his cabin painted, as there was a slight indication of bugs; and I heard the steward say that there were a great ———
791. You do not think these bugs were caused by the introduction of new boys? I have got them in the books in school, starved looking things; and I have got them among the paper taken off the shelves.

- Mr. J. L. M'Skimming. 792. Do you teach navigation to any of these boys who are intended for a seafaring life? None of them are sufficiently advanced for that. Very few of them can even read very well. The captain is supposed to give lessons once or twice to any who have got that length; but there is only one boy at present who has got beyond reduction in sums.
- 12 Feb., 1869. 793. You are, I suppose, as a teacher, competent to teach navigation? I would not undertake to teach the practical part, but I have all the mathematics necessary. There is only one boy who has received a lesson or two. I believe he has gone to sea. Mr. Martin teaches them the points of the compass on deck.
794. That is no part of your duty? No.
795. Mr. Parkes.] I do not understand clearly what you mean by saying the boys were piped out of school? Suppose the captain wishes to go on shore, and the first starboard division are in school, the man pipes for the gig boys; and if there are any of them in the division, they go out of the school.
796. The 'gig boys go out of the school, but you do not mean that the school breaks up in consequence—only the four boys who belong to the gig go out? Yes; two boys, or four, or it may be only one.
797. You have named some boy who, you say, was put on board for stealing? Yes, —; it was reported in the papers.
798. Are you sure of that? I saw it in the *Herald*, after he was put on board.
799. Did you see the warrant under which the boy was put on board? No.
800. Have you read the Industrial Schools Act? I have.
801. It is not for any offence against the law that boys are put on board under the Act? Not according to the Act; but if they are found in company with known bad boys running about the streets, the Act provides that they may be sent on board the "Vernon."
802. The Act does not make any provision for offences against the law, such as stealing? No, it only provides for boys who are found running about the streets in company with bad boys.
803. You say this boy was put on board for stealing? That was what he was put on board for; the captain said it was so.
804. What I want to know is, whether he was put on board for stealing. He might have been brought up on the charge, acquitted, and subsequently sent on board for being found running about the streets as you have stated? It might be so.
805. You say distinctly he was put on board for stealing, which would be an illegal putting on board? It was so stated in the papers,—that he was taken up for that, and put on board the "Vernon."
806. Mr. Campbell.] Did I understand you to say that all the boys had to learn trades—Was that so, or could they decline? There are so many boys shoemakers, so many tailors, and others sailors.
807. Are they obliged to learn one of these trades, whether they like it or not? I cannot say that.
808. Mr. Parkes.] I think you stated that the ship was established as an industrial training school? As a reformatory.
809. I think you also stated that the captain had an aversion to trades being taught on board? That he said so himself.
810. Are you aware that the ship was really established as a nautical school, and that trades are taught on board only because the Government have no other industrial school where trades can be taught? I know it is called the Nautical School, the "Vernon."
811. Are you not aware that trades were introduced there only as a temporary expedient, until other schools were established? I was not aware of that.
812. And that the ultimate intention was to make it a nautical school exclusively? I was not.
813. I presume that floating schools in other parts of the world are established for nautical purposes only? I have not had any experience in such matters.
814. You do not know anything of the floating school established at Melbourne? I do not.
815. Are you not aware, as a matter of fact, that it is entirely a nautical school, and that it is the same in all similar cases in England; but that, in this instance, the ship being large, and to save the expense of establishing separate industrial training schools, trades were introduced until the ship should be filled up with boys who desired to be sailors, and other schools were established for those who desired to learn trades? I am not aware of that.

WEDNESDAY, 17 FEBRUARY, 1869.

Present:—

MR. ALEXANDER,  
MR. BURNS,  
MR. CAMPBELL,

MR. FARNELL,  
MR. NEALE,  
MR. PARKES.

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Mr. James Gorman, V.C., examined:—

- Mr. J. Gorman, V.C. 816. *Chairman.*] Are you employed on board the training-ship "Vernon"? Yes.
817. In what capacity? Master-at-arms.
- 17 Feb., 1869. 818. Have you ever served in the Navy? Yes.

819.

819. For what period? Thirteen years.
820. In what capacity? My last rating was captain of the main-top—captain of the after guard.
821. Were you ever employed on board a training-ship before? Yes.
822. Where? On board the "Victory" at Portsmouth, and also on board the "Rolla" brig.
823. For what period? I was a naval apprentice on board this vessel for two years.
824. Are you acquainted with the duties of master-at-arms? Yes.
825. What are those duties? The master-at-arms has all the charge of the boys; the inspection of them, to see that they are properly clean; the regulating of them in their messes; with the assistance of the ship's corporals, to see to prevent any breach of discipline among them; he has charge of the lower deck, and of the clothes that are issued to the boys.
826. Anything further? Nothing further.
827. Do you discharge these duties on board the "Vernon"? Not at present. I beg pardon. I should have stated, with regard to the duties of the master-at-arms, that he receives all reports to be forwarded to the quarter-deck. That is all.
828. Do you discharge these duties on board the "Vernon"? Not at present.
829. Did you ever discharge them? Yes.
830. What duties do you discharge on board the "Vernon" now? I am merely doing the general duty now; the chief officer has done a good deal of the master-at-arm's duty lately.
831. Did he always discharge these duties? No.
832. What led to the change? I do not know, but I think Mr. Martin thought I had too much authority, and that I was interfering with his duty.
833. Did you at any time interfere with his duty? Not that I know of.
834. Was any reason assigned to you for the alteration? No. In carrying out the captain's orders, and doing my duty, I offended Mr. Martin on several occasions. The captain gave me full charge of the lower deck, and I did the duty there up to the time of Mr. Martin's coming on board the ship, and he then took that duty from me by degrees until I had nothing whatever to do with the lower deck. If I sent one of the ship's corporals to do anything, he would take him away and send him about other things. If the captain gave me orders to do anything and I sent a man to do it, Mr. Martin found fault with it, and took him away from it.
835. Would such an interference hinder you in the discharge of your duty? It did.
836. Was any reason assigned for his interference? No, not that I know of.
837. Who attends the boys on board when they are suffering from sickness? There is no person told off to do that. I have had to do it ever since I have been on board the ship.
838. There has been no person specially told off to perform that duty? No. In a ship of war there is a man they call the sick bay man—a man who attends to the sick, and who is paid for that purpose. There is no such person on board the "Vernon."
839. Was there such a person on board the two vessels you have already alluded to? Yes.
840. Speaking from your experience, you consider it necessary such a person should be appointed? Yes. Sometimes there are a good many boys laid up.
841. Do you think such an appointment could have been made without increasing the expense of the ship? No.
842. Have the boys been excused from work when on the doctor's list? I have seen boys sent to work, by the chief officer, who were on the doctor's list, who have had mustard poultices on them only the day before. They were scrubbing tables and stools on deck, and came down wet through; and I spoke to the doctor about it on the following day (Sunday), because he pointed out that the boy's chest was very much rubbed, and I told him it could not be avoided.
843. Can you tell me the names of these two boys? There were four boys—Stilsby, Holyhead, George Evans, and W. Collier.
844. Are they at present on board the ship? Yes.
845. You say the doctor called your attention to something? Yes, about their chests being rubbed.
846. Did he say anything further? When I told him the cause of it, he ordered the boys' hammocks down, and said they were to lie in them.
847. Was Mr. Martin aware, when he ordered these boys to turn to, that they were on the doctor's list? Yes.
848. Was any remonstrance made by any person on board about it? Not that I know of.
849. How was he aware of it? Some of the sick boys have their hammocks aft, and Mr. Martin attends with the doctor when he comes on board.
850. How long have you been on board the "Vernon"? Twenty-two months, I think.
851. Have the boys, during that time, been supplied with sufficient clothing and food? No.
852. How were they supplied with clothing during the last winter? Very poorly indeed.
853. Do you know whether any complaint was made to the captain as to the scarcity of clothing? Yes.
854. By whom? By me.
855. On more than one occasion? On several occasions we were all employed making canvas clothes, flannels, and different things that the boys had to wear.
856. Were immediate steps taken to remedy this state of things? The captain used to say that the requisitions were in, and he could not get them passed.
857. Have you at any time observed vermin on the boys? Yes.



- Mr. J. 858. Frequently? Yes.  
 Gorman, V.C. 859. Do you recollect one remarkable case on board? No.  
 17 Feb., 1869. 860. A case where a portion of the back of a boy's head had been eaten away? Several boys came on board in that state, but lately there was a boy observed with sores on his head, where his condition must have been owing to the neglect of the barber.  
 861. How long had he been on board? Twelve months.  
 862. Was his head very filthy? Yes. He was a very small boy—quite a child.  
 863. Did you notice them on more than one of the boys? No, only that one with sores. There were several boys with vermin on their heads.  
 864. Are not the boys generally in that respect very filthy? They are.  
 865. Who has charge of the boys' clothing on board? The purser, before they are served out to the boys, and the boys have charge of their own after.  
 866. I think you said it was a portion of your duty to see the boys at meals? Yes.  
 867. Have you observed the quality or quantity of the food supplied to them? Yes.  
 868. Has the food been deficient in weight sometimes? Yes.  
 869. On more than one occasion? Yes.  
 870. Has the deficiency been made good? Not until lately.  
 871. What kind of food have you been supplied with on board? Bad.  
 872. Almost continuously? Yes, up to within the last two months, when the meat has been a little better.  
 873. How is the boys' washing done on board? It is done in iron tubs on the deck. So many boys go to each tub, and each boy washes his own.  
 874. Are the boys all able to wash? No. I was going to explain that they all, except the very small boys, were required to wash their own. I have to station a large boy to wash for a smaller one, so that some of the boys have to wash their own as well as a smaller boy's.  
 875. How often is this clothing washed? Twice a week.  
 876. Is it true that the boys are half naked when they wash their clothing? Yes. Last winter, in particular, a great number had only on their flannel, and that had to be taken off to be washed. The canvas clothes that they had on would get wet, and when they have come down below, they have had to turn into their hammocks quite naked.  
 877. Has that been a frequent occurrence? Several times. I went up to Mr. Martin on one occasion, and told him there were sixteen boys below wet through, with no flannels, and I had no clothes to shift them into; and the answer he made me was, that he could not help it—it was the captain's order that they were to have only one flannel.  
 878. What are the working hours on board, for the boys? This summer it was from half-past 4, and I have seen them at work till 8 at night.  
 879. Were they at work all that time? They had not a half-hour to call their own during the whole of the day. If you will allow me, I will run off the day's work:—Turn out at half-past 4 in the morning, lash up hammocks and stow them; wash decks; at a quarter to 7 sound the quarter bugle; breakfast at 7; half-past 7 the watch is called on deck; watch below to clean the lower deck; after the lower deck is cleaned that watch has to wash themselves; they are then employed till 9 o'clock, and they then go to divisions; after divisions there are prayers, going to school, drill, seamanship—that takes all hands. They are kept there then till seven bells, half-past 11, and there is then generally something for them to do on deck. Quarter to 12, sound the quarter bugle; 12, dinner. Sometimes, not every day but sometimes, they are called up in the middle of dinner to stand by wash clothes—that takes them till 1 o'clock. They fall in at 1 o'clock, when they go on with the routine again, school, drill, seamanship, till 4 o'clock, when they muster again. Then there are boats to hoist up, awnings to furl, ropes to coil up—that takes them until 5, when they go to supper. From half-past 5 until 8 o'clock I have seen them washing their clothes.  
 880. Is any time set apart for the recreation of these boys? No; they cannot have any recreation on a day like that, with the work allotted to it. Ten minutes are allowed from a quarter past 10 in the forenoon, and from a quarter past 2 in the afternoon.  
 881. Are the boys encouraged, in any particular way, to conduct themselves properly on board? No.  
 882. Do you think it desirable they should be? I think so.  
 883. Are they not rewarded with a stripe on their arm? They do not value that.  
 884. Are they rewarded in that way? Yes, they have had conduct stripes given to them, but the boys never have any privileges allowed them. In the home ships a boy is allowed to go on shore on his liberty—a good conduct boy. If he misbehaves himself during the week, that liberty is stopped; but on board the "Vernon" there is no liberty—there is no privilege allowed—the boys are kept in constant confinement.  
 885. You have had charge of the lower deck, have you not? Yes.  
 886. Is there sufficient light below at night? No.  
 887. What light is there? There were nights last winter when there were no lights at all.  
 888. Are lights required there? Yes.  
 889. For what purpose? For the ship's corporals that are on watch there; and the boys in their messes of an evening require lights, which they never have. The boys when they go below in the evening lie about the deck, the mess tables and stools that are for their accommodation are triced up overhead. There is one lamp hung in the centre part of the ship, and the boys are lying about the deck and some running about the deck; there is no amusement for them. I asked the captain, some time ago, to allow the boys to have a small bit of candle in each mess, to allow them to sit at the table, and on their stools of an evening, so that they might amuse themselves in different ways, by reading, playing at dominoes, or drafts. I thought he would have no objection to them, but he took no notice of it.

890. Did he make any reply to your suggestion? No; he said he thought there was quite sufficient light. I told him there was sufficient light at that time, after the boys were all asleep in their hammocks, but not during the time they were below—from 6 in the evening till half-past 8, when they turned into their hammocks.

Mr. J.  
Gorman, V.C.  
17 Feb., 1869.

891. That is on winter evenings? Yes.

892. Is there is a magazine on board this ship? Yes.

893. In your opinion, is it properly fitted? No.

894. Why not? He complained of the expense.

895. Who? The captain. The magazine was made under my direction. The captain allowed me to plan it; and I told him it would have to be lined with lead, and made water-tight, and to have water placed in the fore part of the magazine, in case of fire. The lead was brought on board, and was on board some days; but when the captain found out the price of it, he sent it back again.

896. Have you ever pointed out to the captain that the magazine was not properly fitted? Yes. I have applied for a padlock and bar for the hatch, but I have never got it.

897. What was the padlock required for? The hatch that goes over the magazine just drops down into the hatchway, and it is customary to have an iron clasp over this, and to padlock it on to the deck, to prevent the boys from going into it.

898. In its present condition, can persons get into the magazine? Yes, they can go into it, but not without being seen. They could not lift up the scuttle without me or some other person seeing them.

899. Can it be got at from the lower deck? The scuttle is on the lower deck—through it you go into the magazine.

900. Is it not possible to get from any part of the ship to it, without being observed? Yes, from the hold they can go right underneath it. The magazine is built 6 or 8 feet off the bottom, so that any one can go right underneath it.

901. Is it desirable that it should be allowed to remain so? It is a risk.

902. A very great risk, is it not? It is. If the boys were so inclined, they could leave a light in the hold, and there is a great deal of rubbish there that would burn.

903. Who has charge of the magazine? Mr. Martin at present. From the 1st of January he has had it.

904. What does the magazine contain? Powder, shot, shell, fuses, boats' magazine, and rockets. That is all of any consequence.

905. What quantity of powder? Ball cartridges, 150; round blank cartridge, 1,100; powder for large guns, 520 pounds; diaphragm shell, 100; common shell, 50; fuses, 150.

906. What is in the hold of the ship? Water tanks, large stones for ballast, and one cell.

907. I think I understood you to say that boys could get near the magazine from the hold? Yes.

908. How often are the decks of the vessel washed? The upper decks are washed every day.

909. How? There is an engine, and buckets are employed, and it is scrubbed with cocoanut shells. The boys have to go on their knees and scrub the decks. The lower deck is washed sometimes twice a week.

910. Did you ever see the decks washed in a similar way elsewhere? Yes, but not so much of it. The boys are kept too long at it.

911. What time are they occupied? On Saturday they commence in the morning, and they are not finished till 2 in the afternoon, and then they have to go and wash themselves. Their time is occupied till 5 o'clock every Saturday evening.

912. Do you keep any books on board the vessel? Not now.

913. Did you keep any? Yes, the punishment or black-list book.

914. Is this the book (*handing a book to the witness*)? Yes.

915. The entries are in your handwriting? Yes.

916. How were those entries made? I entered the boys' names alphabetically, so that if I wanted a particular boys' name as ———, or ———, I turned to it. I entered the nature of the offence, and the punishment the captain had given.

917. How did you ascertain the nature of the offence? Any small offence I investigated myself, but any heavier case was left to the captain. I sent in the nature of every case to the captain in writing, and he would put down the punishment himself, and I saw it carried out and entered it.

918. Do I understand that the entries in that book were made from memoranda furnished by the captain? By the captain.

919. *Mr. Neale.*] Verbally or in writing? In writing. Everything that is down there is copied from a piece of paper as the captain would send to me, word for word.

920. *Chairman.*] Are any cases of a serious nature entered there? Yes.

921. Will you state them? There are four.

922. Can you give the names of the four boys who are implicated in these four cases? ——— was the first. That was for onanism, in the head. That is some time ago.

923. *Mr. Parkes.*] How long has ——— left the ship? Six or seven months.

924. Is it not longer than that; was he not among the first boys who were apprenticed? Yes. He is in the harbour now, in the ———

925. *Chairman.*] How old was ———? I should judge about sixteen or seventeen. He was the biggest boy we had in the ship.

926. What was done with him? His punishment is here (*referring to the book*)—a dozen lashes with a cane over the breech, one month's hard work, to be kept from all intercourse with other boys, three days' bread and water, and solitary confinement in the cells.

927. What is the charge as entered there? As the captain terms it—"For immoral misdemeanor of malversation and continued misconduct." That is copied from the captain's paper that he gave me.



- Mr. J. Gorman, V.C. 928. By whom was the case reported to the captain? By one of the boatswain's mates—  
17 Feb., 1869. Springle.
929. In your presence? No. The boatswain's mate was on the end of the jib-boom at work, and he saw the boy, and took him aft to the captain at once.
930. *Mr. Farnell.*] How do you know that? The boatswain's mate told me that himself.
931. You did not hear the case investigated by the captain? I do not remember it.
932. *Chairman.*] Can you refer to any other case? Yes.
933. Will you be good enough to do so? ——— and ———.
934. What were they charged with? Sodomy.
935. By whom was the charge made or reported to the captain? Mr. Cook was the man who saw them, and he took them to the chief officer, who sent them to me. I questioned the boys about it, and ——— told me that ——— was trying to root him—that was the word he made use of; but the quartermaster, Mr. Cook, when he brought the boys down to me, said—"Here you are, Mr. Gorman; here is a case of sodomy with these two boys." These were the words he made use of. I asked the boy ——— where he had seen this before, and he said he had seen it with boys in the ship. I asked him what boys, and he mentioned the names of two boys, one of whom was away, and the other still on board named ———. I sent for ——— had him in my cabin, and questioned him about it, and he told me the boys who had attempted it with him. He mentioned some boys who were away at sea, and two boys who were on board. Then I sent for these two boys, and he accused them, in my presence, of the offence.
936. *Mr. Parkes.*] Of what offence? Attempting this with them on different occasions, in different parts of the ship. I told Mr. Martin about it; the captain was on shore that day—it was Saturday. They were locked up, and I made a complaint to the captain, by word of mouth, on the Sunday morning. He had Mr. Cook and myself up about it, and ordered me to have the three boys locked up. The three boys were confined in the cells till next morning, and next morning the three boys were punished for sodomy, one dozen cuts with the tawse.
937. What is that? A piece of rather broad leather cut into twelve or thirteen strips of about the thickness of a black lead pencil, to imitate a cat-o'-nine tails, one month's cells, bread and water, and to be kept from all other boys till further orders.
938. What is the description of the offence in this book? Sodomy.
939. *Chairman.*] As originally entered by you? Sodomy; "attempted" has been put there since the book has been taken from me.
940. *Mr. Parkes.*] Hitherto, in all your previous evidence, you have spoken of it as an attempt? The boy ——— described to me that these boys attempted to do it with him.
941. Did any evidence come before you personally to satisfy you that the offence had been actually committed? I cannot say that.
942. If that be so, is not the correction in accordance with the fact? According to the evidence given by Mr. Cook, I thought the captain was satisfied himself that the offence had been committed. I did not see it myself.
943. *Chairman.*] Was this charge investigated? Yes.
944. After the investigation, you received a minute from the captain, and made that entry from it? Yes.
945. *Mr. Parkes.*] Whose handwriting is the word "attempted" in? I do not know; it is not mine. I should say it was the captain's.
946. *Chairman.*] How long did that book remain in your possession after the entry was made? About two months.
947. When did you give up that book? Some time in December, I think.
948. Was that book given up by you before or after the appointment of this Committee? Before.
949. Whilst you had charge of the book, did the captain ever ask to see it? Yes; I used to send the book to him about once a week; when there were not many reports, perhaps once in three weeks or a month, as you will see from his initials at the bottom of the pages.
950. These initials were all there before you gave up the book to the captain? Yes.
951. So that he had frequent opportunities of seeing the charges as entered? Yes.
952. Do you believe that sodomy has been committed on board the vessel? I can say that the attempt has been made; I could not say for certain that it has actually been committed.
953. Have the attempts been of frequent occurrence? These boys it is hard to believe—they tell tremendous stories among them. That is a very bad habit they have got hold of.
954. You have no doubt that attempts have been made? Attempts have been made—I have no doubt of that. The boys have had every opportunity.
955. Has any case been reported to you in which the boys have been charged with using filthy language? Yes.
956. Do you remember one case in particular? Yes.
957. A case where some ladies were passing the ship in a boat? Yes.
958. In whose presence was the language used—in the presence of any officer of the ship? I do not think it was. I think it was one Sunday afternoon, and one of the boys came down to me and spoke to me about it. I had the boy down, and questioned him about it, and he told me he did say so, and I reported him to the captain for it.
959. Was he punished? No; he was forgiven, because he had acknowledged it.
960. Do you recollect the nature of the language? Yes. \* \* \*
961. Do you drill the boys in their different drills? Yes.
962. Is that a portion of your regular duty? No, not as master-at-arms.

963. Why does that duty devolve upon you? I was asked, when I joined the ship, if I could do so; I said I could do it in my spare time. I have performed the duty since I have been in the ship; and, lately, I have had five hours and a half drill in a day to do, which is too much.

Mr. J.  
Gorman, V.C.  
17 Feb., 1869.

964. That is in addition to your ordinary duties? Yes.

965. How many hands have you in your department? Two ship's corporals; but they are doing watchman's duty, and not ship-corporal's duty. I am supposed to have two ship's corporals to assist me with these boys, but I never have but one at a time, on account of their being six hours on watch and six off, night and day. Lately, these men's authority has been confined to the lower deck, as mine has been also. A boy may commit himself on deck, in my presence, but I must not speak to him.

966. Why is that? It is all Mr. Martin's doing. When he is on deck, no person but himself is to interfere with the boys. He has brought me up about it, and he has given distinct orders to the warders not to leave the lower deck upon any occasion, and not to interfere with the boys on deck; so that the boys, when they get out of my sight, in the lower hold, in the bath-house, or in the head, can get up to these games that have come out. There is no one to look over them.

967. Do you consider the boys in a proper state of discipline? No.

968. Can you explain why? Mr. Martin has encouraged these boys to come past me to him with all their complaints, and they are running to him from morning to night. It is showing them too much partiality, in the commanding officer of a ship like that. The consequence is, that if the boys are spoken to by anyone else, they take no notice whatever—they take no notice of what I say to them; but if you speak harshly to them, they say they will go and tell Mr. Martin. At one time, if a boy were spoken to, and told to do anything, he went and did his work without any bother at all; it is not so now.

969. You think the boys are encouraged in this? Yes.

970. You have two trade instructors on board, have you not? Yes.

971. Have the boys freedom in their choice of a trade? I cannot answer that question.

972. Do you know whether they have been interfered with at all? Yes, I know they have been interfered with.

973. By whom? By the captain.

974. In what respect? In persuading the boys from their trades; that, I know, was done as lately as the night before last, when the boy Connell was taken up out of his hammock to the captain's cabin, who persuaded him to leave his trade, and go to some farm. When he returned to his hammock I asked him where he had been, and he told me. I have also heard that he has persuaded other boys to leave their trades.

975. *Mr. Burns.*] Do you know that of your own knowledge? I have heard it from the boys themselves,—that they have been had up to the captain for that purpose. Boys that have been learning shoemaking have been taken from their trade, and have gone away to a station. ——— and ——— were both shoemakers. Boys would leave their trade on purpose to get out of the ship—that I know.

976. *Mr. Parkes.*] Have you ever heard the captain persuade any boy to take that course? I never was present.

977. You are merely repeating what the boys told you? Yes. I know very well the boys have been persuaded to leave their trades.

978. The captain is legally the superintendent of the ship, is he not? Yes.

979. Do you not think it is the duty of the superintendent to offer advice to the boys, according to the several circumstances in which they may be placed? According to what I have been told, he has persuaded them.

980. You did not hear him persuade them? No.

981. *Mr. Burns.*] How old are the boys who have so left the ship when they have been learning the trade of shoemaking? 14 and 15 I should say these two boys were.

982. Can you tell how long they were learning? ——— and ——— were there from the beginning.

983. From the opening of the ship? No, from the commencement of teaching trades on board.

984. What I understand you to say is, that you have heard that the captain has tried to influence boys in their choice of a trade? Yes.

985. Have they told you that he preferred their being sailors? Yes. I was told that by ———, ———, and ———.

986. Was it at different times they told you, or together? Both together,—that they were had up.

987. *Mr. Alexander.*] Are you inclined to believe all they say? No, but I did believe these, because I know the boys will volunteer for anything to get away from the ship. I know these two boys were a long time at shoemaking—almost from the beginning.

988. *Mr. Farnell.*] If they will volunteer anything to get away from the ship, then they require very little persuasion from the captain, or from any one else? I should think these boys were getting on very well in their trade. I have passed the remark often when I have seen them at work.

989. *Chairman.*] Do you think it would be possible to lessen the cost of maintaining the ship? There is one thing I can say for a certainty,—that it does not require two commanding officers in the ship, because it has caused a deal of disturbance in the ship. In obeying the captain's orders, I have offended the chief officer.

990. In simply carrying out the orders of the captain? In simply carrying out the orders of the captain.

991. Can you name any instance in which you have done so? One day, I was making some sails, and the captain spoke to me about some hammocks that had to be numbered; I told him how many I had, and he gave me an order to get some numbered,

Mr. J.  
Gorman, V.C.  
17 Feb., 1869.

bered, ready for some boys who were coming on board. I sent the corporal to get these hammocks up and number them. He was two days about it. While he was doing them, Mr. Martin came down and asked who set him about it, and he told him Mr. Gorman. He made him drop it, and go on deck, and bring down the hammocks from the hammock netting, which was not his duty. The hammocks remained, and the captain spoke to me about it, and I told him what Mr. Martin had done. This all caused disturbance between me and Mr. Martin. It was the same with respect to the lower deck. Mr. Martin took the charge of the lower deck from me, and told me not to send men down there for the future; he would do it. The deck got dirty, and the captain found fault with it. I told him that Mr. Martin had taken the charge of the lower deck from me, and he spoke to Mr. Martin about it. The captain himself has passed the remark that I and Mr. Martin could not agree. Somehow Mr. Martin thought I had too much authority in the ship—that I had too much duty to do, and was interfering with him in doing my own duty.

992. You think two commanding officers are not required? If the chief officer is to do the master-at-arms' duty, the master-at-arms is not required.

993. Do you think the services of one or other could be dispensed with, without any detriment to the discipline of the vessel? If Mr. Martin thinks he understands the duty of master-at-arms. But he has often asked me about the duty, and it is not likely that any one who has not been on board a ship where there has been a master-at-arms should understand the duty. The captain himself does not understand it; and when I asked him to write out my duty, he told me he was aware that I understood my duty without his writing it out.

994. Some regulations have been recently prepared for the management of the ship? There is a deal of the same routine that there was before. There is a slight alteration about the trades, and one or two other simple things, but I have a copy of the old regulations outside, which I have had ever since I have been in the ship. You will find that this routine has been copied from some other regulations.

995. By whom were the old regulations prepared? I cannot say. Either from some training ship at Melbourne, or the captain got them from some person.

996. *Mr. Burns.*] Do you think the time for learning trades or seamanship could be better apportioned out? Yes; the boys do not get sufficient time—they get too much drill. The boys who are at trades only get it once in two days.

997. They do not get sufficient time for learning their trades? No.

998. Do you find, from conversation among the boys, any indisposition on their part to learn trades? No; they prefer anything to being sailors at present, because they have too hard work.

999. How then do you account for the circumstance that there are more boys learning to be sailors than to be tradesmen? They cannot accommodate all the boys who would volunteer to learn trades at present.

1000. Although the boys prefer trades to being sailors, there are more sailor boys than boys learning trades? Yes.

1001. That arises from the tradesmasters not being able to teach so many? They could teach them if they were allowed to do so.

1002. If they were allowed—How do you mean? They could accommodate more if they had them.

1003. Who prevents the boys choosing to learn trades? I cannot answer that.

1004. You say they are not allowed—What do you mean? They could teach them if they had the boys.

1005. You say the boys would like to learn? Yes, you could tell from their conversation that they would.

1006. What impediment is there in the way of having these trades taught them? Perhaps the tradesmasters can tell better than I can.

1007. You are under the impression that there is some objection, on the part of some official, to their learning trades? Yes; I believe the captain will not allow too many boys to learn trades, on account of the work of the ship.

1008. The captain would prefer their being sailors? Yes—that I know.

1009. Do you not think it undesirable that boys who are learning trades should be kept later at their work than those who are learning to be sailors? Yes.

1010. Is not the tendency of that regulation to discourage boys from being tradesmen? Yes; for although none of them have much recreation, the sailor boys are at play two or three nights a week, while the others are confined to their trades.

1011. Have you observed the boys at work at their trades? Yes.

1012. Do they seem to like their trade? Yes.

1013. And to be steady at their work? Yes. They are noisy sometimes.

1014. You think there is generally a disposition among the boys to learn trades? Yes.

1015. Do you think they would like to learn other trades than those taught on board the vessel? Yes; several boys have volunteered to be blacksmiths, but there is no one to teach them, and they have been sent to the tailors or shoemakers.

1016. Carpenters? There is a carpenter on board.

1017. You think the circumstance of there being so many sailor boys on board the ship, in comparison with the others, arises from a disposition to check their learning trades? Yes.

1018. *Mr. Tighe.*] Is the conduct of the boys generally good or bad? Good. They are wild. If a little encouragement were given to the boys, they would be much better than they are.

1019. These filthy practices to which you have referred, do you think they are general? No, I think they originated with the boys who were in the ship at the beginning—boys who had served a good deal of time in gaol. It was these boys who left that sting in the vessel. There was one boy I had constantly to watch.
1020. You think these boys had been in gaol? Yes.
1021. These boys who have been picked up about the streets, vagrant boys, you do not think they are that way inclined? No.
1022. These four cases you have mentioned, would you attribute them in any way to the mode of conducting the management of the ship? The boys are allowed to go about in so many parts of the ship, and myself and the ship's corporals are confined to one deck during the time they are playing or skylarking on the upper deck.
1023. You think these practices might have been prevented, if better arrangements had been made? If the ship's corporals had been allowed to do their proper duty.
1024. Before the discovery was made, had you reason to suspect such a thing might happen? Yes; there was one boy whom I had to watch very closely, and I had to shift him, for I found he was always hanging about a strange boy.
1025. How old was he? 15 or 16.
1026. Had he been in gaol? He came from Parramatta—I do not know whether he had been in gaol. I took this boy, and had his hammock hung aft in the lower deck by himself, and would not allow another boy to sleep near him.
1027. There are better arrangements now? Yes; the boys' hammocks are hung more open than they were before.
1028. If that change had been made before, boys of that description who had been sent on board the "Vernon" would not have had an opportunity of carrying out their filthy practices? Not so well in the hammocks, but it might have been done in the bath-house, in the hold, or in the head.
1029. *Mr. Parkes.*] You said, just now, that some of the boys were very filthy with vermin? Yes.
1030. Generally speaking, do the boys come on board in a filthy state? Sometimes they do—very bad.
1031. Speaking generally, in what state do they come on board? On an average, there is not above one clean boy in six when they come on board.
1032. That is the state of the boys when they come on board—that five out of six are filthy? Yes.
1033. Speaking generally, what is the state of the boys after they have been on board a short time, as compared with their state when they came on board? Clean. At one time, when I had charge of the ready-made clothing, and a boy came on board in this state, I sent him to the bath-house, had his hair cut, and I have cut it myself, had him washed, and all his old clothes thrown overboard, and he has gone into new clothes at once. These boys were clean; but latterly, and since last winter, as the boys came on board, their hair has been cut, and their clothes have been washed and given to them again. I had no way of preventing this, for I had no new clothes to give them.
1034. Speaking with general reference to the condition of the ship, I understand you that the boys are clean, as compared with what they were when they came on board the ship? Yes.
1035. You said, in a former part of your evidence, that the boys were washing their clothes till 8 o'clock at night—Did you mean that they had done so every night? Several times.
1036. That is not an answer to my question. I want to know whether it was one night in a week, one night in a fortnight, or how often? Last New Year's night it was twenty minutes past 8 when they were finished. Some of them did not begin to wash till after supper every night. It would be much better in wet weather for the clothes to be washed in the morning than in the evening.
1037. You do not mean to convey to the Committee that they were washing clothes every night till late in the evening? Not every night. They commenced, in summer, to wash after supper every night; and, at times, they were at it till 7, and on other nights till 8 o'clock.
1038. Not very often? No, the average was 7.
1039. *Mr. Farnell.*] You have stated that the boys were short of clothing? Yes.
1040. How long did that state of things exist? The whole of last winter.
1041. Can you give us any reason for being short of clothing? There was one tailor appointed, and when he came on board the ship the boys were in rags. He cut out—I cannot say the number, but I should think a hundred pairs of trousers, and he asked the captain to have them run up on shore. He was given to understand that he would have sufficient help on board; but when he came on board he found he had none, as none of the boys were able to make up new clothing. He had a machine on board, and he made up some twenty or thirty pairs of trousers and a few shirts, which were given to the boys as fast as could be made. That man then left, and myself and the other men then had to finish the clothing he had cut out, as the boys were literally naked. When the present man came on board, he found us finishing trousers and making flannels, as fast as we could, to clothe the boys. It was done with the idea of saving expense.
1042. You said something about the quality and quantity of the food supplied to the ship? Yes.
1043. Whose duty was it to receive the food from the contractor? The purser's.
1044. Does he weigh the provisions he receives from the contractor? I do not think so.
1045. Is it any part of your duty to look after the provisions? No, only when they come to the messes cooked.

Mr. J. 1046. You stated that it was short weight—How did you ascertain that? By the  
Gorman, V.C. quantity that came to the mess; I have seen boys with not more than four ounces of  
meat.

17 Feb., 1869. 1047. Did you weigh it? No; I could tell from the quantity the boy had.

1048. You saw it cooked? Yes.

1049. Have you any doubt the proper quantity was received on board the ship? I have  
doubt that the proper quantity was sent on board the ship.

1050. You believe that the contractor did not supply the proper quantity of food?  
Yes, I believe so.

1051. You have a scale of rations on board? Yes.

1052. It is the duty of the purser to receive the proper quantity from the contractor?  
Yes.

1053. If the purser does not weigh these rations when they are delivered by the con-  
tractor, how can he know that they are short? The purser must have weighed them,  
because he has told me, when I have spoken about it, that the contractor had delivered so  
many pounds of meat and so many loaves of bread short.

1054. Did you ever report this to any one? Yes, to the captain. I know in the com-  
mencement that no one looked after the quantity—that it came on board, and was sent to  
the cook.

1055. There was no check upon the contractor as to whether he supplied the proper  
quantity or not? I will go by what Mr. — the purser told me himself; he told me lately  
that there had been so many pounds of meat short, and so many loaves of bread.

1056. As to the quality of the food—what particular kind of food do you complain of?  
The corned beef on Sundays. I have shown it to the captain.

1057. How long has that been bad? Three months.

1058. Are you not aware that beef is generally bad now? I am not going to blame the  
contractor for the beef, because it comes on board on Saturdays, and there is no harness  
cask to put the meat into, and it is exposed till next day. It becomes bad from being  
brought on board and exposed so long.

1059. What trades are these boys taught? Shoemaking, tailoring, and shipwrighting.

1060. Can a trade be properly taught to boys under the circumstances of the ship?  
Not as she is now, because you must take into consideration that a great number of  
infants are on board the ship—quite infants—children who are not able to do the work of  
the ship. There is a routine written out for all the work to be done at a time, and the  
boys are divided into certain divisions; and in each of these divisions there are a number  
of these very small boys who can do nothing, but they fill up the numbers, so that  
the strength of the boys is not sufficient to do the work of the ship. It is the  
same in the lower deck with respect to the messes. I have ten boys in each mess, and I  
am obliged to distribute the smaller boys among the different messes, so that in each  
mess there are some that are not able to wash their own plates or to do any other work,  
so that the other boys have to attend to these things for them. Out of the 125 boys on  
board the ship, there are not above 50 working boys; so that, in order to get the work of  
the ship done, we are obliged to call away the boys from their trades to attend to it.

1061. Would it not, in your opinion, be better to encourage the boys to learn seaman-  
ship, or agriculture, or some other manual labour of a useful kind, than to learn such  
trades as they are taught on board? It would be much better for the boys to be taught  
sailing only on board; but at present, if you were to ask the lads on board the  
“Vernon” if they would prefer trades to sailing, they would all prefer trades.

1062. Are the mechanical trades taught on board the “Vernon” taught with the view  
of making their labour productive, and of lessening the cost of the ship? Yes.

1063. That is the object? I do not know whether it is the object, but I know the boys  
can make all the clothes that are required on board the ship, and that they also make  
boots for themselves and for the school at Newcastle.

1064. Have these boys assisted in making any clothing? Yes.

1065. Have they made any clothes for the officers? No.

1066. Not for the officers of the ship? No; the officers have to provide their own  
clothes.

1067. None of the clothing of the officers is made on board? Not that I know of.

1068. It appears to me from your evidence, that the ship is not managed satisfactorily,  
in your opinion? No.

1069. If you were in command, do you think you could manage it much better than it is  
now managed? I could make her a great deal better than she is.

1070. You say these boys are given to telling stories? Yes.

1071. It is not very easy to believe them? No.

1072. Have these offences you have referred to been reported to the captain, and investi-  
gated by him? By him. They were investigated by me first, and then I took the boys to  
the captain afterwards.

1073. Were they investigated in your presence? Yes.

1074. Whose evidence did he take? Mr. Cook's, the man who caught them in the act,  
in the head, and he punished the boy — on his own confession; and the other two  
boys that — mentioned as having attempted it with him were not punished.

1075. From what I understand, no one saw these boys in the fact? Only this man  
Cook who brought them to me.

1076. Was any man called in to see whether the act had ever been committed? Not  
that I am aware.

1077. *Mr. Alexander.*] Was there no medical man on board? No; but Dr. Alleyne  
attends every day.

1078.



1078. What is the age of the youngest child you have on board? Three years and a half.
1079. *Chairman.*] Have you any nurses on board? No.
1080. *Mr. Farnell.*] You have stated that there were boys on board who had been previously convicted and been in gaols? Yes. A good number of them have gone away.
1081. Are you aware that the "Vernon" is an industrial school ship, and not a reformatory? I hardly know what tack it has been on. It is called, I believe, an industrial nautical school.
1082. You are aware that it is not a reformatory? I am not aware.
1083. *Mr. Campbell.*] Are the hammocks slung right forward—do they come right aft on the main-deck from the fore-cabin? They hang from the fore end of the ship, and reach nearly aft to my cabin.
1084. How long have they been altered? They were altered last week.
1085. Now they have the whole of the main-deck? Yes, each hammock interlocks; before they did not. Formerly, there were only fourteen inches between each boy, now there are twenty-eight inches; so that, although as they lie they could play with each other, they cannot get out of one hammock into another.
1086. *Mr. Farnell.*] Are you on good terms with the chief officer? We cannot be at all times, because Mr. Martin does not understand the duty of a master-at-arms; that is what has caused disputes between us. When I have been performing my duty, and trying to carry out my work, he has thought I have been taking his duty out of his hands; and he has lessened my authority, by giving me to understand that I was not to interfere with the boys on deck.
1087. You do not like taking orders for the performance of your duty from a person who does not understand those duties as well as yourself? I do not refuse to obey his orders. When I am performing my duty, he thinks I am encroaching on his. He thinks he ought to have charge of the lower deck, and he took it from me unknown to the captain, for the captain told me it was my duty.
1088. Did he desist then? No, he interferes to the present day on the lower deck.
1089. *Mr. Campbell.*] You were in the Navy? Yes.
1090. Did you ever hear a quartermaster question the first lieutenant's authority—I suppose you were appointed to the "Vernon" because you had been in the Navy? I was recommended by two officers who had been shipmates of mine.
1091. Do you think a first lieutenant would have no right to question you, or to give his orders to you? I think he would have.
1092. You have a right to pass your opinion upon his knowledge? The captain gave me his orders, and in carrying them out I have gone against the chief officer. The chief officer and captain have been in opposition to each other off and on, and in obeying one I have offended the other.
1093. In the Navy the first lieutenant —? Receives orders from the captain, and delivers his orders to the officers of the different departments; and if those orders are not carried out, the officer in charge bears the blame.
1094. *Mr. Alexander.*] The first lieutenant receives his orders from the captain, he gives them to the master-at-arms, who again gives them to the ship's corporals? Yes, so it goes down; and if the work is not carried out in the different departments, the first officer falls back upon the officer in charge of the department.
1095. The captain gives no commands? The first lieutenant is the proper officer to deliver the orders of the captain.
1096. *Mr. Campbell.*] About washing the decks on Saturday—you say they are not finished till 2 p.m.? Yes.
1097. Did you ever know a ship to be cleaned before that time? Yes.
1098. Is a man-of-war cleaned before that time? Before seven bells in the forenoon—before dinner. I was never on board a ship where the decks were kept wet later than that, unless after a ship had been caulked, and the decks required extra holystoning. As a rule, the decks are finished up before seven bells.
1099. I do not mean the quarter-deck, but between decks? Yes, the ship was cleaned throughout; the afternoon was taken up with the rigging aloft.
1100. *Mr. Alexander.*] I understand that the contention between you and the chief officer is in consequence of the duties not being properly defined? Yes.
1101. If they were defined, there would be no contention between you and the chief officer? No, because the captain would see me righted.
1102. Whose duty would it be to see to that? The captain—the superintendent.
1103. *Chairman.*] You have a steward on board? Yes.
1104. What are his duties? He attends on the captain and officers of the ship.
1105. The captain and officers only? The chief officer and purser are the only two who mess on the deck under the poop.
1106. Is the steward's time fully occupied in attending to these three gentlemen? He performs no other duty that I know. He was doing purser's duty during the time the purser was sick—going for the provisions.
1107. Does he discharge any duty at all for the actual benefit of the boys on the ship? No.
1108. You receive no assistance from him whatever? No.
1109. You have a cook as well? Yes.
1110. Any other person employed in the cabin? The private servant employed by the captain—one of the "Vernon" boys who was taken by the captain as an apprentice.
1111. The boy named Whitmore? Yes.
1112. He was apprenticed to the captain to learn what? Stewarding, to be a private servant; he is merely assisting the steward.

Mr. J.  
Gorman, V.C.  
17 Feb., 1869.

- Mr. J. Gorman, V.C. 1113. Have you ever heard of that boy being insolent to the officers on board? He was insolent on one occasion to one of the ship's corporals.
1114. Was a complaint made? Yes, the man made a complaint to me, and I told him to take it up to the mate.
1115. Do you remember the captain speaking sharply to the man for daring to complain of his boy? I was not present myself, but I believe he made the complaint to Mr. Martin; and the captain had the man up, and did speak to him very smart; in fact, the captain told M'Evoe that the boy was a better boy than he (M'Evoe) was a man.
1116. I understood you to say that the boys had been better fed lately? Yes; a good many of the boys do not eat the hominy.
1117. Mr. Farnell.] Have they sugar with the hominy, or salt? Treacle. Some boys have bread and water for breakfast—they cannot touch the hominy.
1118. Mr. Alexander.] How do you account for that? They do not like it.
1119. If they were hungry they would like anything? They will not eat the hominy.
1120. Mr. Farnell.] These boys go to school a certain number of hours a day? Yes.
1121. Do you think they attend sufficiently long to be taught anything? I think if the boys had more schooling and less drill, it would be better for them. There are a great number of little boys in my division, who are of no use for musket or gun drill; but these being in the division, are kept out of school with the others when the division is at drill.
1122. Do these boys receive lessons from any one besides the schoolmaster? I believe the captain has taught some of the boys in the evening.
1123. Navigation? Yes, I believe some of the boys who have gone away to sea had some instruction in his cabin. There were only two boys to my knowledge,——— and———
1124. You have stated that you requested the captain to define your duties as master-at-arms? Yes.
1125. He never did so? No.
1126. Has the captain been in the Navy? No, neither the captain nor the chief officer has been under naval routine, and that is what has thrown things out; they have endeavoured to conduct the business of the ship according to naval routine, without understanding it.
1127. It appears to me, from your evidence, that you are the only person on board who understands these things? I am the only person on board, with the exception of one of the boatswain's mates. I think both have been on board a man-of-war, but it is a great number of years since, in the case of one of them.
1128. Your superior officers are inferior to you in their knowledge of the general conduct of a nautical school? They have not had my experience in the management of a nautical school; for in the beginning, I was a naval apprentice when the system of naval apprentices was commenced in 1848. There were 200 of us boys on board the "Victory," and we had a brig after we had been six months on board. There were seventy boys taken and sent to this brig, which was sent out into the Channel, and was cruising about. After the boys had been on board this vessel a certain time, they were fit to go to sea. I was kept eight months beyond my time as a naval instructor to the boys. After they had served their time, they were drafted to the sea-going boys. None of the boys sent on board this ship were under the age of thirteen, and they were all able to do for themselves. In the "Vernon," which is a large ship, there is a great deal of work to be done, and there are a large number of small boys who are unable to do anything.
1129. Mr. Alexander.] After you had served eight months as naval instructor, what position did you hold? First class boy, and then I was only rewarded with a star on my arm.
1130. Mr. Farnell.] You think on board the "Vernon" the labour of the boys is too great? Yes, the work comes very heavily on those boys who are able to work, for they have to do it all; the children are too small, many of them.
1131. It is a heavy day's labour for the larger boys? Yes.
1132. Would it be a heavy day's labour for a man? Yes. My hours are from 6 in the morning till 9 at night, and when I lie down at night I am knocked up altogether.
1133. Do you sleep on board? Yes.
1134. Have you found any inconvenience from vermin on board—lice? No, but when I have been among the boys, I have picked one off my jacket.
1135. Is the ship itself clean? There are bugs on board.
1136. You are aware that sometimes this kind of vermin gets into the skin of the vessel, and it is difficult to get rid of them—in immigrant vessels, for instance? I do not think it is the case with the "Vernon." There are bugs, but not lice. In the fore part of the ship the men were swarmed out. Mr. Martin's cabin has been painted; and since it has been painted, the bugs have come right through the seams into the cabin again.



FRIDAY, 19 FEBRUARY, 1869.

Present:—

MR. ALEXANDER,  
MR. FARNELL,MR. PARKES,  
MR. TIGHE.

JOHN FITZGERALD BURNS, ESQ., IN THE CHAIR.

Mr. James Pickering examined:—

1137. *Chairman.*] You are engaged on board the "Vernon"? Yes.
1138. In what capacity? As shoemaking instructor.
1139. How long have you been so employed? Since the 6th July last.
1140. How many boys have you under you, learning your trade? Twenty on my list.
1141. Are you on board every day? Yes, from 9 to 6.
1142. And the boys are almost constantly under your observation? Yes; that is, the divisions that are with me.
1143. Have you observed any immorality among the boys since you have been on board? No.
1144. Have you observed any improper practices among the boys? No, I know of none from my own knowledge—only from hearsay.
1145. You know of no improper conduct on the part of the boys, of your own knowledge? I do not.
1146. As a trademaster, have you had proper facilities afforded you for teaching the boys? I have been interfered with in regard to boys who have been under my instruction, and who have been taken from me suddenly without my consent. After they have been sent to me by the captain, he has taken two or three away.
1147. How long had they been with you before they were removed? Only about three months.
1148. Where were they sent to? Two of them were sent away from the ship, one has not been sent away yet.
1149. Were these boys that were sent away apprenticed elsewhere? With the exception of the one who is on board, I believe they were.
1150. Are the boys who are under you allowed sufficient time to learn your business? No, they are not.
1151. Could you suggest any better arrangement than the present, with regard to the time during which the boys should be kept at work? Yes, I think the boys who are drafted off to me should, I think, during the time they are with me, not be required to do any sailing. One division is now sent to me in the morning, and they should remain until dinner-time, and not be liable, as they are at present, to be called from me to tie up awnings, when there are sailors on deck who could do it.
1152. Have you found an indisposition, on the part of any officer on board, to allow the boys to learn trades? There has been a great deal of coercion used to prevent the boys going either with the tailor or myself. For example, six or seven weeks ago, I heard Mr. Martin, the chief officer, speaking to a boy as he stood in front of me, and I caught the words "for my sake." The boy came over to me and said—"Mr. Martin wants me to leave shoemaking and go to sea." Said I—"Does he?" "Yes, he does." I said—"What did he say to you?" The boy replied—"He said—'Will you be a sailor?' I said—'No, sir, I like shoemaking. I was shoemaking before I came here, a little.' He said—'If I ask your mother, will you, if she consents?' I said—'No, sir.' 'Will you for my sake?' I said—'No, sir.'"
1153. The boy told you this himself? Yes. I heard the words "for my sake" myself, but I did not know what it referred to; but as he was looking at me, and I had been subject to this kind of thing before, I thought he must be referring to something of the sort.
1154. *Mr. Parkes.*] Do you think there was any great harm in that? No, I do not think so, only the boy chooses his trade himself.
1155. You said that the boys were taken away from you without your consent? Yes; I never was told that they were going to be taken away.
1156. Are you the superintendent of the ship? No.
1157. Do you not think it is the duty of the superintendent of the ship to see what can be done to promote the interests of the boys? Yes, certainly; but the captain sent them to me in the first instance.
1158. When you were appointed as overseer to the shoemaking, were you told you were to have the control of the boys? No.
1159. Were you not told that you were to act in everything under the directions of the superintendent? Yes.
1160. If the superintendent thinks it is for the interest of the public, and the interest of the boys themselves, to send them out of the ship to good masters, and he does that with the consent of the Minister, have you anything to do with that? No, and I never attempted to dictate in the matter in any way, nor have I spoken to the captain about it; but I thought, as the question was asked, it was my duty to answer it. I have made no complaint, either in or out of the ship.
1161. I should imagine from this inquiry, that every man in the ship sets up his authority against the superintendent? I have not done so in any way.
1162. *Chairman.*] You were not consulted with reference to the shifting of the boys? I never expected it. I have carried out the regulations as far as I have been able, and have made no complaint; and I would not have mentioned the matter now if you had not asked me the question.

Mr. J.  
Pickering.

19 Feb., 1869.

1163.

- Mr. J. Pickering.  
19 Feb., 1869.
1163. You have complained that boys have been suddenly removed from you before they have learned their trade, and that no reason has been assigned to you? No, I have not complained.
1164. You assumed that you had no right to have a reason given to you for the removal of the boys from under you? No, I did not expect the captain, or any one else, to ask me.
1165. *Mr. Parkes.*] Was it never explained to you—and if it was not explained to you, did it never occur to you—that it was not necessarily intended, because a boy was put under you, to teach him the trade of shoemaking, but that he was sent to you because he was houseless—had been found in the company of vagrant or disreputable people—to save him from harm,—that the Government does not undertake to keep this boy in all cases to teach him a trade, but to keep him and provide for him until a master can be found, and in the meantime puts him to something to teach him to be useful,—that he is put to you to learn shoemaking, not necessarily for three years, but sufficiently long to enable the Government to make provision for him in private life—The very law gives the superintendent power, after twelve months, to apprentice any boy to a farmer, or person engaged in any other occupation, with the approval of the Colonial Secretary? When you gave me the situation, you told me some of the boys were constitutionally unable to go to sea, and these boys must have something to do, and you appointed me to instruct these boys; and most of those who are under my teaching would be physically unable to follow the occupation of a sailor, and are only suited for a sedentary employment.
1166. *Chairman.*] How many boys have you under you, on an average? Never less than twenty.
1167. And you say most of these boys are not suited to any other employment? They are boys who have no strength; the parents of many have pursued vicious courses, and the boys suffer from secondary symptoms.
1168. *Mr. Parkes.*] You do not mean to say that most of the boys are physically weak? The boys under me average from ten to fourteen years of age, and some of these, I suppose from their parents having lived vicious lives, have secondary disease, or are constitutionally sickly. They are generally weak boys—not like children under ordinary circumstances.
1169. *Chairman.*] During what hours have you these boys with you to learn your trade? I have them from 9 till 12, and from 1 till 6.
1170. Every day? Every day.
1171. Do you find that the arrangement of the vessel for the teaching of other trades than yours, as the trade of a tailor, of a sailor, or of a carpenter, in any way interferes with your duty? No, we work altogether harmoniously, so far as the ship is concerned; in fact, I am quite comfortable in the situation, and so are the boys, if we only had the boys left with us apart from the sailing.
1172. At what time do you leave off each day? At 6 o'clock.
1173. At what time do the boys who are learning to be sailors leave off? At 4 o'clock, my boys; and the trade-boys are kept at work two hours longer than the sailors.
1174. Do you think that is desirable? No, the boys complain of it; they say it looks like punishment to them. Several boys have complained of it to me, but I have never spoken of it, for I did not think it part of my duty.
1175. Do you think arrangements could be made on board that would enable you to have your boys at work just the same time as the others—to begin and leave off at the same time? I am sure it could be so done.
1176. What would you suggest? That they should leave off at 4 o'clock.
1177. Could they all leave off at one time, without the boys interfering with each other? They would not interfere, for my boys have nothing to do with the others.
1178. What is the reason they leave off at different times? I do not know, excepting that it is the order of the superintendent.
1179. Are you aware of any attempt, on the part of any one besides the first mate, to interfere with the boys in choosing a trade? No, I am not indeed, I have always received the greatest kindness from all the officers on board, with the exception of that instance I have mentioned.
1180. You would suggest some alteration in the time devoted to the teaching of trades to the boys? Yes, the suggestion I should offer would be, that the trade-boys should leave off at the same time as the sailors, in order that they might have some time for play during the day. It is to be remembered that they are only boys.
1181. You are not yourself aware of any impropriety on the part of the boys? No.
1182. In fact, their conduct generally has been good? Yes, there are some very good boys; indeed, there are some I regard with sincere affection.
1183. You find them tractable and submissive? Yes, generally.
1184. *Mr. Parkes.*] You have had some experience in schools, and Sunday-schools? Yes.
1185. You have been brought in contact with boys a great deal? Yes.
1186. Do you see anything inferior in these boys to other boys, in their conduct or general demeanour? No, I do not; I think the boys are good boys—a great many of them; in fact, they are no worse than boys in Sunday-schools generally.
1187. Are you not surprised that boys brought from the streets—and many of them from what is termed the scum of society—should be so good? Yes, I was surprised when I went on board to see the boys so well behaved.
1188. *Chairman.*] You found them respectful and well behaved? Yes, many of them much better than ordinary boys out of doors; they never speak, even to an inferior officer, without addressing him as “sir.”

1189. There is nothing in the conduct of these boys to call for particular comment to their prejudice? No, not that has come under my notice. (*The witness produced a pair of boots.*) These boots were made by a boy who has been with me six or seven months; they were made for the institution at Newcastle.

Mr. J.  
Pickering.

19 Feb., 1869.

1190. *Mr. Parkes.*] Were these begun and finished by a boy? Yes, excepting that the knife work or cutting out was by me.

1191. They were made by a boy who was taught by you? By me.

1192. How long had this boy been under you? About seven months.

1193. Have you all the facilities for carrying on your trade in the most economical manner? Yes. I should like to have a workshop, so that I might not come into antagonism with the sailors. Now, when the boys come out of school there is a great rush, and they crowd round me so that there is the greatest difficulty in keeping order. Since Mr. Gorman has given up charge, the lower deck is like Bedlam sometimes with the noise.

1194. Has it not occurred to you that these inconveniences which arise are attributable to a state of things which ought not at all to exist, namely, to the teaching of trades on board a ship which ought to be taught on shore; but that this is simply a temporary arrangement, in consequence of there being room in the ship, to avoid the expense which must have been incurred if another establishment had been formed on shore; that it was not likely that sailors would agree with cobblers—you will pardon my using the word—Have you found any unpleasantness, beyond what would naturally arise from tradesmen being employed to teach boys on board a ship which the captain had previously understood would be devoted to nautical purposes? No; I have received the greatest kindness from all on board. They detest my trade—not me; and I endeavour to adapt myself to my circumstances, and never to give them cause of offence.

1195. They do not interfere with you in carrying on your trade? Not in the slightest degree.

1196. Not by remarks? Not by remarks. I may show the amount of work done by these twenty boys in six months. They have made, for Newcastle Industrial School, 123 pairs of boots; for the ship, 137. We have repaired (that is, soled and heeled) 50 pair; made fenders for boats, 30; boys' belts, 144. We have also made three yacht cushions. The boys have done the ornamental work on leather for Mr. Kinloch. In fact, there are some of the boys on board who have such a natural disposition for the trade, that I think if they were put on an island, with a little leather, they would learn their trade. In fact, I regard the boys with a great deal of affection, and that is the reason I do not like to part with them to do sailing, for they hate sailing.

1197. *Chairman.*] You work harmoniously with the other officers? Yes, as far as I know; they never complain to me, nor I to them.

1198. *Mr. Farnell.*] You complain that these boys are kept at work too many hours? The boys complain of it; but for my part, if I were told to stop till 9, I would do so; but the boys complain that they should be kept at work till 6 o'clock and have no play, while the boys who are at school or sailing leave off at 4 o'clock. After 6 o'clock they have to scrub and wash their clothes; that occupies them some time; so that some of the boys have no play at all.

1199. When parents put their children apprentice to the trade of shoemaking, until what hour do apprentices work? That depends upon the disposition of the master. Some men are tyrants, and keep their boys till 12 at night; others are more lenient and merciful, and will not let them work too late, but allow them to have play-hours like other boys, till they arrive at a proper age to devote themselves entirely to their work.

1200. Do your boys wash their clothes after they have done work? Yes, sometimes.

1201. Do any of the boys who are learning trades with you go to school? Yes; I have one division in the morning, and they go to school in the afternoon.

1202. *Mr. Parkes.*] With respect to these alleged immoral practices, do you think anything criminal in the eye of the law has taken place among these boys? I could not of my own knowledge say they have, but I have heard rumours.

1203. What is your opinion? My opinion is that there have been three or four boys on board, one of whom ran away the other day, who, I could be almost sure, were addicted to these practices.

1204. How do you form your opinion—from what circumstances? Only from the disposition of the boys, and from their confessions to the master-at-arms. There are two or three very bad boys on board.

1205. I should think there were more? I do not think there are many. I was astonished to find that, out of 125 boys, most of them taken off the streets, there should be so few bad.

1206. One would be almost inclined to think, from your statement, that the best way of training boys was to let them run about the streets, if there were only two or three bad boys out of 120 on board this ship? Only two or three who are of very bad character—who seem to be addicted to vice of every description.

1207. No direct proof has come before you of any immorality between the boys amounting to criminality? Not that I know, of my own knowledge. I would not like to say what I hear.

1208. Do you not think that all matters of that kind should be dealt with with the greatest care? Yes.

1209. That no noise should be made about such cases, unless there were an absolute necessity for a noise? I may state that, after I went on board, Mr. Martin took me on the quarter-deck, and said to me that it would be well not to let anything transpire of what took place on board the vessel, unless it was necessary to do so; and I have never done so—directly or indirectly spoken of what has taken place—since I have been there.

1210.

- Mr. J. Pickering.  
19 Feb., 1869.
1210. When I ask you whether you think it is necessary to act with the greatest caution in such cases, I do not mean that any criminality should be overlooked, or that anything deserving of notice should be allowed to pass by without observation, but whether you do not think matters of that kind, unless amounting to actual criminality, should be dealt with by the officers of the ship? Yes.
1211. Have you seen any indisposition, on the part of the officers of the ship, in such cases, not to punish? No.
1212. As far as you know, any case of that kind has been punished? Yes, as far as I remember just now.
1213. There has been no trifling with it? There has been no trifling with it.
1214. Could it do anything other than harm to have it bruited abroad? I think it could only do harm, because so many false constructions might be put upon the matter.
1215. In your opinion, there has been no failure of duty, on the part of the officers, in punishing such offences when they have been discovered? So far as my knowledge has gone, there has been every disposition to punish any crime when it has occurred—there is no attempt to overlook it.
1216. There has been no indisposition to punish? None.
1217. On the contrary, these cases have been properly inquired into, and the boys have been punished for improper conduct? Yes.\*
1218. From your experience as a teacher of boys in Sunday-schools—from your general knowledge as a man of family —? I have four children.
1219. Should you, or not, have expected habits of this kind among boys collected in large numbers off the streets, and who have been associated with the most vicious and depraved? The thought never occurred to me until this moment.
1220. What do you think, now that the matter has been brought before you? I think some of the sins are what boys might be expected to be guilty of who are brought from the street.
1221. If such vices are to be expected anywhere, would it not be among such boys? Yes.
1222. They are not brought there for being good boys, but because they are considered dangerously bad? Yes.
1223. Was it not to be expected that almost every crime would develop itself among such boys who have had no instruction in good, and before whom examples of vice have been continually present? Yes.
1224. And yet you say these boys behave as well as any boys you ever saw? As well as any boys I have come in contact with, excepting two or three. In fact, every visitor has been astonished at the good behaviour of the boys.
1225. *Mr. Tighe.*] Do you know these particular boys who are so extremely bad? Yes.
1226. Do you know anything of their previous history? I have not the slightest knowledge of the previous history of any boy in the ship.
1227. You do not know whether they have been convicted criminals—whether they have been in gaol? I have no knowledge of their antecedents.
1228. *Mr. Alexander.*] You said that, from the time Mr. Gorman gave up charge of the lower deck, the boys have been particularly troublesome? Yes, because he visited punishment on the boys promptly, and was always among them. He was a terror to the bad boys, and the good boys regarded him with affection, and would not do anything to displease him. In fact he had only to speak, and all was peace and quietness.
1229. What was the cause of Mr. Gorman giving up the lower deck? I cannot say. I believe some misunderstanding between himself and Mr. Martin. I know nothing of my own knowledge.
1230. You do not think the removal of Mr. Gorman tended to the good management and order of the ship? Of the lower deck. He had nothing to do with the upper deck, as far as order was concerned.
1231. You consider that the removal of Mr. Gorman from the lower deck tended to disorganize the boys? From not visiting them with immediate chastisement. I do not know whether Mr. Gorman is removed, except from the circumstance that, when boys misconducted themselves, or went to sleep at their work, which they are very apt to do, I had to report the matter by writing it on a slip of paper and handing it to Mr. Gorman in the evening before I left the ship, who transmitted it to Mr. Martin, next morning I believe, so that they might be punished; but one morning I took the report as usual to Mr. Gorman, who referred me to Mr. Martin, saying—"He has taken the charge out of my hands." It was only in that way I knew Mr. Gorman had given up charge—he said he would not accept my report.
1232. Since Mr. Martin has taken charge of the lower deck, what has been the general conduct of the boys—has it been better or much worse than it used to be under Mr. Gorman's supervision? It is not so good as it was, simply because Mr. Martin is not down there so much as Mr. Gorman; he has other duties to attend to, and there are only the warders there, to whom they pay no heed. If Mr. Martin were there as much as Mr. Gorman, peace would be restored; because the moment Mr. Martin sets his foot below, there is order.
1233. *Mr. Parkes.*] Apart from the "Vernon" altogether—confining yourself to your own trade—do you think you could make the work performed by the boys under you so remunerative as to meet the cost of their support? To take the whole of the boys?
- 1234.

\* NOTE (on revision) :—There were two cases which I had forgotten :—One in which a boy named McGrane was not punished at all for making use of indecent language to females alongside the ship; the other was the case of Petit and Beckyham, which was not punished for two or three weeks after it was reported. With the exception of these cases, the officers have been prompt in administering punishment, so far as I have had means of knowing.

1234. No. Suppose you had forty or fifty boys under you, without any impediment to your carrying on the industrial training of the boys entrusted to you for instruction, do you think you could in time make the work done by the boys sufficiently remunerative to meet the cost of their support? I am hardly prepared to say.

1235. You could make it much lower than it is at present? Yes; because in training boys in the first instance you have to waste a good deal of stuff, which you would not do after they had been with you twelve months.

1236. Have you made a calculation of the results of your labour now? No; I was not aware that I should be examined upon that point.

1237. Could you form some estimate of the results of the boys' labour for a given time, say a week or a month, or for any other period, taking the cost of the material used, the expense of victualling and clothing, so that the Committee might see the difference between the cost and the actual profit? I could not do that, because I do not know the actual cost of the material used on board.

1238. You could do this, at all events,—you could give the number of pairs of boots turned out in a week, or in any other stated period; you could give the value of the material, and the market value of the goods when turned out? I could not do that at present, because the stuff is used up.

1239. You do not mean that you have stopped work? I have not yet, but I have sent in a requisition for more stuff for six months' supply; and the captain said he should not bother about it—he would set the boys to do something else, as we should be two months without supplies.

1240. Even supposing that to be the case, I do not see how that can stand in the way of giving in this return. You know the market value of boots of the description made by you, and also the cost of material? I do not know the price paid by Government, but I believe it to be very high; as an instance, I had to get a box of eyelets the ordinary price of which is 1s. 10d., and I was told the price of these was 6s. 6d.\* (*Vide Appendix B.*)

Mr. J.  
Pickering.

19 Feb., 1869.

Mr. Edward Byrne examined:—

1241. *Chairman.*] You are one of the trademasters on board the "Vernon"? Yes.

1242. How long have you been so employed? Seven months and nineteen days.

1243. Have you had any improper practices, on the part of the boys, brought under your notice since you have been there? I have.

1244. When? Frequently.

1245. Will you specify some instances? Upon one occasion I was told a case of sodomy had occurred.

1246. Will you state what you know yourself? I know nothing of my own knowledge.

1247. You only heard it by report? That is all.

1248. Do you know of any other instance of improper conduct? Yes; a case was told me by several boys, that occurred with a boy who went away to sea, and who is now in the harbour.

1249. That did not come under your observation? No.

1250. *Mr. Parkes.*] That was before you were in the ship? Yes.

1251. You used the adverb "frequently," just now? Yes.

1252. Did you mean to apply that word to reported cases of sodomy? No, to bad practices.

1253. Immorality? Yes.

1254. You did not mean that reported cases of sodomy occurred frequently? No; three times.

1255. *Chairman.*] And of those cases you knew only by report? That is all.

1256. Have they occurred since you have been on board? Since I have been on board, although I have heard of other cases.

1257. You do not know of any other cases of immorality? No; I have heard of others.

1258. They have also occurred since you have been on board? No.

1259. *Mr. Parkes.*] Did any cases come under your own observation? None whatever.

1260. *Chairman.*] How many boys have you under you? Thirteen is the largest number I have had. If the boys had had their own choice, I might have had double the number.

1261. How do you know that? I know that for several reasons—from the boys themselves telling me they desired to be tailors. In one case the mother of a boy whose father keeps a large shop in George-street, came to me, and requested me to speak to the captain about it. I told her she had better do so herself, and she afterwards told me she had done so, and he had refused.

1262. Do you know of your own knowledge that the captain or officers ever tried to persuade the boys from being tradesmen? Only from the boys who have told me that the captain and the first officer have tried to persuade them to go to sea, or to go bullock-driving.

1263. Have the boys themselves told you this frequently? Yes.

1264. Different boys have told you that? Yes.

1265. At different times? At different times. Very lately—since this inquiry has been going on—the first officer asked one of my boys if he would not like to become a cook.

1266.

Mr.  
E. Byrne.

19 Feb., 1869.

\* NOTE (on revision):—I find I am in error here, as I have since found, by reference to the contract list, under the head of stationery, that these things are tendered for at 1s. 6d. per box, so that I have actually paid more by 4d. per box than the Government.



- Mr. E. Byrne. 1266. Did he tell you that himself? Yes.
1267. You never have more than thirteen boys? That is all.
1268. And you are satisfied you might have had more, if they had not been persuaded by the officers not to learn your trade? Yes.
- 19 Feb., 1869. 1269. *Mr. Parkes.*] Is it not the superintendent's duty to inquire of the boys what trade they would like to be, and even to advise them in the matter? I do not know what his duty is.
1270. Have you never read the Industrial Schools Act? No.
1271. As a matter of fact, it is his special duty—So far from its being any impropriety in him to inquire of the boys and to advise them as to their trades, he would neglect his duty if he did not do this very thing—Are you not aware of that? I think it is very improper, in this way:—If the Government think fit to employ me as a tailor on board with the view of instructing these boys, after I have been instructing them for six or seven months, and trying to bring them forward, it is unfair of the head of the department to endeavour to induce them to leave me, to go to sea or to bullock-driving.
1272. Did it never occur to you that it is no part of your business to form an opinion upon the subject? I have formed the opinion, but I kept it to myself until you asked me. I have never asked the boys, when they have come on board, to be tailors, but they crowd around me and say they wish to learn the trade.
1273. *Chairman.*] When the boys come to you in the first instance, are they sent by the captain? Yes.
1274. And you are satisfied, from what has come under your observation, that an influence has been at work to dissuade them from being tradesmen? I feel quite satisfied of it.
1275. Do you think the present arrangements as to the time for learning trades are the best that can be made? I do not think they are.
1276. Could you suggest any improvements? I think I could.
1277. Will you state them? I think, in this way:—To commence work at 9 o'clock; they have then during the morning to help to clean the vessel. From 1 to 4 half the boys could be at tailoring and half at school, alternately. I think 4 o'clock is sufficiently late for the boys to work; in fact, the sailor boys often do not work later than half-past 4. The tailors and shoemakers are down below at work while the other boys are at play, and it looks to the former like a punishment.
1278. You think work on board, whether on the part of sailors, tailors, or shoemakers, should cease at the same time? I think so, as the boys have been up from half-past 4, which I think is too early, if I might venture to express an opinion. In fact, the boys are often so weary that they go to sleep over their work.
1279. *Mr. Alexander.*] Of course you are aware that the bulk of these boys are taken off the streets? Yes.
1280. You have stated that the mother of one of these boys keeps a large shop in George-street? Yes; I can give her name —
1281. *Chairman.*] You said, just now, that the boys were taken away from you suddenly, without any reason being assigned? I said it would be very unfair to remove them in that way, but the two officers have tried to do so, as far as I am informed.
1282. Have any of the boys who have been learning your trade of you been sent away from the ship? No.
1283. Your statement is, that attempts have been made to get them away? Yes.
1284. *Mr. Farnell.*] Who made the attempt? Both the officers—that is, the captain and first mate. It was so reported to me.
1285. *Chairman.*] You know that through the boys themselves? Yes.
1286. Although it may not be your business to form an opinion in the matter, you think the officers should not take them from you suddenly? I think so.
1287. What is the longest time that any particular boy has been under you already? I have had two or three, I think, ever since I was appointed.
1288. Do you find them generally willing to learn your trade? Generally willing.
1289. Do you find the boys obedient and submissive? There is only one out of the thirteen that I cannot give a good character to.
1290. Do you find them as willing to learn their business as other boys you have met with? Yes; they are very sharp and quick.
1291. Have you had much experience among apprentices? In several shops where I have been they have had apprentices.
1292. Have you found these boys quite as well-behaved as those in the shops where you have been? Yes, rather more forward in picking up their business.
1293. *Mr. Tighe.*] They would have their wits sharpened in the streets? Yes.
1294. *Chairman.*] Their behaviour in the ship was as good as that of boys in the shops where you have been? Quite as good, as far as I can see.
1295. Have you had every facility you required to enable you to teach these boys? There have been some little drawbacks; one is, that I cut out at a table placed aft, and on Saturday there are perhaps fifty boys around me on the lower deck, scrubbing it with cocoa-nut husks and sand, and the water is thrown down from buckets, so as to wet my feet, and often the work itself.
1296. Could the work you have been doing been done at some other time? I have asked Mr. Martin to hand-wash the deck. I would have been willing to stand to cut out in the wet, but I wished to be out of this eternal wash. He said it would be breaking the rules of the ship, that it must be washed fore and aft, and it could not be done in any other way. I have been placed in that position for seven months, and have never gone home with dry feet on Saturday.

1297. *Mr. Farnell.*] I suppose you would like to have a nice little establishment fitted up for yourself and boys? I have been at sea before—I have spent between three and four years of my life at sea, and when I went on board the "Vernon" I expected to meet with some difficulties.
1298. When you were at sea, were you engaged as a tailor? I did not expect too much when I went on board.
1299. *Chairman.*] You think, with the means at their disposal, they could give you better accommodation? Yes; as a proof of that, since this inquiry commenced, when there was washing down, the captain or mate, I am not certain which, gave orders that I could cut out in the school-room. There is no school held on Saturdays, and the same course might have been taken the whole seven months, without inconvenience to any person.
1300. For whom do you make clothes? For the boys.
1301. Have you any statement to show what work you have done since you have been on board? I have a rough calculation. I could not get a proper account from the purser, but I took this from a book I kept for my own information; and I find that, during the time I have been there, we have made 287 pairs of trousers, 150 flannels, 93 serge shirts, 228 dungaree jumpers, 128 caps, besides repairing, which is done frequently.
1302. *Mr. Tighe.*] You save the ship a great deal of money in making these things—I suppose you would have to buy them if they were not made on board? Certainly.
1303. *Chairman.*] Have you made any estimate of the value of the work? I have not.
1304. As compared with the cost? I have not.
1305. You could do it? Yes.
1306. *Mr. Farnell.*] You know nothing of these bad practices you have spoken of? No.
1307. Only what you have been told by the officers? Yes.
1308. By the boys and officers of the ship? By the boys and officers.
1309. Has not Mr. Martin lately undertaken the duties which Mr. Gorman used to perform? Yes, I understand he has, as regards the lower deck.
1310. Is there as much order and regularity on the lower deck as there was formerly? By no means.
1311. How do you account for that? Mr. Gorman being constantly on the lower deck, and personally superintending, he was there to correct any impropriety that might transpire, whereas Mr. Martin came down only occasionally; he could not see what took place—his duties took him all over the ship.
1312. Do you punish the boys? No, I never lifted my hand to or struck a boy since I have been on board.
1313. You report them? I report them when they misbehave themselves. I used to report them to Mr. Gorman, and that is how I found out that Mr. Martin had taken charge of the lower deck, for I was informed that I would have to report to Mr. Martin instead of to Mr. Gorman.
1314. You know that the "Vernon" was established as a nautical school for the purpose of training boys for sea? I do not know what the intention was.
1315. Have you never read the Act? Never.
1316. *Mr. Parkes.*] Was she not called the nautical school-ship? Yes.
1317. *Mr. Farnell.*] How is the material used by you supplied—by contract? I believe it is, but I have had nothing to do with ordering the material. I might, however, say, that the material which has been purchased is of the very worst description—it is most unsuitable for the boys, and the consequence is that they are beginning to be in rags.
1318. *Mr. Parkes.*] Have you complained of that—have you taken advantage of the visits of the Inspector of Charities to mention it? I am not permitted to make any complaint.
1319. Have you spoken of it, in order that it might be reported? I have said to the purser that I thought it was very bad stuff, but the captain said he believed it was very good—that, indeed, he was accustomed to use it when he was a boy; but it has turned out to be very inferior.
1320. *Mr. Alexander.*] What kind of stuff is it? Chinese dungaree.
1321. *Mr. Farnell.*] The material is given over to you, and you have no power of rejecting it? No power whatever.
1322. Have you a sewing machine on board? No, there was at first.
1323. Do you teach these boys to cut out? No, I have not come to that stage of the business yet.
1324. Is there any want of cleanliness on board? In the boys under me?
1325. Yes? None whatever.
1326. With the boys generally in the ship? Do you mean as regards lice?
1327. Yes? I have seen them in any quantity.
1328. In their heads? Yes, and on their clothes.
1329. Were they brought there by the boys from the shore? I have no doubt of it. But when I went on board they were very filthy with lice; so much so that I took some of the boys myself to Mr. Martin, and stated that they were unfit to be sent down to me.
1330. How long had these boys been on board? Some months.
1331. *Mr. Tighe.*] Might these lice have been harboured in the ship? I should not think it.
1332. Are they not sometimes in ships? I never heard so.
1333. Do not ships that have brought over Chinese sometimes get a number of lice in them? Not head lice; I think they do not live in any place but the head.
1334. It is only head lice you have seen on the boys? I have seen body lice on them.

Mr.  
E. Byrne.  
19 Feb., 1869.



- Mr. E. Byrne. 1335. These are brought on board and remain in the ship? Yes, no doubt. After I have left the ship—although I have changed my clothes—I have found lice on me when I have got home.
- 19 Feb., 1869. 1336. Do you think the labour required from the boys is too great? I do.

Mr. William Cook examined:—

- Mr. W. Cook. 1337. *Chairman.*] You are employed on board the Vernon? Yes.
1338. What office do you hold? Quartermaster.
- 18 Feb., 1869. 1339. How long have you been so employed? I have been in her about eleven months.
1340. Will you explain what are your duties? My duties on board are to keep watch night and day, and to instruct the boys, when not on duty on the poop; to keep boats away at night; to hail the lower deck at night, and to see that all is right. When not on duty on the poop, each quartermaster takes it in turn to go in the boats, and to instruct the boys how to pull.
1341. The boys are constantly under your supervision? Yes. The quartermaster on the poop is not supposed to leave the poop. There are four quartermasters: one below, two knocking about the decks instructing the boys, and the other on the poop keeping the time.
1342. Have you ever observed any improper conduct on the part of the boys? I reported a case to the chief officer about six months ago.
1343. What was the offence committed? I did not see the offence actually committed, but I found the two boys together, with their clothing unfastened, in a position of great suspicion.
1344. *Mr. Parkes.*] Do you know whether the medical man who visits the vessel was spoken to about this? I do not know.
1345. *Chairman.*] Were both these boys punished? Yes.
1346. Do you know of any other instance of immoral conduct on board the vessel? No.
1347. What is the behaviour of the boys generally? Generally, take them all through, they are pretty fair boys, considering that a great many of them are taken off the streets.
1348. There are only a few who are very vicious? Yes.
1349. *Mr. Parkes.*] You are a sailor, of course? Yes.
1350. And have sailed in ships where there have been boys? Yes.
1351. Are the boys on board the "Vernon" as well behaved as boys on board ordinary ships that you have seen? Yes, they are, as a rule.
1352. *Chairman.*] Are the boys as submissive and respectful as most boys elsewhere? Yes.
1353. Are those boys who have chosen the sea as a profession likely to make good seamen? Yes. Some of the boys who have been sent away are smart active boys, and I have seen some of them since they have come back from sea.
1354. Do you know what kind of trade the boys prefer to learn on board—whether they like to be sailors, shoemakers, or tailors, as a rule? I do not think many of them care about being sailors.
1355. They prefer trades? Yes.
1356. Have you ever been present when the boys have been asked by the superintendent of the ship as to what business they would like to learn? No, I have not.
1357. When you say that the boys prefer trades, is that what you have heard themselves say? That is what I have heard themselves say.
1358. Are the boys on board the vessel generally clean in their personal habits? Some are very clean, and some are dirty in their habits.
1359. Could some arrangement be made, by which the boys who are learning trades could leave off work at the same time as those who are learning seamanship? That could be done.
1360. Is there any reason why boys who are learning to be sailors should not work as long as those who are learning to be tradesmen? No, I cannot show any reason why.
1361. Is it not the case, that the boys who are learning trades are at work an hour and a half, or two hours, longer than those who are learning to be sailors? Yes, it is the case.
1362. I believe the sailor boys leave off at 4 o'clock, and the others at 6? Yes.
1363. Is that undesirable, do you think? I think it is right, as far as that goes, that the tradespeople should work till 6 o'clock.
1364. *Mr. Farnell.*] Do the superintendent and officers of the ship agree pretty well together, as far as you know? Yes, as far as I know.
1365. Do you think these boys are too many hours employed at labour? I do not know much about it myself. I never was in a man-of-war. They say they are man-of-war's rules on board; but there is a boatswain's mate on board who knows more about it than I do, and he says the hours are too long.
1366. For little boys? Yes. There are about thirty very small boys who are not able to do anything.
1367. Do you know what hours they have for play or recreation? Ten minutes in the morning, and ten minutes in the afternoon, and meal hours.
1368. *Mr. Alexander.*] About this difference between the chief officer and the master-at-arms, do you know anything of the reasons for Mr. Gorman's removal from the charge of the lower deck? I am not aware of his being removed from the lower deck.
1369. His functions have been taken away from him? I believe there has been a little difference between Mr. Gorman and Mr. Martin, about Mr. Martin taking full charge of the lower deck.
1370. Do you think that has tended to improve the order and discipline in that portion of the ship? No, I do not.
- 1871.

1371. Is it now as efficient as when Mr. Gorman had charge of it? No.  
 1372. Has Mr. Martin been on board a man-of-war? I am sure I do not know.  
 1373. I suppose you know that Mr. Gorman has? Yes.  
 1374. Is it not considered necessary that the same regulations should be carried out on board the "Vernon" as those on board a man-of-war? Yes; it is supposed that all the rules are carried out there the same as on board a man-of-war.  
 1375. You do not know whether they are or not? No; I have never been on board a man-of-war.  
 1376. *Mr. Farnell.* Are the provisions supplied on board generally good? They have been pretty bad till the last three months.  
 1377. Have all kinds of provisions been bad? Yes.  
 1378. Are they better now? Yes, they are better now; I believe the captain spoke about it.  
 1379. *Mr. Alexander.* What is the general clothing of the boys; is it good or bad? It is pretty good, considering the stuff they have got—it is blue dungaree.  
 1380. Does that wear well? Yes, it is good clothing for summer, but not for winter.  
 1381. Do you mean that they have nothing but dungaree material for winter clothing? Since I have been on board they have had some of that dark blue cloth made for winter.  
 1382. For trowsers and coats? Yes, and serge for shirts.  
 1383. How does that wear? It seems to wear very well. Since the tailor has been on board he has been making dungaree clothing.  
 1384. Do you consider that suitable stuff for the boys' clothing? In summer-time. Of course they wear flannels under their dungaree jumpers.  
 1385. Would not duck be a better material? Yes, a deal better.  
 1386. Why is it not used? I do not know.  
 1387. Have you never represented to the purser that duck clothing would be more suitable for the boys than this dungaree? I never have.  
 1388. You have thought so? Yes; duck is mostly used in the Navy.  
 1389. Duck and canvas? Yes, and serge.  
 1390. For winter, what would you suggest as the best material for clothing? I should think, for the boys, serge.  
 1391. Would not that be too light—would not pilot cloth be better? Yes.  
 1392. *Chairman.* Whose business is it to examine the provisions when they are brought on board the ship? I do not know; I never saw any one examine them.  
 1393. Does not the purser go to receive them? Yes.

Mr. W. Cook.

19 Feb., 1869.

FRIDAY, 26 FEBRUARY, 1869.

Present:—

MR. ALEXANDER.	MR. FARNELL,
MR. W. CAMPBELL,	MR. NEALE,
MR. TIGHE.	

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Haynes Gibbes Alleyne, Esq., M.D., examined:—

1394. *Chairman.* You are medical officer of the ship "Vernon"? I was asked to do the duty till other arrangements were made, and I have been doing the duty since it has been established. H. G. Alleyne,  
Esq., M.D.  
 1395. Have you been in the habit of visiting the ship frequently? Every day almost; certainly six times a week. 26 Feb., 1869.  
 1396. What has been the average duration of your visits? Various—from five minutes to half an hour.  
 1397. Are the boys generally healthy on board? Yes, very healthy. Until lately there was an epidemic sore throat among them, which I attributed to the dampness between decks.  
 1398. Are the 'tween decks very damp? They are; but measures have been lately taken to dry them by means of swing stoves.  
 1399. At whose suggestion? I suggested that.  
 1400. How long since? Some time since I suggested that; I forget when they were procured.  
 1401. Did you not complain to the captain of the dampness between decks? Yes, I mentioned it to him, and asked him to make a requisition to the Colonial Secretary for the supply of these stoves.  
 1402. Do you recollect when that suggestion was made? No; but it is some time since.  
 1403. Upwards of three months? Yes.  
 1404. Six months? I should think so.  
 1405. When was it carried out? It was carried out intermittently always, but I do not think regularly.\*  
 1406. I believe you have cautioned them against washing between decks? Yes, I have. From the first I disapproved of frequent washings—at least, of washing more frequently than could be avoided. In fact, I would not have had them washed at all if I had had my own way in the matter; but the captain stated, and there was some reason in it, that the nature of the wood being soft, the decks did not stand holystoning, as they got scruffy.

\* NOTE (on revision):—The swing stoves were furnished immediately, and the use of them has been carried out intermittently, but I do not think regularly; but they have been used, I believe, whenever the decks were washed.

H. G. Alleyne, scruffy. I have asked that the decks should be washed, when necessary, with fresh, instead of salt water, as the salt water soaks into these soft boards to such an extent, that, when it is damp weather, the place is not fit to be inhabited.

26 Feb., 1869. 1407. It is unfit for children? It is unfit for children, or any other persons, when allowed to remain damp. I think that the decks are now washed with fresh water, and the stoves lighted afterwards.

1408. Was this washing between decks continued after you had spoken about it? It was; and they used the stoves afterwards.

1409. I believe you have given orders for fires to be lighted on the lower deck? Yes; these swing stoves were to be used; these are the fires.

1410. How many of them were lighted at one time to commence with? I do not remember. I never superintend the operation myself; I do not consider that part of my function; in fact, I have no authority. I only suggest these things as matters of sanitary arrangement, but I think they ought to have half a dozen on board: it is a large deck. I do not know in practice what was done.

1411. You say some of these boys have suffered from sore throat? Latterly they have been free from it; for some weeks—they are quite well now.

1412. Were those boys under your attendance? Yes. I saw them all and prescribed for them, and directed what should be done for them.

1413. Do you remember ordering mustard poultices for some lads? Yes, at that time I ordered a good many.

1414. Did you see those boys afterwards at work on the following day? I do not know that I did on the following day. I generally turn them out myself. My instructions are that, if they are seriously ill they shall not be dismissed for work till I direct.

1415. Have your instructions been attended to on all occasions? Probably not on all occasions, but generally they have been.

1416. Cannot you call to mind a particular case in which you complained on board? No.

1417. You have no recollection of having done so? No; except in the case of the purser, who sent one Sunday to me to see him, as he was very ill; and when I went off, the following day, at great inconvenience to myself, to see him, I found he had gone ashore, and I was very much annoyed about it.

1418. Are there any medical comforts on board the ship? Yes, a few. There is no store of medical comforts kept there. I recommended they should not be, as I believed it would be attended with great waste, as there was no convenience on board for keeping or issuing them; and I thought it better, when there were any special medical comforts required, to order them off as they were required, at the time, in small quantities. I think that is the course pursued.

1419. Have you ever ordered any to be given to the boys? Yes, from time to time. I look upon milk as a medical comfort, and arrowroot, and things of that kind; and I always order these when I see boys sickly or weakly, and not able to take the ordinary food of the ship.

1420. You say the boys on board are generally very healthy? I think they are. I would not actually call them healthy, robust boys; but I think any one who had seen them when they went on board and who saw them now, would admit that they were greatly improved in *physique* since they have been on board. A large number of them came on board with broken down constitutions—sickly, delicate looking creatures—but I think they are improved in their *physique*.

1421. Do the boys suffer from ringworm and other skin diseases? A great many. Ringworm is not an easy thing to cure rapidly in individual cases, and it naturally spreads among a lot of boys; there is always some case of ringworm.

1422. Always?\* I dare say there is. I have directed what should be done as cases appear, but it is a kind of thing which spreads very rapidly.

1423. I suppose you merely pay a flying visit to the ship? No. Although I receive no pay for it, I take as much trouble as if I got a regular salary for it; and I see the boys in the same way as if they were patients for whom I was to be paid.

1424. Do not you think if you were visiting patients, and any of them were suffering from ringworm, you would see it? I only see the cases that are brought to me. I have not time to go round and examine every boy. When I go on board, after visiting those I know are sick, I ask the officer on deck if any others are sick, and if he tells me there are, I have them brought on deck and examine them.

1425. Can you suggest to the Committee any improvement in the management of the ship? In what respect?

1426. In any respect? If you refer to the general management, I have thought from the beginning that there has been a want of discipline throughout the ship. The commander, in the first place, seemed to me never to have sufficient authority to deal with cases. He had not the authority of a commander of a man-of-war, or even of a merchant ship. He did not seem to have the power of the superintendent of an ordinary establishment on shore. He got instructions from the Colonial Secretary's Office, from time to time, as occasions arose which required them; but I believe, until lately there have been no rules issued at all with respect to the management of the ship, excepting these which he received from the Colonial Secretary; now, however, there is a code of regulations which has been issued by the authority of the Governor and Executive Council.

1427. Mr. Tighe.] Do you think the defects in the management are attributable to incapacity on the part of the captain, or to his not being armed with sufficient authority? To his not being armed with sufficient authority. I do not think any man, however good

he

\* NOTE (on revision):—I dare say there is, on account of the frequent importation of the disease furnishing fresh sources of contagion. I have directed what should be done, &c., &c.

he might be, would have a ship or any establishment in efficient order without having more authority than he appeared to me to have.

H. G. Alleyne,  
Esq., M.D.

1428. *Mr. Farnell.*] Have any complaints been made to you of any malpractices—such as boys having been guilty of unnatural offences? No; of course they would not make any complaint to me—it would be considered a thing out of my province altogether; but

26 Feb., 1869.

some time ago, the captain of the ship told me that an attempt of that sort had been made, and asked me what I thought he ought to do. I recommended him to have the boy flogged. He said he could not do it without reference to the Colonial Secretary's office, to get instructions as to what course he should pursue in reference to such disgraceful conduct; and I believe he was informed that he had no power to do anything of the kind, in the absence of regulations approved by the Governor and Executive Council.

1429. Have you noticed that any of the boys have been filthy in the head—that they have had vermin about them? Yes, I have noticed lice on one or two occasions; and I have given my opinion as to the best mode of dealing with such cases. Almost all the boys who come on board have lice; and of course vermin rapidly spread among a number of boys, unless individual cases are at once dealt with, and the animals exterminated. I recommended that, when boys were brought on board, their hair should be cropped short; but I believe there was some objection to its being done. There have been many cases of lice on board, on account of the many importations, but I believe the boys are all clean now.

1430. The regulations of the ship, as regards the labour of these boys, are, that they shall turn out at half-past 4 in the morning in the summer, and turn in at 9 at night; and it appears that they have very little play during that interval. Do you think these hours too long for boys such as those on board the "Vernon"? I do not think so. There are a great many boys there who ought not to be there at all—they are too young. Some are there who ought to be under the care of women nurses; but I do not think the kind of work they do is at all injurious to them. They are sitting down, and learning various things—shoemaking work, for instance. They are not kept hard at work. A good deal of the work they do is out-of-door work upon the deck, which is good exercise for them. Others go in boats, but they are never over-worked; and I think, indeed, it would be better if they were kept a little closer at work.

1431. We have been told in evidence that some of these little boys go to sleep at their work? I have never remarked that myself, but it is very possible the boys do as they would at school; but I think the general appearance of the boys shows that they do not suffer, for the *physique* of the boys has improved wonderfully.

1432. Are the boys on board the "Vernon" constitutionally healthy? A good many of them have bad constitutions, strumose constitutions, probably in many cases from their birth, and in other cases generated by bad diet and hardship when very young.

1433. Has your attention ever been called to the diet on board the ship? Yes; and some alterations were made at my suggestion. The diet at first was very liberal, but it appeared to me to be more suitable for adults than for children, and I made some alterations, such as giving them treacle, and hominy, and in some cases varying it. I think, upon the whole, it is a good diet; they seem to thrive on it.

1434. Have any complaints been made to you as to the quality of the diet? On two occasions: one with respect to the meat, and the other with respect to the milk furnished when ordered by me. A representation was made to the Colonial Secretary's Office on the subject, and in each case the cause of complaint was removed.

1435. *Mr. Campbell.*] Are not the boys, when put on the sick-list, kept separate from the rest till you allow them to mix with the others? You mean to say they are not discharged from being sick?

1436. Till they are discharged they have slept separately? That is the rule.

1437. You do not know whether it is carried out? I think it is.

1438. Do you not think that rule ought to be strictly enforced? Undoubtedly; but there is no actual division. They all sleep on one clear deck, but the sick are kept in their hammocks.

1439. Like a sick boy? The hammocks are swung towards the stern—towards the after part of the ship.

1440. Ringworm could easily be eradicated? I do not put the boys to bed for ringworm.

1441. Could you not keep those boys who have ringworm separate from the other boys? Not unless there were a barricade erected.

1442. *Mr. Tighe.*] You have nothing to recommend except the extension of the captain's power? That appears to me to involve the whole question as respects discipline, &c., &c. I do not think a man ought to be at the head of an establishment of that sort, unless he is fit to be entrusted with sufficient power to conduct it properly. I do not think it possible for any person to work it efficiently without extensive powers.

1443. As far as his power has extended, has he conducted it to your satisfaction? I think he is a very active man in the discharge of his duties.

1444. *Mr. Campbell.*] As far as you know, do the captain and subordinate officers get on together—do they pull together? I believe they do not, generally speaking.

1445. You think that is entirely in consequence of the captain not having sufficient power in his own hands? I think so.\*

\* NOTE (on revision):—But it is right that I should add, that I have no knowledge of the nature of the instructions that the captain received for his guidance, and that I have formed the opinion I have expressed on this point solely from statements that he has made to me, and from remarks that I have heard made by some of the subordinates, to the effect that they regarded him more in the light of a teacher of navigation and seamanship than in that of the head and director of the institution.

WEDNESDAY, 3 MARCH, 1869.

Present :—

MR. BURNS,	MR. FARNELL,
MR. W. CAMPBELL,	MR. PARKES,
MR. TIGHE.	

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Henry Parkes, Esq., M.P., examined in his place :—

Henry Parkes, 1446. *Chairman.*] You are a Member of this Committee? I am.

Esq., M.P. 1447. You desire, I believe, to give some evidence to this Committee? There are several points upon which I think it would be desirable that the Committee should have my evidence.

3 Mar., 1869.

1448. You recollect the time when the training-ship "Vernon" was purchased by the Government? I do.

1449. You then held office as Colonial Secretary? I did.

1450. And the whole of the arrangements connected with the conversion of that vessel into a training-ship were brought about by you? Not exactly. I was a Member of the Government at the time; and, in the office I held as Colonial Secretary, it came within my department to bring into operation the provisions of the Industrial Schools Act of 1866. Under that Act the "Vernon" was established as an Industrial School, but the arrangements under which my action was taken were of course the result of Cabinet deliberations.

1451. The establishment of these Industrial Schools was a matter in which you took a very great deal of interest at the time? Yes, I took a considerable amount of interest in the establishment of the "Vernon" as a training-ship. The Industrial Schools Act, as the Committee are aware, is unlike most Acts of the kind with which I am acquainted, inasmuch as it gives power to seize boys who may be found in certain conditions, and does not authorize the receiving of destitute children, merely because they may be in destitute circumstances. For example, if a widowed mother on her death-bed wishes to hand over her child to be brought up and trained on board the "Vernon," the authorities have not the power to take the child even at the mother's wish. The child must be found, at the time he is taken, in one or other of certain states of existence described in the Act—sleeping out-of-doors, without a home, in company with vagrants, thieves, or prostitutes, or some similar position laid down by the Act—then the law gives power to the police to apprehend the child, and bring him before a Magistrate. I am not aware of any Act containing similar provisions being in operation in any other country.

1452. You have heard most of the evidence which has been given before this Committee? About the half of it. I have not been able to attend all the meetings of the Committee.

1453. Can you offer any suggestions to the Committee with regard to the improvement of the management of the vessel? I do not think I can. If the Chairman does not desire to ask me any more questions as to the origin of the institution, I would like to state to the Committee the considerations which influenced me in establishing the "Vernon" as a training-ship, and the main object the Government had in view in establishing it.

1454. We shall be happy to hear them? I do not remember distinctly what special circumstances operated on the minds of my colleagues, and led them to decide upon establishing the first Industrial School afloat instead of on shore; but I have no doubt that I myself was influenced by the facts adduced before a Select Committee of the old Legislative Council, appointed, on my motion, to inquire into the expediency of establishing a Nautical Training-school in our harbour. That inquiry was conducted by me; and the result of the evidence obtained was to so forcibly impress on my mind the necessity for the establishment of a school of the kind, that I was mainly influenced by that in the decision which I came to. At the same time, I cannot call to mind the circumstances which influenced my colleagues in coming to this decision. It was decided then that the first Industrial School should be afloat, and the "Vernon" was the vessel selected for the purpose. She was purchased from Towns &amp; Co.; and she was chosen because, of all the vessels available in the harbour, from her build and arrangement, she appeared to be the best adapted for the purpose required—from her superior beam, and her spacious 'tween decks, offering an amount of room and accommodation which must be noticed by every person paying her a visit. The object in the first instance was simply the establishment of a Nautical School. For that only was the "Vernon" purchased, for that only was she intended, and she is described in all the Government papers and official documents as the Nautical School Ship "Vernon,"—that is the designation given to the vessel and invariably used in all official correspondence. Thus, though she is an Industrial School under the Act, she has always been designated the Nautical School Ship, and was designed from the first to be a Nautical School Ship, and that alone. No thought of introducing trades, such as are now taught on board, was for a moment entertained when the training-ship was first established. Prior to the Act coming into force the Government had been given to understand that there were a large number of boys in a neglected and destitute state in the lanes and streets of Sydney. It was found, however, when the Act came to be put in force that there were not nearly so many children as had been represented, coming within the provisions of the Act. The "Vernon" had been purchased on the assumption that a certain large number of children would be brought on board; whereas a much smaller number came within the meaning of the Act. Thus, it was seen before long, that there was an amount of room on board the vessel that would not be likely to be filled up for some years to come; and that she was larger than was required merely for



for nautical training purposes. When this conclusion had been arrived at, the next determination the Government came to was that, instead of establishing other schools ashore for teaching trades, it would be better, as a matter of economy, to have these trades taught on board the ship, where every necessary for discipline was already provided. That is how the tailoring and shoemaking came to be introduced on board the "Vernon," at a subsequent stage of the experiment. They were introduced about eight months ago. I thought it necessary that this should be explained, as the explanation offers an elucidation of some of the misapprehensions which have appeared in portions of the evidence. Thus, it does not appear to me at all surprising that the gentleman in charge of this vessel, being a nautical man, with all the feelings and prejudices of his training, should look with disfavour upon the introduction of trades into a vessel which he had been led to regard as a nautical training-ship only. Of course he must obey the instructions of the Government, and conduct the vessel as he may be directed; but there is no doubt that he would much prefer to have the ship confined to the original object for which it had been established, rather than to have trades taught on board. With regard to the general management of the vessel, I think it has been as successful as could have been expected. I have been on board many times, at all hours, and at most unexpected times, without any notice of my intention being communicated to the ship, and I have invariably found the vessel clean and in a state of perfect order. The boys, considering their character and the condition of life from which they have been taken, have generally shown a combined activity and intelligent appreciation of what is being done for them that is highly gratifying. And certainly, in their answers in school, they have evinced an amount of mental quickness and general apprehension quite equal to that shown by boys of the same age and class in most other schools. I have also visited the ship in company with persons well qualified to form an opinion upon the mental and moral progress made by the boys; and these persons have declared themselves surprised at the quickness and mental appreciation of some of these answers, as well as highly pleased at the discipline, cleanliness, and good order of the vessel. With regard to getting the right sort of person to manage an institution of this kind, I may inform the Committee that the difficulty of doing this is very great, even in England. That has always proved one of the greatest obstacles to the successful carrying out of the reformatory system. Even in a country containing twenty millions of population, the great obstacle in the way of proper reformatory treatment is the difficulty of getting persons fitted for the duty—a man with the necessary intelligence and strength of character, at the same time with the patience necessary to enable him to put up with the waywardness and vicious propensities of the offenders, with the sincere and earnest desire of overcoming and correcting the evils—a man who will give them right instruction at the proper moment, whilst at the same time he has that rare qualification of being able to train the understanding to a perception of moral obligations. I remember that the Reverend Sydney Turner, who was Inspector of Prisons, and who had formerly been Inspector of Reformatories in England, says, in a letter to Mr. Adderley, that the main difficulty in the way of successful reformatory treatment had been that of being unable to get persons with the rare combination of qualifications necessary for the proper treatment of neglected children.

1455. Do you think the present superintendent possesses this rare combination? I should not think he did. I should say, judging of his character in so far as it has come under my observation, that he is remarkable for infirmity of temper. This is a very great drawback to the efficiency of any gentleman filling the office of superintendent of such an institution as this. That is his great fault, I believe,—a want of control over his own feelings and temper. I remember a charge being preferred against him, when I was in office, by his chief officer. This was very carefully investigated by the Sheriff and Capt. Hixson, who were appointed by the Government to inquire into it. The result of their inquiry, which was conducted with an amount of patience and solicitude to get at the truth that I have seldom seen exceeded, showed that the superintendent had been exceedingly careful in maintaining discipline and good conduct on board the ship, but that he had the fault of giving way to outbursts of temper.

1456. Were no complaints made to you, whilst in office, respecting the management of the ship? In what way?

1457. By any of the officers employed on board? I do not think I remember any formal complaints being made to me on the subject. Discharged officers have from time to time come to me with complaints, and have made random charges against the superintendent, but they never followed them up or made formal charges in a way I could deal with. I think I recollect on one occasion, a carpenter, who had been dismissed, coming to me with a long string of charges against the superintendent, none of which I considered sufficient to require inquiry.

1458. Was not the Inspector of Charities requested by you to make some inquiry into certain matters connected with this institution? I do not remember at this moment whether he was or was not. If he were so directed, he would have reported, and his report will be in existence.

1459. Do you remember a charge of intemperance which was brought against the superintendent? Yes; that was the charge brought by the chief officer, Mr. Wycherley.

1460. What became of that charge? I have already explained that that charge was not substantiated.

1461. Will the record of the proceedings at that inquiry appear in the Colonial Secretary's Office? Yes. Evidence was taken, and a report was sent in by the Board, accompanied with the evidence. These will be in the Colonial Secretary's Office.

1462. *Mr. Burns.* Was it Mr. Wycherley who made a charge against the captain? Yes.

1463.

Henry Parkes,  
Esq., M.P.  
3 Mar., 1869.

Henry Parkes, Esq., M.P. 1463. And was Mr. Wycherley discharged in consequence? He was discharged as the result of the inquiry by the Board.

1464. Was any charge made against him? That I am not prepared to say; but I believe the report recommended his removal.

3 Mar., 1869.

1465. Was there any charge against Mr. Wycherley before he made the charge against the captain? I cannot remember. The papers are easily procurable, and they will disclose all these particulars. As far as I am concerned, I do not now remember all the precise facts.

1466. In speaking about the object for which the "Vernon" was purchased—from the manner in which you examined the witnesses, it seemed to me that you tried to impress the Committee with the idea that it was in the power of the superintendent to influence the boys in their choice of a trade? I should think it to be the duty of the superintendent to inquire into the fitness of the boys for any particular trade, to consult their wishes, and by judicious questioning to arrive at their true bent, and at the same time to correct by his advice any false notions the boys may have contracted. I think it is a very important part of the duty of the superintendent to pay great attention to this point,—to ascertain the dispositions of the different boys placed under him, and their fitness for various trades and callings, in order to guard against the probability of their arriving at some wrong decision—a decision which in these cases is but too often come to by the pressure of accidental circumstances affecting the boys at the hour. Even in private life, where boys have the advantage of the best counsels, nothing is more common than for a youth to choose a wrong calling, to follow it wearily for years, and then, convinced of his mistake, to throw it up, and to find himself compelled to begin life afresh. If it be difficult for boys under these circumstances to come to a correct conclusion, it must be much more so for boys placed as they are on board the "Vernon." On this account, then, I consider that the superintendent is bound to inquire into and to decide upon the calling for which in his mind the boys are best fitted; and knowing this to be his duty, I should distrust any stories coming to me from second-hand about his advising the boys. And I should distrust it for this reason, that, coming from second-hand, no one could know whether the superintendent was not questioning the boy with a view of getting the necessary knowledge to enable him to form an opinion.

1467. Do you think it desirable that he should discourage them from becoming shoemakers or tailors, and should influence their decision to be sailors? I should not care about giving an opinion on that point, until I see more clearly than I have yet done that he has done so. As I said before, I should disregard all evidence on that point, because, coming from second-hand, his object could not be known.

1468. Then as to the "Vernon," your evidence would lead us to infer that the superintendent had derived the idea that it was to be used as a nautical school, and nothing else? I have explained that he must have had that idea in the first instance. The subject of the alteration was never broached to him prior to its being determined upon by the Government. When it was decided upon, he was sent for by me, and in the interview I had with him, I stated the case very fully to him. I pointed out to him, as I have done to the Committee, that, as there was plenty of room on board the "Vernon," trades could very well be introduced there without interfering with the nautical training, and at much less cost to the public. I took the trouble to explain all this very fully, in order that the thing might be done as harmoniously as possible, and with as little grating of adverse interests as we could contrive. As far as my recollection serves me, instead of making any objection, the superintendent fell at once into the view propounded by the Government, and voluntarily proffered to do all he could to promote so desirable a change. That is my impression of the interview between us; and since then, I have seen no instance of the superintendent dissuading a boy from following any calling he might choose; on the contrary, I have seen him take a very great deal of interest in getting boys apprenticed to country masters, to gentlemen on farms, stations, and so on.

1469. Do you not think the boys ought to be allowed some discretion in the choice of the trade they are to follow for life? I am of opinion that the boys should be left the fullest liberty of choice, the superintendent taking the precaution that no boy should decide upon a calling manifestly improper or unsuited to him, or under immature or false impressions. And more than that, my instructions to the superintendent, repeated times out of number, were that every deference should, as far as possible, be paid to the real wishes of the boys.

1470. Do you not think that these boys will be as useful to the Colony, as tailors and shoemakers, as they would be if they were sailors? Most assuredly. In every case I would leave it to the boy's own natural taste or bent of mind. It would be as unnatural to send a boy to sea, when he disliked the ocean, as it would be to compel a boy to be a shoemaker, when all his wish and desire were for a more active life.

1471. *Mr. Farnell.* As I understand you, the "Vernon" was established solely for the purpose of teaching the boys on board the sailing business? She was established as a nautical school ship, and she is so called in all Government documents. She is designated everywhere in official circles—The Nautical School Ship "Vernon."

1472. Then it was not the intention of the promoters of the institution that the boys on board should be taught trades? Not at the time of the establishment of the vessel.

1473. It was found necessary, after the establishment of the vessel, to make some departure from the original plan? It was afterwards considered desirable to do so, on the ground of economy only. There was plenty of room to spare on board the "Vernon," and it would not have been possible to have established a second institution without going to some considerable expense. We had on board the "Vernon" a superintendent,

and



and all the necessary officers for carrying out the discipline of the vessel; and if we established a second institution, a second and a similar staff of officers would have been required. Thus it was considered cheaper to have the boys who were to be taught trades placed on board the "Vernon," than to create a second establishment. But I never considered this as anything more than a mere temporary arrangement, to last for some four or five years. My own view of the action necessary to be taken, in order to carry out fully and properly the intentions under which the Industrial Schools Act was framed, is that, in addition to the nautical school ship, there should be on shore a trades industrial school, at which the different trades of blacksmith, carpenter, tailor, shoemaker, &c., should be taught to the boys; and that there should also be an agricultural industrial school, in which the boys might learn the ordinary routine of country life, and the duties necessary to be performed upon farming and grazing establishments. There would thus be, at the least, three industrial institutions—a nautical school, a trades school, and an agricultural school—the last being established somewhere in the interior, in connection with a farm of some 200 acres or so.

Henry Parkes,  
Esq., M.P.

3 Mar., 1869.

1474. If boys have been sent on board the "Vernon" after they have been convicted of offences against the law, have they been so sent improperly? Boys are not sent there for offences against the laws.

1475. Are you aware that there are now two or three boys on board the "Vernon" who have been in gaol? That might possibly be, because the case against them has been dismissed, in order to permit of their being afterwards sent on board the "Vernon." It must be illegal to commit them to that vessel as a punishment for an offence; the vessel was never intended for anything of the kind.

1476. It was never the intention, in establishing these industrial schools, that boys and girls who had been convicted of offences, and suffered imprisonment in gaol, should be sent to them? Not exactly. I do not think that there was any intention of shutting these schools against boys who had been previously convicted of offences; but they were certainly never intended for the reception of boys committed to them as a punishment for an offence. For example, if a boy committed a petty larceny and was sent to gaol, and, after undergoing his punishment, was found with thieves or prostitutes, he could be sent on board the "Vernon." He could not, however, be sent there as a punishment for the thieving.

1477. Boys offending in this way should be sent to a reformatory, and not to an industrial school—We have a Reformatory Schools Act, I believe? Yes. The intent of that is to establish schools for young persons who have been convicted of offences; to establish, in fact, a kind of juvenile prison, so that young offenders, perhaps convicted of a first offence, might be kept separated from adults who were older and more hardened in crime.

1478. To send juvenile offenders there, instead of sending them to gaol? Yes.

1479. Is it not part of the duty of the Inspector of Public Charities to visit such an institution as the "Vernon"? Most certainly. He ought to visit the vessel frequently; and I should suppose that he did so.

1480. Have you seen a Report from the Inspector of Public Charities, dated the 28th July, 1868? I have.

1481. In that Report I believe he speaks in favourable terms of the ship and its management? I think he does, from what I remember of it.

1482. He suggests some alteration; and I also see that there are, attached to the same Report, weekly reports from the captain and schoolmaster of the vessel? Yes, weekly reports have been sent in from the captain and schoolmaster, during the whole time the vessel has been established. The superintendent sends in a weekly report, and to this is appended a report from the schoolmaster. The report you allude to embraces all the weekly reports for a given time, since the last report from the Inspector—perhaps a month or six weeks.

1483. *Mr. W. Campbell.* With regard to the inquiry into the conduct of the superintendent, I believe you say that it was not proved that he was drunk upon the occasion referred to? I think it was not proved. My impression, from what I can remember of the case, is, that some very credible witnesses gave it as their opinion that the superintendent was not drunk at the time he was alleged to have been so; and, if I am not mistaken, the Attorney General happened to be on board about the same time that the captain was said to have been drunk, and was in communication with that officer. I do not know if that appears in evidence, but I am aware that such is the fact—that Mr. Martin went on board the "Vernon" with some ladies, that he was in company with the superintendent about the very time when it was alleged that the superintendent was drunk, and that he did not notice that the superintendent was at all affected by liquor. A lieutenant of one of the men-of-war also said that the superintendent had been on board his vessel shortly after the time when he was said to have been drunk, and that he was then quite sober.

1484. Are you aware that the lieutenant who gave that evidence was himself tried by Court Martial, and dismissed the service for drunkenness? I do not remember. The thing occurred some time back, and the particulars have escaped my memory. They will all be found in the papers.

1485. Do you think the captain has sufficient authority in his vessel to enable him to maintain discipline amongst his crew? I think so. He is captain of the ship, and, at the same time, he holds office under the Act as a superintendent of an industrial school. He thus occupies two positions, each of which confers a large amount of authority upon him. In the first place, he has command of the ship, in the same way as he would have of any other ship of which he was captain—he has as full power, as commander of the

Henry Parkes, "Vernon," as he would have of any vessel sailing out of the port, of which he happened to be commander; and, in the second place, he has all the authority which the Act confers upon the superintendent of an industrial school. I am aware that, in a letter to the Committee, the superintendent has suggested that he should have the power of dealing with his crew in his own way, and independently of the Government. I believe that practically he has that power, and has always had it; because no one has ever yet been appointed to the "Vernon" in any capacity, without that person having been first sent to the superintendent to be examined, and without his approval of such person's fitness for the office. The plan I invariably pursued was this:—When an application was sent in for any vacant situation on board the "Vernon," I sent the person applying to the superintendent, to pass him through an examination, and to judge of his fitness for the office applied for. If the superintendent reported the applicant to be fit for the office, he was appointed—that is, if no one fitter than he were pointed out. Thus—if there were five applicants for a vacant office, they would be referred to the superintendent, for his examination and report; and if he reported one of the five to be fitter than the others for the office, that one would be appointed. In this way, I consider that practically he had the selection of his own crew.

Esq., M.P.  
3 Mar., 1869.

1486. But if he found that any who had been appointed were unsuited to the position, could he dismiss them? No; but in all cases where he gave good and sufficient reasons for their not being continued in the service, they would be dismissed. This has invariably been the case. It seems to me that, having had the opportunity of examining applicants and reporting on their fitness, he should show some cause for their dismissal, after they have been appointed.

1487. But he does not then have the same authority on board his ship that captains of other vessels possess? Practically, he has just the same power.

1488. Not if he has to apply to the Colonial Secretary before he can discharge one of his crew? If he has been able to give reasons for any change he has desired amongst his crew, the Government have never stood in the way of that change being carried out.

1489. That is, whilst you were in office? Yes; but I should imagine that any gentleman holding the office I lately filled would follow the same plan, especially in regard to such an institution as this, in which it was so important that the superintendent should have full power. It strikes me that, in such an institution, no Minister would care to take upon himself the responsibility of making appointments independent of the superintendent, but that he would prefer to throw as much responsibility as possible upon the superintendent. I know that was the case whilst I was in office, and I believe that gentlemen who follow me will only be too glad to do the same.

1490. I understand then, that you have not that amount of confidence in the superintendent, as to allow him to discharge his own crew without first appealing to the Colonial Secretary? I certainly cannot recommend any such power being placed in the hands of the superintendent.

1491. *Mr. Burns.* What is your opinion of the suggestion of the superintendent—that the vessel should be removed to Middle Harbour, and that the workshops should be established ashore? I do not say anything about the removal; but it appears to me that, in his suggestion, he has mixed up the two things of a reformatory and an industrial school. He has used language of this kind—that the "Vernon" should be further utilized by being made a receptacle for juvenile delinquents. Now, I doubt very much whether a reformatory and an industrial school will ever act well together—that is, in connection with each other, and in the same institution. Though there will of course be some bad boys amongst those sent on board the "Vernon," yet there are some who are very good boys, who have committed no fault; and it would not be at all right that these should be mixed up with boys of the criminal class. That is why it would never do to mix up the two things, of the industrial school for the purely unfortunate, and the reformatory prison designed for the reception of criminal boys.

1492. No reformatory has as yet been established? I think the present Government has established one for girls, in a part of the building at Newcastle used as a female industrial school. I do not think myself that it will be a success.

1493. You have said that you think it desirable to establish a model farm, as an agricultural industrial school? Yes, I think it would be very desirable.

1494. The boys brought up at such a school would afterwards be more useful to the Colony, than if they had been brought up as seamen, or as tailors or shoemakers? Yes, but the main idea of establishing a nautical training school in a large seaport town like Sydney was, that we should thus be able to collect and rear in habits of industry a large number of boys of the class peculiar to seaport towns—sons of seafaring men, or boys who had been reared about the wharves, and who would thus naturally have some taste for the sea. It was thought that, by getting these boys together, training them to habits of discipline, and giving them a certain amount of education to take out with them into the world, a valuable use would be made of a class of wild natures, which if left neglected would turn out the very worst elements we could have in our community, but which, if well disciplined in such an institution as the "Vernon," would turn out a hardy, well regulated, and reliable colonial marine, which would be a credit to the Colony. I should also like to mention—now that I think of it—when in office, I made it a rule not to apprentice these boys to any one not belonging to the Colony; thus, I would not apprentice a boy as a sailor to any vessel which did not belong to the Colony, invariably refusing to bind them to vessels which would take them away, and so deduct them as it were from our population. I did not think the Government would be justified in bringing up, educating, and training these boys at the public expense, merely to hand them over afterwards to some other Colony or some other country. I had made the same

same rule with regard to other Colonies as I had applied to foreign countries. I had an application from a gentleman in Queensland, who desired to have two or three of these boys as apprentices; but I refused the application, on the ground just stated—that, after all the expense the Colony had gone to, I had no right to send them out of the Colony. I may also remark that I have noticed, when I have been present in Committee, that questions have been put to the different witnesses with regard to the quality of the food supplied on board the "Vernon." On this point I would wish to say, that on several occasions—I think I may say on many occasions—I have visited the ship when the boys have been at dinner. On every occasion when I happened to be present at the dinner-time, I went round the tables, examined the food, eat a portion of the bread, as I always do when I visit public or charitable institutions, and looked at the potatoes or other vegetables, and on all occasions I have found them to be such as I should be glad to eat of myself. On some of these occasions ladies have been with me, and they have also examined the food, and have declared that they considered it to be very good.

Henry Parkes,  
Esq., M.P.  
3 Mar., 1869.

Abraham Springel called in and examined:—

Mr. Abraham  
Springel.  
3 Mar., 1869.

1495. *Chairman.*] You are employed on board the "Vernon"? Yes.  
 1496. In what capacity? As boatswain's mate.  
 1497. How long have you been on board? About twenty-two months.  
 1498. You have been on board continuously, up to the present time, for twenty-two months? Yes.  
 1499. *Mr. Parkes.*] You were amongst the first appointments, I believe? Yes.  
 1500. *Chairman.*] How were you appointed—how did you get engaged as boatswain's mate? I came down to the wharf and saw Captain Mein, at the wharf where the ship was lying when they were fitting her up.  
 1501. Had you any conversation with him? Yes; I asked him if he wanted any hands. He said not just then, but he should by and by. And I said, that if I thought I could get a berth on board, I would not try to get anything else to do until the ship was ready. I left the "Geelong" on her last trip, and was looking for a berth, and I saw in the papers they were fitting out the "Vernon," so I went on board to see the captain.  
 1502. Had you known Captain Mein before? No. I first saw it in the papers, and I went down to the wharf and asked the captain if he wanted a boatswain's mate or a quartermaster. I said I saw in the papers that the "Vernon" was going to be put in commission as a training-ship for boys, and if it was, I said, I thought I should suit, as I knew a little about the service.  
 1503. Did you send in a written application for the berth? Yes.  
 1504. Who did you send it to? To Mr. Parkes, the Colonial Secretary.  
 1505. Were you examined before you were appointed? Yes.  
 1506. Who by? By Captain Mein.  
 1507. Were you ordered to go to Captain Mein to be examined? —  
 1508. And you were examined? Yes.  
 1509. What did he ask you? Whether I was fit for a boatswain's mate or a quartermaster; and I said yes, and that if I was not, I should not apply for the berth.  
 1510. Did he not ask you anything further? No.  
 1511. Not where you had been? No. He knew I had been in the Navy, because I showed him my certificate, and he saw my discharge from the "Geelong."  
 1512. Then you have served in the Navy? Yes.  
 1513. In what capacity? In all capacities—up from a boy to an able seaman.  
 1514. How many years were you in the Navy? Ten years and nine months.  
 1515. And you produced your certificate to Captain Mein? Yes.  
 1516. Did you receive a good character in that certificate? Yes.  
 1517. On seeing your certificate, I suppose Captain Mein recommended you for appointment? Yes.  
 1518. And from the character you received in that certificate, he did not think it necessary to ask you many questions? I suppose not.  
 1519. And you have been on board the "Vernon" ever since? Yes.  
 1520. Do you know how the boys wash their clothes on board? Yes, that is my duty,—to see to the washing of the clothes.  
 1521. And how do they wash them? With their hands, in tubs on the main deck, and with soap and water. They begin about 5 in the evening, and it is sometimes past 8 before they are all finished washing.  
 1522. Then it is your duty to look after the washing? Yes, to inspect the clothes after they are washed, and see that they are properly clean.  
 1523. Have you seen lice on the boys' clothes? Yes.  
 1524. More than once? Yes.  
 1525. Frequently? Yes.  
 1526. So frequently as to be an ordinary occurrence? Yes, pretty often.  
 1527. Have you seen them on the clothes when the boys have been washing them? No; after they have washed them, when they have been brought up to me for inspection.  
 1528. When you saw this, did you call the attention of the chief officer to what you had seen? Yes, I reported it to him.  
 1529. When? Several times.  
 1530. And what did he say? He told me to put them in boiling water in a bucket.  
 1531. Did you do so? Yes; I got some boiling water in a bucket, and put the clothes into it along with some soda which I got from below.

- Mr. Abraham 1532. And you have seen this repeatedly? Yes, six or seven times.  
 Springel. 1533. Have you seen vermin on the boys? No; on the boys' flannels.  
 3 Mar., 1869. 1534. Had the boys been long in the ship when you saw these vermin on them? Some had, and some had not.  
 1535. Did you ever know the boys to have to wash their clothes out in the rain? Yes, they have done that.  
 1536. More than once? Yes.  
 1537. Has it not been a common occurrence that they have had to wash their clothes out in the rain? I do not know about a common occurrence, but when it has happened to rain when they have been washing their clothes they have not been sent in out of the rain. They have been obliged to go on with the washing on deck, because of there not being room enough for all of them to go into the bath-house.  
 1538. Have the captain and the chief officer been aware that the boys were out in the rain washing their clothes? Well, they must have known it.  
 1539. And yet neither the captain nor the chief officer have ordered the boys out of the rain? No; leastways not until they have been wet through, then they have come on deck and said, send the boys below.  
 1540. Is the bath-house too small to contain all the boys at once? Yes, for all of them to wash their clothes at the same time.  
 1541. How many will it accommodate? From forty to fifty.  
 1542. Did you ever see the captain drunk on board the vessel? Not since the last investigation.  
 1543. When was that? This March twelve months.  
 1544. Was he drunk then? He was.  
 1545. Have you any doubt about it? No. I saw him when he came aboard. He had been aboard a brig lying in the harbour, and a boat from the brig brought him aboard the "Vernon." I saw he was the worse for liquor when he came aboard.  
 1546. Do you know two boys on board the "Vernon" named Maher and Butler? Yes, I know them both; but Maher is not on board now—he has gone away.  
 1547. Have you seen the captain beat these boys? I saw him beat the boy Butler.  
 1548. What did he beat him with? With a rope's end. He was on the poop, and he took a rope's end that was there.  
 1549. Was the punishment a very severe one? Yes; but I do not think he struck him any way out of the way; it was not so bad.  
 1550. Did you see him beat Maher? No, I did not see it. I know he did beat him, but I did not see him do it.  
 1551. You saw him after he had been beaten? Yes. I was down below mixing paints, and he came down to where I was. I asked him what was the matter with him, and he told me the captain had been beating him.  
 1552. Did he appear to be suffering from the effects of the beating? He was crying, that is all. It was his crying made me ask him what was up.  
 1553. Is the captain a good-tempered man? Well—  
 1554. Is he a severe man? He is rather quick-tempered, but I do not think he is a severe man, not by any means.  
 1555. Were the boys sufficiently clothed last winter—had they clothing enough to keep them warm? No, they were very poorly clad.  
 1556. They were very insufficiently clad? Yes, very.  
 1557. Did you ever hear the boys complain of the cold? Yes; when they have been washing decks in the morning they have complained to me of the cold. They have only a canvas jumper and a pair of trousers, and no flannel, and that was not enough to keep the boys warm. Half the boys were without flannels last winter.  
 1558. Half the boys were without either flannel or serge shirts during last winter? Yes, and without the blue clothing.  
 1559. How long was that the case—that they were without flannel or serge? About six weeks or two months.  
 1560. Have you heard the boys complain of the bad quality of the food supplied to them? I have not heard the boys complain. It is not my duty to be on the lower deck at meal times, so that I have not heard the boys say anything about the food.  
 1561. Do you yourself know whether the quality of the food has been good or bad? It has not been any too good. Very bad beef has come on board sometimes—so bad that we have spoken to the captain about it.  
 1562. And after the captain was spoken to, were any steps taken to rectify what you complained of? I do not know whether any steps were taken, but there has not been much improvement on it any how.  
 1563. Then the provisions, even now, are not good? No; only a week ago we had very bad beef sent aboard.  
 1564. Were you on board the "Vernon" last Christmas Day? No, I was on shore.  
 1565. Have you ever known the boys to be fed on meat alone? No.  
 1566. What I mean is, have you ever known them to be fed on meat, without either bread or potatoes? No, I do not.  
 1567. Did you ever hear of it? No.  
 1568. Have you never heard that the boys have been a whole day with nothing but meat to eat—neither bread nor potatoes being served out to them? No. I am not much on the lower deck at meal time.  
 1569. What food do you get on board? Meat and potatoes; those are the chief things. May-be we get a carrot or two, at times.  
 1570. Are these provisions of good quality? No, we have not had good meat for some time.

1571. Have you ever had any words on board the "Vernon" with Mr. Martin? I have never had any words with him—not to say anything to speak of. He gave me an order once that I could not obey. He ordered me to wash decks one Sunday morning, and I told him it was against the captain's orders—that the captain had ordered me not to wash decks on Sunday morning.
1572. And what did he say to that? He said that he was chief officer of the ship, and did I know that I had to obey him. I said I was willing to do so if it was not against the captain's orders. I said—"Only let the captain give me the order, and I will do it for the time to come."
1573. Was that all that took place between you? Yes, that was all.
1574. Has the cook ever been put over the ship's side? Yes, he has.
1575. What was it for? Well, that I do not know.
1576. Who put him over? Mr. Martin and the boys.
1577. Did he order the boys to put him over? Yes, something like it, only I cannot say for certain. I was away on the fore-castle at the time, and this happened in the waist, and I do not know myself how it was.
1578. Did you never hear what it was for? Well, I did hear something, but I cannot say for sure. It was something about Mr. Martin going into the galley, and the cook did not like it, and then they had some words, and the end was the cook was put over the side.
1579. Does Mr. Martin ever give orders different from those given by the captain? That I cannot say; he never did to me—no further than that deck affair. The captain gave me very strict orders not to wash decks on Sunday, and that was how it was I came to tell Mr. Martin that I could not obey him until the captain gave me orders.
1580. Then, as a matter of fact, Mr. Martin did issue orders at variance with those given you by the captain? Yes; but I did not do what he ordered me.
1581. But Mr. Martin ordered it to be done all the same? He ordered it, but it was not done. I knew my duty too well to disobey the orders of the captain.
1582. Did he give you orders more than once to wash decks on Sunday? No; it was only once, and then I told him what the captain had ordered.
1583. Are the boys in a good state of discipline? Yes; some of them are well up in their duties.
1584. I do not mean that—I mean with regard to their conduct—are they well-behaved? Yes, most of the big boys are.
1585. Do they conduct themselves properly on board? Yes, pretty well. They require a good deal of driving, you know. All the older boys have left the ship, and they are mostly youngsters now, and they do take a deal of driving to get them along.
1586. Have you had your mess-tubs taken away from you? Yes.
1587. What was that for? They said they wanted them on the lower deck for the boys.
1588. You were not on board the ship on Christmas Day? No; I was ashore on leave.
1589. *Mr. Burns.*] Whose duty is it to receive the provisions from the contractor? It is Mr. Waller's business.
1590. He is the purser, is he not? Yes.
1591. Have you complained to him about the bad quality of the provisions supplied to you? Yes; we complained to him and to the chief officer.
1592. To both of them? Yes.
1593. Has their attention been drawn more than once to the bad quality of the provisions? Yes, several times.
1594. And, notwithstanding your complaints, they have still continued to be bad? Yes; there is very little improvement even now.
1595. Do you understand that Captain Mein has complete and entire control of the ship—that he has complete and sole charge of her? Well, no; I cannot say I do.
1596. You know that he is captain, and that, as captain, he is sole master of the ship? Oh, yes; I understand that.
1597. *Mr. W. Campbell.*] Have you no awnings aboard the ship? Yes; we have deck awnings fore and aft.
1598. And do not these prevent the rain from falling on the boys when they are washing clothes on deck? No; they are not rain awnings; they are only meant for keeping off the sun, and are no good for rain.

Mr. Abraham  
Springel.

3 Mar., 1869.

Joseph Robinson called in and examined:—

1599. *Chairman.*] You are employed on board the "Vernon"? Yes.
1600. In what capacity? As boatswain's mate.
1601. How long have you been so employed? Ever since the ship was first commissioned.
1602. By whom were you appointed? By the Honorable Mr. Parkes.
1603. Did you apply to the captain, in the first instance? Yes; I went to Captain Mein first, and showed him my papers, and told him I had been in the Navy.
1604. Did you produce your certificate, and show it to him? Yes; and I told him where I had served, and in what ships.
1605. The certificate, I suppose, gave you a good character? Yes, it gave me a very good character.
1606. Were you examined prior to your appointment? Yes.

Joseph  
Robinson.

3 Mar., 1869.

1607.



Joseph  
Robinson.  
3 Mar., 1869.

1607. Who by? By Captain Mein. He questioned me about the duties that would be required of me, and he seemed satisfied at my answers.
1608. Then, upon his favourable report, you were appointed? Yes, I suppose that was the way of it. I was sent to the captain, and he examined me, and then afterwards I was appointed; so I suppose he reported favourably about me.
1609. You had been some years at sea before you were appointed to the "Vernon"? Yes; I had worked my way up in the Royal Navy from a boy.
1610. And you remained in it—how many years? About thirty-five years altogether; twelve and a half years in the Royal Navy.
1611. Do you ever see the boys washing their clothes on board? Yes; that is my chief duty,—to look after the washing of the clothes. All the clothes go through my hands.
1612. Are the clothes generally very clean? Not always. Sometimes I have seen their flannels in a very filthy state.
1613. Then your attention has been called to the filthy state of the flannels? No; but I have noticed them when the boys have brought them up to me to be examined.
1614. There were vermin on them? Yes, there were.
1615. And what did you do when you saw this? I got some hot water and soda, and had them washed in that.
1616. Has this been very frequent? No; only now and again, when we get fresh boys aboard, and then its only on the smaller boys. The big boys keep themselves clean enough; but most of the big boys are now gone, and nearly all those there now are very little fellows.
1617. *Mr. Parkes.*] Are there not many of the boys now on board who are mere infants, who ought not to be there at all? Yes; they are nearly all little boys, now that most of the big ones have gone.
1618. Are there not many of them who, by reason of their tender age, can only be kept clean by the care and attention of a woman? Yes; there are some of them altogether too young to wash their clothes. All the boys have to be treated alike, and these little ones have to turn out to wash clothes the same as the rest. They are too young to manage, and so me and the other boatswain's mate, we have to do it for them. These little chaps are all placed under the guidance of the bigger boys; but then the bigger boys are only youngsters themselves, and there's no reliance to be placed in them.
1619. Is there not one of the children who is not more than two years or two years and a half old? Yes; there is one who was not more than two years old when he came aboard the ship.
1620. *Chairman.*] Did you ever see the captain drunk on board? I never saw him to say drunk aboard the ship; but I saw him at one time, as I judged him to be, the worse for liquor.
1621. Do you recollect a monkey the captain kept on board? I do.
1622. That monkey was in the habit of playing nasty tricks on the deck? Well, not more than monkeys do. You see, monkeys are —
1623. Did he go on with these dirty tricks? Well, I cannot say; I never took particular notice of the monkey. I have always got plenty to employ me when I am on the deck, and I have no time to look after monkeys. The boys give me all my work to do.
1624. Did you ever see the captain punish the boys? Yes, I have.
1625. What with? With a cane, and sometimes with a rope's end.
1626. With anything else? No, not with anything else, that I remember.
1627. Did you ever see him use his walking-stick to punish the boys with? That is what I mean by a cane. Just a light walking-cane, that he carries in his hand.
1628. That is not what I mean. Did you ever see him strike the boys with a stout walking-stick which he carries? No, I have not. He usually sends for the cane of the master-at-arms.
1629. Did you ever see a boy named Butler punished? No, not in my recollection.
1630. *Mr. Parkes.*] Is the captain generally good-tempered towards the boys? Well, he is generally; but then, you see, he is rather fiery in temper, and the tricks of these boys urge him up to that pitch that he forgets himself. But those boys are not easily handled, for there are some of them that would ruin the patience of any one.
1631. *Chairman.*] Is he a kind man? He pays great attention to the boys, looking after them and inspecting them. But, be as kind as you like, and it is no good with most of them boys, you will never do any good with them if you do not punish them.
1632. Should you call him an unkind man? No, certainly not.
1633. Do the boys get good food on board the vessel? It is better now than it has been for some time. A little time ago it certainly was not good.
1634. Have you ever known the boys to be a whole day without potatoes or bread? No, I have never seen that. I see the provisions come aboard mostly every day, and I always see bread and potatoes.
1635. Do the boys always get bread and potatoes? I see them come aboard the ship. I do not know if the boys get them, because I am not below when the boys are at meals; but, as they come aboard, I suppose they get them the same as all hands.
1636. You do not know, then, that within ten days the boys were three times without bread or potatoes for four-and-twenty hours? No, I do not. I have seen the meat and bread and potatoes come aboard, and I have always seen sufficient for all the boys, as well as for the ship's company.
1637. You will not undertake to say that they have not been without bread and potatoes on these occasions? No; I cannot say whether they do get it, or whether they do not. I only

Joseph  
Robinson.

3 Mar., 1869.

only know that the bread comes aboard every day; but, as I have nothing to do with inspecting the tables, I cannot say what the boys get.

1638. Do you remember that the attention of the Inspector of Charities was called to this, and that he made some inquiry into the matter? Yes, I remember that.

1639. And he reported that the excuse which was made was, that the potatoes were not cooked, and that was how the boys did not get them? Yes, I recollect that now quite well. The potatoes were not cooked enough at dinner, and the boys could not eat them. But if they did not have them for dinner, they had them for supper; I remember that very well.

1640. Do you know this of your own knowledge? Yes; I was on the deck when the chief officer came to the cook, and told him that the boys complained that the potatoes were not cooked, and that they could not eat them. He ordered that they should be cooked for the boys' supper instead.

1641. And were they cooked? Yes.

1642. Will you undertake to say that the boys got that day for supper the potatoes they ought to have had for dinner? Yes, I saw them myself. I saw them taken from the cookhouse down to the lower deck.

1643. Are the boys at present on board in a good state of discipline? With regard to the discipline of the ship, the boys act as near up to the mark as you can expect boys like them to do. Most of them have only been a short time on board, and they are not well up in discipline as yet.

1644. I mean as regards their conduct on board—are they well-behaved? Well, pretty well, considering.

1645. Were you on board the ship last Christmas Day? Yes, I was.

1646. Do you recollect a pudding that was made on that day? I do, well.

1647. Do you remember seeing it being mixed up? No; but I saw the trough afterwards in which it had been mixed up.

1648. What trough was it? Where all the offal and refuse from the galley is put into.

1649. So the pudding was made in the trough which is usually the receptacle for the ship's offal? Yes.

1650. And what became of it after it was cooked? It was issued out to the boys and men. I do not know what the boys did with it, but I know the men did not eat it.

1651. Was it not thrown away? I do not know what became of it; the men did not eat it, I know that.

1652. Whose fault was this? The cook's, of course.

1653. Was any complaint made about it? No, not that I know of; I do not think there was.

1654. Was it your duty to report anything of this kind coming to your knowledge? No; it was the duty of the master-at-arms to make all reports.

1655. However, the pudding was mixed up in this trough in which the cook's offal was thrown? Yes; there is no doubt about it. The cook did not deny it.

1656. *Mr. Parkes.*] Was there no attempt made to clean this tub or trough before using it for mixing the pudding? Yes. The cook said he had cleaned it out; but, as I said, it was not the thing to mix a pudding in after what it had been used for, and I told him he ought not to have done it.

1657. Do you think it was clean before it was used for the purpose? That I cannot say. He said he had cleaned it out as well as could be. The only excuse he made, when I said he ought not to have used that, was, that he said there was nothing else large enough on board the ship to mix the pudding in.

1658. *Mr. Burns.*] You say the captain is of a hasty temper? Yes, he is rather quick-tempered at times; but then it is soon over.

1659. But yet that he is not unkind to the boys? No, I never saw him unkind to any of them.

1660. *Mr. Tighe.*] Do the captain and the chief officer exhibit that amount of interest and zeal in the cleanliness, comfort, and good conduct of the boys, that is to be expected from gentlemen holding such positions as they do? I have been with a good many men in my time, and as good officers as could be; but as to Mr. Martin, I never met with a man who took more interest in the boys than he does.

1661. And the captain? He takes an interest in them too; but then he is not so much with the boys as the chief officer is. He comes sometimes to inspect them, and the like of that; but Mr. Martin is always with them.

1662. Do the captain and chief officer receive all the support they have a right to expect from the ship's company? The ship's company are bound by their articles to carry out all the lawful orders of the captain and chief officer.

1663. Does the master-at-arms support the captain and mate? I always found him to obey all orders given to him. I never heard anything to the contrary.

1664. And do the ship's company endeavour to co-operate, to the full extent of their power, with the master and mate? Yes; they act on the chief officer's orders chiefly.

1665. Did you ever see the boys ill-used by the master or mate? Not ill-used. I have seen the captain cane them, but not so bad as all that; not more than a parent would do if he was caning a bad child.

1666. How do the men behave on board—do they ever break the rules of the ship? There are some of them break their leave at night—that is all. We have a very good set of men now.

1667. Do they give the captain much trouble? Not now. The men we have now are a very quiet set of men, and they all obey orders, only that they sometimes break their leave at night. That is the only thing against them.

1668,



- Joseph Robinson.  
 3 Mar., 1869.
1668. Then it is not the case that the men cause the work of the ship to go on unpleasantly by reason of their misconduct? Not the men that are there now.
1669. Then it was the case formerly? Yes, with some of the former men we had.
1670. Somehow or other the captain and them did not seem to hit it together.
1671. And did that contribute to make the work go on unpleasantly on board the ship? I will not say that. I will not say that it interfered with the work; but it made things uncomfortable on board.
1672. Did you ever see the men conduct themselves disrespectfully towards the captain? Not the men we have now.
1673. Did you see the men who were sent away? Yes; I saw one of them giving impudence to the captain. I was not to the fore, so I do not know what he said. I was out on the boom end at the time, and did not hear what it was about; but I could see he was insolent. He was dismissed for unruly conduct.
1674. Has the captain done everything he possibly could in order to introduce order and discipline amongst the boys? I think he has, as far as he could. As far as I could see, he has done everything in his power for the boys.
1675. Have any of the trade instructors ever attempted to thwart the captain in carrying on the discipline of the ship? Not that I know of; they are out of my way altogether.
1676. Have you heard them inducing the boys not to go to sea, but instead of that to learn trades? Not to my knowledge; they might have done it, and me none the wiser. My duty lies on deck, and I do not come in their road.
1677. Have you heard any instances of unnatural offences having been committed on board? I have heard reports of such a thing.
1678. And do you think there is any foundation for the report? I do not know of anything, except the case of the two boys who were found in a suspicious place, and in an improper position. The quartermaster saw them. One was lying down under the bits of the bowsprit, and the other was close to him.
1679. Do you think it is consistent with the good order of the ship, or the good conduct of the boys, that such practices should be allowed to prevail? I do not know about prevail, but that case of the two boys was the only one I ever heard of, and I do not think there was much in that. There may have been some of the boys guilty of self-abuse, but that is all.
1680. Is that prevalent? No; there are only two or three cases that were ever brought to light, as far as I can remember.
1681. Then you think that these charges of improper conduct have no foundation? I do not think so. Even in the case of the two boys found by the quartermaster, I do not think there was anything in it, for neither of them exceeded ten years of age.
1682. *Mr. Farnell.* What time do the boys get up in the morning? About half-past 4, in the summer-time.
1683. And what time do they leave off in the evening? If it is washing day, they do not knock off until about half-past 8 in the evening.
1684. How many hours recreation do they have? They get ten minutes at a quarter after 10; next, they get ten minutes at a quarter after 2; then at 4 o'clock we clear decks; and then about one bell they get a quarter of an hour to play about the deck.
1685. Do you think the hours of labour are too many for boys of that age? Yes, I think so. It is too long to keep boys at it—at least, that is my opinion.
1686. Do the boys themselves complain of the long hours they have to work? Yes, they have complained repeatedly. The hours are too much for them. There is a deal of trouble to get them along, especially as some of them are very young.
1687. When you were a boy, did you ever work so many hours? No, and I was brought up in the Navy. They keep you going there; but I never had such hours as these.
1688. Are the provisions bad? No, they are not bad now. They were some time ago, but now they are as good as could be expected on board any ship.
1689. Do the boys get the same provisions as the ship's company? Yes, the provisions are the same for all hands. There is no distinction between what is for the boys and what is for the men.
1690. What vegetables do you have? Potatoes, and carrots, and parsnips, and cabbages, sometimes.
1691. Are your meals cooked in a cleanly manner? Yes; our present cook seems a very good man. The last cook we had was not a clean man, and the captain discharged him.
1692. How long was he on board? About five or six months, and there were several complaints about him, until at last the captain discharged him.
1693. Has the cook all the appliances for cooking on board? Yes, he has got them now. There is a new apparatus, and it seems to be a good one; and new kettles have been supplied for the hominy.
1694. Do the boys seem to like the hominy? No, they do not.
1695. Do you know whether Captain Mein has ever received any naval training—whether he has ever been in the Royal Navy? No, I do not know.
1696. Has the chief officer had such a training? I think not.
1697. Has the master-at-arms? Yes, he has been in the Navy.
1698. From his having been in the Navy, do you think that he would be a better man than the captain or chief officer to have the discipline of the boys left in his hands? I would not say that. I should not like to say that he was better fitted for it than the captain; because a man may make a very good officer on board a ship, and yet not be the man to have the charge of the vessel.

Joseph  
Robinson.

3 Mar., 1869.

1698. You say that the captain punishes the boys. Does he chastise them when he sees offences committed, or on the report of the proper officers of the ship? On the report of the officers. The captain comes up on deck in the morning, at divisions, and then reports are made to him of all the boys who have committed offences; then the captain punishes them, according as he thinks they deserve it.
1699. *Chairman.*] Where do they get it—over the gangway, do they not? Yes, when it is a heavy offence; but not without it is very serious.
1700. And where do they get it when it is not a heavy offence? Over the hand, for lighter offences; what they call pannums, the same as they do in the Navy.
1701. You are never with the boys when they are in school? No. No one is admitted into the school during school hours.
1702. Are the boys ever taken out of school to pull the captain's gig? I cannot say. They might have been; but I have nothing to do with them in school.
1703. A certain number of the boys are, I believe, told off as a crew for the captain's gig? Yes; there is a crew of five for the captain's gig.
1704. Then, if these five happened to be in school when the captain wanted his gig, they would have to be taken out of school? Yes; if the captain's gig was wanted, I suppose the boys would have to go, whether they were in school or out of school.
1705. Do you think the majority of the boys on board—leaving the infants out of consideration—are calculated to make good seamen? No, I do not. None of them seem to care much about seamanship; the greater part of them seem to prefer to learn trades.
1706. *Mr. Farnell.*] When you shipped on board the "Vernon," did you not understand that it was to be a nautical training-ship for seamen? Yes, that was my idea of it, certainly.
1707. You did not think it was to be a ship for learning trades, like tailoring and shoe-makers? No, I did not.
1708. Is the discipline on board the "Vernon" stricter than in a man-of-war? No, not so strict, nor nothing like it.
1709. Do they get up as early on board a ship of war as they do on the "Vernon"? Yes, just about the same; all hands are turned out at about half-past 4 or 5.
1710. Do they have to work longer hours? No; they generally do all the work about a man-of-war before breakfast, and then they are told off into watches, and they take watch and watch on deck; one watch is on deck whilst the other is below, during the day.
1711. Are the rations brought alongside the ship by the contractor? No; a boat is sent to fetch them round to the wharf at Woolloomooloo. The contractor fetches them down to the wharf, and we take them off in our boat.
1712. Does the purser go to the wharf to receive them from the contractor? Yes.
1713. Does he weigh the rations as they come on board? I have seen him do it, but I do not think he does it always.
1714. *Mr. Campbell.*] When you shipped on board the "Vernon," did you ship under the captain—under Captain Mein? Yes.
1715. Do you believe that the captain could dismiss you, if your conduct was such as he did not approve of? No. I know that he would have to go to the Government before he could dismiss me.
1716. I suppose you consider that the ship is under the captain? Yes; all on board are bound to obey his lawful orders.
1717. And you said that you shipped under the captain? Certainly I did, and I am under him still.
1718. And who do you consider the captain to be? Captain Mein, the Superintendent of the Nautical Training-ship "Vernon."
1719. But you say he did not ship you? No; I was appointed by the Honorable Mr. Parkes.
1720. And you say, also, that he has not the power to unship you? Yes; I can only be unshipped by the Colonial Secretary. I know that, because I was appointed by the Colonial Secretary.
1721. How do you consider yourself under him, when he has not appointed you, and when he cannot unship you? I consider myself as being under his orders.
1722. *Mr. Parkes.*] I suppose that you, as a boatswain's mate of the "Vernon," consider yourself amenable to the captain of that vessel, whoever that officer may be? Most certainly I do.
1723. And to all the other officers aboard, who are under him and above you? Yes, certainly; just the same as in a man-of-war—you have to obey the orders of any officer who is over you.
1724. You do not expect to receive instructions as to your duty from the Colonial Secretary, although that official appointed you? No; I look to the captain of the ship for my orders, and I know it is my duty to obey them.
1725. Do you feel yourself to be as much under the orders and directions of the captain of the "Vernon" as you would consider yourself to be under the captain of any other vessel sailing out of the harbour, on board of which you may have shipped? Yes, quite as much.
1726. *Mr. W. Campbell.*] Would not the captain of any other vessel have more authority, on account of his being able to ship his own hands and to unship them at his own will? He would not have very much authority if he was not able to do so.
1727. *Mr. Burns.*] The captain of an ordinary merchant vessel can discharge his hands or not, just as he thinks fit? Not always. It depends upon how the men sign articles. He would have to prove misconduct against them before they could be discharged.

- Joseph Robinson. 1728. But for misconduct he can discharge them? Yes, by handing them over to the police, and proving his case against them.
- 2 Mar., 1869. 1729. And then he can discharge them without appealing to his owners? The owners have nothing to do with it. It is for the Magistrates to decide. The captain cannot discharge the men. He brings his charge against them, and then the Magistrates say whether the men shall be discharged or not.
1730. *Mr. W. Campbell.*] Then you look upon the Colonial Secretary for the time being as a kind of commodore or vice-admiral, during whose presence the captain has no power to act? No, I do not look at it in that light. He is in the same position as the Magistrates; and Captain Mein, instead of appealing to the police, would appeal to the Colonial Secretary to order the discharge of any man who misconducted himself.

THURSDAY, 11 MARCH, 1869.

Present:—

MR. ALEXANDER, | MR. FARNELL,  
MR. PARKES.

RICHARD DRIVER, JUNR., ESQ., IN THE CHAIR.

Mr. Edward Nestor Waller examined:—

- Mr. E. N. Waller. 1731. *Chairman.*] You are purser on board the training-ship "Vernon"? I am.
- 11 Mar., 1869. 1732. What are your duties? I have to receive the provisions, and to issue them. I also receive the clothing as it comes on board, and issue the clothes as they are made.
1733. Is it your duty to inspect the provisions brought on board? I inspect the provisions before they are brought on board.
1734. As you receive them at the wharf? As I receive them at the wharf.
1735. Is it your duty to inspect all provisions brought on board? Yes.
1736. Has it been your duty from the date of your appointment to the ship? Yes.
1737. To examine not only the quantity but the quality of the provisions? Yes.
1738. Have any complaints been made as to the quality of the provisions sent on board? Frequently.
1739. By whom? By the men and officers of the ship.
1740. Were those complaints well founded? Yes, I think so.
1741. How came you to pass them? I never passed them. I always forwarded them on to the captain.
1742. Had you no power to reject them when they were brought to the wharf? I had power to reject them; but the beef, when it was brought to the wharf, looked good, and we did not find it bad until it was cooked.
1743. Then, did these complaints apply only to such articles as beef and mutton? To beef, mutton, and vegetables; but the meat is the principal thing that has been found fault with.
1744. Have the provisions been good or bad? They have been much better lately, but they had been very bad before this Committee sat.
1745. Did you report these complaints to the master of the ship? I have reported them on several occasions. I have also reported the quality of the meat to the Inspector of Public Charities.
1746. You think no improvement took place in the quality of the provisions in consequence of those complaints? I do. Perhaps for one or two days after we complained there may have been a slight improvement, and then it would fall back to its old state again.
1747. Do you weigh the provisions on receiving them? Yes.
1748. Are the provisions received daily? Yes; those that are consumed for the day are issued daily.
1749. Then you have no more than one day's stock of meat on hand at one time? No, except on Saturdays. On Saturday we get our Sunday's supply.
1750. When the provisions are bad, or deficient in weight, how is the deficiency made up? On one occasion I went to a butcher myself, and got the weight made up. A quantity was received that was unfit for human food, and I asked the captain's permission to go and get some in lieu of it. After I came back, he kicked up a most awful row about it, as it appeared that I should have been back by divisions.
1751. After giving you an order to go for it? Yes.
1752. Was the meat on that occasion condemned at the wharf, or taken on board the ship? Condemned at the wharf.
1753. As being unfit for food? Yes.
1754. I understand you to say that, on your return to the ship, you asked permission of the captain to go and procure other meat on shore; that he gave you permission? Yes.
1755. And that you obtained the meat? I did.
1756. What took place on your return? The captain found fault with me about it, for going on shore a little before divisions. I told him it was the only time I could have chosen, as otherwise the meat would have come on board too late to be prepared for dinner.
1757. When the provisions were brought on board, and found to be unfit for food, how has the deficiency been made up? I have never rejected any from the ship at all.
1758. But you say complaints have been made? The deficiency has never been made up at all.

1759.

1759. Where the provisions have been found to be deficient in weight? I have written to the contractors about that, and have received the deficient weight, in bread especially, the following day.

Mr. E. N.  
Waller.

1760. The deficiency has not been made up the same day? No.

11 Mar., 1869.

1761. Then the boys would receive short allowance for that day? Yes.

1762. I understand you to say that you reported these matters to the captain? Yes, I have.

1763. How often do you think you have reported to the captain about the inferior quality of the provisions? I have reported several times about it.

1764. Do you write the letters for the captain? I do.

1765. Carry on his correspondence? Yes; he drafts the letters, and I merely copy them.

1766. Do you recollect a man named Powell, who was on board? Yes.

1767. What was he? Boatswain.

1768. Was he discharged? Yes.

1769. For what? For insubordinate conduct, I believe.

1770. Do you recollect writing a letter about him to the Colonial Secretary, or copying a letter? Yes.

1771. Can you produce a copy of that letter? I can. (*The witness referred to a letter-book.*) The letter in reference to his dismissal is not here; it was suppressed, and not allowed to be written here.

1772. Are you certain of that? Yes; I received orders not to enter it in the letter-book. I left a blank page where it should have been written.

1773. Can you explain the reason why these orders were given? Yes; the reason was, that no person should see what it was about.

1774. Who said so? Captain Mein.

1775. Do you recollect the contents of that letter? No; it is so long since it was written that I do not recollect.

1776. Were you at the time the letter was written, in a position to state whether its contents were true or false? I do not think they were altogether correct.

1777. Can you state any particular in which it was not correct? No; I am really non-plussed about that just now. I had a copy of the letter, but the copies of all the letters I kept were destroyed while I was sick, so that I am at a loss—having nothing to put my hand on.

1778. Were you confined on board the ship by illness? No, I was sent on shore.

1779. During your absence from the ship——? The whole of the drafts of these letters were destroyed.

1780. In whose handwriting were they? All in Captain Mein's.

1781. Do any letters appear to have been removed from the book—cut out? (*The witness examined the book.*) No, I have not missed any letters; in fact, I have not much access to the book now—I am obliged to leave it in the captain's cabin.

1782. The book, when you went on shore, you left in the captain's cabin? Yes.

1783. Were these drafts kept in it? No; they were all kept on a shelf in my office—all filed. I kept them for a particular reason. The captain used sometimes to find fault, and say there were mistakes in the copies of the letters in the book, and I used to produce his own drafts, to show that there were not. The captain himself told me that he had destroyed them while I was sick; and the reason he gave was, that it was a bad plan to leave letters lying about.

1784. Do you recollect sufficient of the contents of the letter with reference to Powell, to be able to state to the Committee whether the statements put forth in the letter were true or false? No, I could not recollect it now.

1785. If the letter itself were produced, could you give any information to the Committee about it? I think so.

1786. About what time was the letter written? Some time in the month of June—between the 3rd and the 8th.

1787. Have you had any conversation with Captain Mein or Mr. Martin since the appointment of this Committee? Yes.

1788. Have you heard anything said on board, by either of them, about persons giving evidence before this Committee? Yes, I have heard one or two things about them.

1789. By whom? By Captain Mein; never by Mr. Martin.

1790. What has the captain said—Has he said he would make it too hot for any person giving evidence before this Committee? No, never.

1791. Anything of that character? No.

1792. Did you ever say he did, to any one? I do not recollect it.

1793. Are you quite certain you never said so? I do recollect saying something about it, but I do not recollect what it was.

1794. Did you, at any time, state that the ship would be made too hot for those who had given evidence? I recollect saying something about it now, but I forget to whom.

1795. How came you to say so? From words that have transpired from the captain.

1796. Do you recollect what the captain said about it? I have heard him frequently say it would all end in smoke.

1797. Anything else? I have also heard him say he did not care a fig.

1798. What else—What induced you to say he would make it too hot for any one giving evidence—Did the captain say so? I recollect saying something of the sort.

1799. *Mr. Parkes.* Did he ever use the words, that the ship would be made too hot to hold the witnesses? I do not recollect whether it was about giving evidence before this Committee at all. It was a different thing altogether I alluded to; it was about sodomy. I heard it rumoured in the ship, that whoever took tales on shore he would make the ship too hot to hold them.

- Mr. E. N. Waller. 1800. *Chairman.*] You were induced to say so from something you heard from the captain? Yes.
- 11 Mar., 1869. 1801. *Mr. Farnell.*] Have you any other duties to perform, as purser of the ship, besides receiving the provisions? Yes; I go away in the boats, and I do the duty of clerk.
1802. Have you anything to do with inspecting the tradesmasters—with looking over them? I have no connection with that department whatever, except issuing goods to them as they require them.
1803. Do you understand upon what terms the rations are supplied to the "Vernon"? Yes.
1804. Have you a copy of the contract? I have, on board.
1805. Is there not a condition in the contract, that you shall call in arbitrators or persons to judge the provisions? Yes.
1806. Have you ever done so when the provisions have been bad? Yes; on the occasion I have referred to, I called the man from the boat, and the carter, with myself.
1807. Is it not your duty, when provisions are bad, to go and get good provisions, and to charge them to the contractor? Yes.
1808. On how many occasions have you done so? Only once.
1809. Have these complaints referred only to the beef and mutton? I have never heard any complaints of anything else.
1810. Do you get fresh meat every day? Yes; beef five times a week, and mutton once, except in the summer, when we have mutton twice, and salt beef on Sundays.
1811. Why do you have salt beef on Sunday? Because we are not able to keep mutton.
1812. You do not receive provisions on Sunday? No; we receive them on Saturday, for Sunday.
1813. Do you always report these cases to the commander? Yes.
1814. Have you any power to act without first acquainting him? No.
1815. Does the commander ever inspect the provisions, at any time, when the boys are at meals? Only in the absence of the chief officer. When the chief officer is sick, as he is at present, he inspects the boys at their meals.
1816. Was a person of the name of Harris employed on board the "Vernon"? Yes.
1817. What was he on board? Second officer.
1818. Do you know how long he was there? No; he joined the ship before I did.
1819. Has he left the ship since you have been there? Yes.
1820. How came he to leave her? He resigned.
1821. Do you know whether he made any complaint, or found any fault, when he was engaged on board the "Vernon"? I heard him grumbling—but it was more of a personal character than anything else—against the commander.
1822. Did you or the commander, at any time, receive any blackguard letters from Harris, while he was there? I received one with reference to the captain, and, I believe, the captain had one.
1823. What was the nature of the letter you received? The letter written to me was not of a gentlemanly kind; one expression was rather strong.
1824. Did it complain of Captain Mein's conduct, as commander of the ship, or was it merely of a private nature? Merely of a private nature.
1825. Do you know whether the commander ever interfered with the religion of the boys? I never knew him to do so.
1826. Did he ever order boys of one religious persuasion to attend the Sunday-school of another? I heard of one boy named Reynolds; but I believe the captain thought he was doing right there.
1827. The schoolmaster holds a Sunday-school for Protestant children? He does.
1828. I suppose it is difficult to ascertain the religion of the boys, sometimes? It is, very difficult.
1829. Does the schoolmaster correct the boys, or leave it to the commander to do so? The schoolmaster did correct them at one time, but he does not now; he sends in a report now.
1830. He does not correct them for misconduct in school? Not now.
1831. Do you know whether the schoolmaster ever ill-treated the boys, or chastised them with undue severity? Yes; I have seen marks on them after he has beaten them.
1832. What did he beat them with? I have seen him beat them with a ruler; but he usually beats them with a short cane.
1833. Has he been in the habit of doing so? Not lately—not for some considerable time.
1834. Has the commander ever checked or reprimanded him for correcting boys with unnecessary severity? I am not aware.
1835. Do you know what is the commander's general treatment of the boys? It varies; sometimes he is very kind, and at others he is just the reverse.
1836. Is he an even-tempered person, or sharp? Very sharp—passionate.
1837. Does he agree pretty well with the officers of the ship? With two or three of them; not with all throughout the ship.
1838. There is not a good understanding generally, between the officers and commander? No, there is not.
1839. Has any officer of the ship been lately put under arrest? Yes, the master-at-arms.
1840. When? On Saturday last.
1841. Do you know on what charge? Insubordination and impertinent language; neglect of duty, and insubordination.
1842. *Mr. Parkes.*] What do you mean by being put under arrest? He was virtually under arrest,—he was suspended.



1843. You mean suspended from duty? He was suspended, and was placed under arrest. I believe orders were given that a man should accompany him whenever he wanted to go to the upper deck. Mr. E. N. Waller.
1844. *Chairman.*] The man you refer to is outside now? He is outside now. 11 Mar., 1869.
1845. *Mr. Farnell.*] Do you know anything about the cleanliness of the boys—as to the state of their heads? They are very clean now.
1846. Are they well supplied with clothing? No; the clothing is not supplied fast enough—it cannot be made fast enough. They wear them out so quickly that a few weeks after they are supplied they are in rags.
1847. Does the captain ever advise any of the boys not to become tradesmen? I have never heard him; he has often told them anecdotes about the sea, and asked them whether they would not like to be sailors.
1848. You know the "Vernon" is a nautical training-ship? Yes.
1849. Do you know whether the tradesmasters ever exercise an influence with the boys, to induce them to become tradesmen? Only one occasion I heard Mr. Byrne, the tailor trade-instructor, giving the boys some anecdotes of the misery of a sea life.
1850. Do you know whether the boys ever complain of being worked too much? I never heard any complaints from them.
1851. They get up at half-past 4? At 5 I believe it is now.
1852. The time varies—in summer they get up at half-past 4? Yes.
1853. At what time do they knock off? It is supposed to be at 4; but generally it is 5, and sometimes 6 o'clock. At 4 they clear up decks.
1854. Do you think that is too long for little boys? Yes.
1855. You have some very young children? Yes, some as young as three years.
1856. Who takes care of them? Only some of the bigger boys.
1857. *Mr. Parkes.*] Little children of three years do not do much work? No; of course they are allowed to play about.
1858. *Mr. Farnell.*] They go to school? No; they are too young. They do not go to school under five.
1859. *Chairman.*] Did you hear Mr. Byrne telling these anecdotes you speak of? I was standing by.
1860. What were they? It was no particular anecdote; but he was telling them the sort of life a sailor's was—something, I believe, of his own experience.
1861. *Mr. Alexander.*] Robinson Crusoe? No; some of his own adventures.
1862. *Chairman.*] Was he speaking to boys of his own class? To boys in his own department.

---

Mr. William Shaw examined:—

1863. *Chairman.*] What are you? Carpenter on board the "Vernon." Mr. William Shaw.
1864. How long have you been so employed? About thirteen months. 11 Mar., 1869.
1865. *Mr. Farnell.*] Are you the ship carpenter of the ship? Yes.
1866. Are you also employed in the capacity of instructor to any boys who choose to learn your trade? Yes.
1867. How many boys have you under you? About nine, at the present time.
1868. Have you sufficient carpenter's work to employ these boys? Yes, all they are able to do.
1869. What carpenter's work do you do on board? Ship's fittings—ship's work generally.
1870. Is the commander of the ship always on board? Yes; he is very seldom on shore.
1871. Unless when away on official duty? He has a liberty day as well as the rest of the men. On Saturday he is away from about 10 in the morning till 5 or 6 in the afternoon.
1872. Does the commander appear to take an interest in the welfare of the boys generally? Yes, I think he does, as far as I see of him.
1873. Are the officers generally on good terms with the commander? I cannot say they are now. Since this inquiry commenced, there does not seem to be any good feeling in the ship.
1874. Was there a good feeling previously? Yes; I never saw anything else till now.
1875. Did you ever have any dispute with the commander? No.
1876. Have you been to sea? Never.
1877. You are a shipwright? Yes.
1878. Do you know anything about the duties of a nautical training ship? No.
1879. Of course you have nothing to do with the general duties of the ship? Yes; on Sundays I keep the chief officer's watch when he is on shore, and keep the first watch every night.
1880. Were these nine boys under your continual care and instruction? As an officer of the ship, I consider that all the boys were under my care when I was on duty; but these boys were specially under my instruction as carpenter. There are about two of them I think who have been four or five months with me; the rest are very often shifting. Most of the boys I have had have left the ship.
1881. I suppose the boys you have under your instructions go to school sometimes? Yes.
1882. What kind of carpenter's work are they employed at? Sawing and planing, principally; in fact, none of the boys I have are big enough for ordinary carpenter's work, excepting one I have had lately, within the last few days.

1883.

- Mr. William Shaw. 1883. If you instruct these boys only for a short period, and they are then taken away, your instruction will be wholly lost? It may be of use to them afterwards.
1884. How long a time would it be necessary for a boy to be under instruction to make him a carpenter? About five years.
- 11 Mar., 1869. 1885. Are the provisions on board the "Vernon" good, or have they been good? No.
1886. What has been the complaint against them? They have been generally very bad. In my opinion, the provisions have generally been bad, excepting the sugar.
1887. Do you get the same kind of provisions as the boys? Yes.
1888. Do you get up at the same hours as the boys—at half-past 4 in summer? No, I get up at 7 o'clock; but I keep watch till 12 at night.
1889. Do any of the officers turn out at half-past 4? Yes, some turn out at 4 to relieve the watch.

---

Mr. Joseph Brady examined:—

- Mr. Joseph Brady. 1890. *Chairman.*] What are you? Bugler and barber on board the "Vernon."
1891. How long have you been so employed? Eleven months.
1892. *Mr. Farnell.*] It is your duty, I suppose, to cut the boys' hair? Yes.
- 11 Mar., 1869. 1893. Have you noticed that the boys' heads were not clean at times; that they had vermin in them—lice? When I first joined the ship, the boys' heads were rather dirty at times.
1894. You say you are the bugler? Yes.
1895. You do not pipe the boys to work with the bugle, do you? No, for muster and dinner bugle.
1896. How often, every day, do you play the bugle? Eleven times.
1897. Do you ever play the fife? Yes.
1898. Do you know anything with reference to the duties of the commander there—whether he is constantly on board the "Vernon?" I think he is constantly on board, but I do not know anything with reference to his duty.
1899. Do you know whether he is on good terms generally, with the officers of the ship? Yes, I believe he is.
1900. So far as you know? As far as I know.
1901. Do you know whether, at the present time, the commander and officers are not on very good terms? I believe at the present time the commander and some of the officers are at variance.
1902. So far as your observation enables you to judge, do you think the commander uses due diligence, or all means in his power, to provide for the comfort and welfare of these boys? Not in all respects.
1903. In what respects do you think he is deficient? In regard to the clothing of the boys.
1904. Do you know whether that is his fault or not? I cannot say whether it is or not.
1905. *Chairman.*] Are not the boys very much better found than they were? Yes.
1906. *Mr. Farnell.*] Have you had any conversations on board with respect to this Select Committee sitting on the "Vernon?" All I knew was, that a Select Committee was appointed.
1907. Have you heard any remarks with reference to those persons who might be called upon to give evidence, or who had given evidence? No.

---

Mr. James Gorman, V.C., further examined:—

- Mr. James Gorman, V.C. 1908. *Chairman.*] You have before given evidence on this Committee? Yes.
- 11 Mar., 1869. 1909. How have you been treated on board since then? I have been watched very much by the chief officer, and he has tried several times to make me commit myself, by annoying me in various ways. Last Saturday morning, while washing the lower deck, with all hands down below, I had both fore and main ladders unshipped, and the gratings of the fore and main hatchways off. Mr. Martin came down below, and he sung out—"On deck there, all the boys that are doing nothing." I placed one man at the main hatch, to prevent any of the boys from falling down, and I went to the fore hatch myself. Mr. Martin sent a boy to me, to say that he wanted me. I turned round and looked aft, to see if I could take the other man from the main hatchway to relieve me. I found he was in the same fix as myself, so I waited for two or three minutes, till the other man came out of the fore-castle, and I gave him charge of the fore hatch, and then went to Mr. Martin myself. He told me to send the boys on deck that were doing nothing. When I looked round I could see no boys that were idle, and I said—"In two or three minutes I shall be able to send all the boys on deck who are about the ladder and hatches." The boys I did send I had to knock off from the work they were at. Mr. Martin told me then—"Another time I send for you, you will come and obey my orders." I said I could not leave the fore hatch, as the boys were all running about there, and would be liable to be knocked down the hatchway, which had only about six inches of combing to protect it. There was no more said to me then about it; and I knew nothing further of it until the afternoon, at 3 o'clock, when an official letter was given to me; and when I opened and read it, I found, for disobeying orders, and disrespect (I think the word was) to the chief officer, I was suspended. I asked Mr. Martin what the orders were I had disobeyed, and he told me, for not coming to him in the morning when



when he sent for me. Three accidents have happened at this same hatchway, and one boy was killed through having these hatches off; and it is an order of the ship that, when any of the hatches are off, some officer is to be stationed by the hatchway to watch it till the gratings are fixed again. So, from the way I was fixed, I could not leave at that time.

Mr. James  
Gorman, V. C.  
11 Mar., 1869.

1910. It would have been impossible for you to have done so without a breach of the regulations of the ship? Yes; and if a boy had fallen down while I was away, I should have been answerable for it. Then it was I was placed under arrest.

1911. What do you mean by being placed under arrest? I was confined to my cabin, and the ship's corporals had strict orders that no person was to speak to me, and I was to speak to no one. I had to get my meals in my cabin, and if I wanted to go on deck, to the closet, I was passed up by the corporal. That is the way I was treated till Saturday night. When the captain came on board, Mr. Martin came down to me, and told me that I might walk up and down outside of my cabin as far as the after hatch.

1912. *Mr. Parkes.* What do you mean by a corporal? They are now changed into warders, but they used to be called the ship's corporals—Mr. M'Fadden and the other.

1913. They are not called corporals? They were called ship's corporals at first, and I call them so from habit; their names have been changed to warders.

1914. *Chairman.* Are you still under arrest? I am still suspended. I am allowed now to walk about, but no person is allowed to speak to me, so it appears; for Mr. M'Skimming, the schoolmaster, came to my cabin and asked me the question—"Were you subpoenaed to-day?" I said—"Yes." He sat down on the end of my chest and was reading, when the captain came down and stood at my door. He spoke to Mr. M'Skimming very harshly indeed, and told him he had no business whatever to speak to me—he had no business on that deck at all, that he had to remain on the upper deck—that was his place. He afterwards came back to my cabin, and told me I ought to know better than to speak to anybody.

1915. What reply did you make? I made no answer; in fact, I have been afraid to make any answer, either to Mr. Martin or to himself.

1916. That has been his course of conduct ever since you gave evidence here? Yes. I have been watched about the ship by the officers; and if two men are seen together, they consider it a conspiracy.

1917. Has your attention been directed to a return, published by order of the Legislative Assembly, with reference to the cost of fitting up the ship "Vernon"? Yes; I saw it in the newspaper the day before yesterday.

1918. Have you carefully considered that return (*handing the same to the witness*)? No, I have not looked at it much. There are some things in it that seem rather extortionate.

1919. Can you name them? There is one thing in particular—the ship's binnacle.

1920. That is useless? Yes. It is having so many unnecessary things on board that made the cost of the ship run up so much.

1921. What was a binnacle required for on board the "Vernon"? I do not know. It is required only for a ship going to sea.

1922. Is it ever used on board? I have never seen it. A binnacle is a square wooden box, in front of the wheel, to hold the compass. The reason there are so many things on board is, that the ship was fitted up at first to go to sea. That was the captain's idea, for he told me himself. The rigging, chain ties, and runners for the after masts and yards have never been used.

1923. Not for the instruction of the boys? No; they are drilled only on the foremast. They have a suit of sails for the foremast, but none for the after masts; so that all these things have been lying idle—they have never been required. There is also a gun-carriage, trail, and limber for a field-piece, which is never used. When I was sent for, I told the captain that it was too heavy for use; and it has been lying idle ever since it has been on board.

1924. What do you suppose would be its cost? I have no idea. £20 or £30 it must have been.

1925. You think more money than was absolutely necessary has been expended in fitting out that ship? I should say so.

1926. Many articles have been purchased for it that are of no earthly use? Of no use whatever for that ship.

1927. *Mr. Alexander.* You speak of being under arrest or suspension. What is the usual course adopted in cases of disobedience of orders? In a ship of war I should be placed under arrest in just the same way—confined to my cabin, and cut off from all communication with everybody.

1928. Afterwards, is not inquiry made into the cause? Yes, of course; the captain of the ship inquires into it. In this case the captain never spoke to me about it at all, and I have never been before him.

1929. You are at the present time under arrest, without inquiry having been made into your conduct? Yes.

1930. *Chairman.* On board a man-of-war a court-martial would be held? If the case were sufficiently bad for it; but the captain of the ship could settle such a case as this.

1931. *Mr. Alexander.* Has the captain asked you no question with reference to this action of the chief officer? No.

1932. He still continues the punishment? Yes. There are the two warders, who will be able to tell you what orders they received from Mr. Martin, because one of the men came to me in my cabin (Mr. M'Fadden) and told me I would have to get my meals in my cabin, for he had asked Mr. Martin; that was after he had received orders from the man he

Mr. James Gorman, V.C. he relieved. I believe there was also a third party who received orders about me—the boatswain's mate.

11 Mar., 1869. 1933. How long a time elapsed from the chief officer sending word to you that he required your attendance, until you were able to go to him? Not more than four minutes; because I saw the man come out of the fore-castle to relieve the other, and I stopped him and asked him to take charge of this fore hatch, and then I went aft to Mr. Martin.

1934. Has there been no expression of opinion by the officers of the ship in your case? I have not had an opportunity of speaking to them—in fact, I have avoided them, because I was given to understand that I was prohibited from speaking to them.

1935. Do you think Mr. Martin had the means of ascertaining the purport of the evidence you had given before this Committee, from your own observation? I do not think so.

1936. *Chairman.*] Do you know whether they have had a printed copy of the evidence on board? There has been some talk on board of their getting something of the evidence I had given.

1937. You have heard that? Yes.

1938. *Mr. Alexander.*] Are you inclined to think the captain used your evidence antagonistically to you? Yes.

1939. And the chief officer also? Yes.

1940. *Mr. Farnell.*] When were you placed under arrest, or suspended? On Saturday afternoon, at 3 o'clock.

1941. There has been no investigation into your case? No; it was at — o'clock I received the letter; and I believe Mr. Martin acted on his own responsibility in the first orders that were given, because the captain made some alteration when he came on board.

1942. According to naval custom, you ought to have been brought before some tribunal—either the captain or some others—soon after you were placed under arrest? Yes.

1943. And the charge should have been stated against you? Yes.

1944. That has not been done in this case? No.

1945. I suppose there were no means taken, by the commander or chief officer, to cause you to disobey the summons of this Committee? No.

1946. Had you to ask permission to come here? I had to do so when I came. The captain sent to ask whether I was subpoenaed, and I sent my summons to him, which he did not return. When I came on shore, I went to the captain; and when the waterman came alongside, I said—"Will you allow me to go on shore about this Committee?" He said—"Yes; but mind you come straight back to the ship again."

1947. *Chairman.*] Did you not come on shore in the ship's boat? No, I did not, because the ship's boat lands at the Point, where it is very rocky and difficult to get up; and whenever I am on liberty, I have a waterman's boat to take me to the Circular Quay. It would be too much to ask to take the ship's boat so far, and would occupy too much time.

# TRAINING-SHIP "VERNON."

## APPENDIX.

(To Evidence given by Captain Mein, 22 January, 1869.)

### A 1.

#### ORDERS.

QUARTERMASTER always to be kept on watch, both night and day; any boat coming alongside to be reported to the officer in charge of the deck.

Master-at-arms to attend to his own duties.

A sentry to be placed in the between decks, to keep the carpenters and others from throwing dirt through the ports.

No person belonging to the crew of the ship to hail the vessel from the shore, but to make a signal for the sentry for a boat, if wanted; sentry to keep a sufficient look-out, so that he may see him.

J. S. V. MEIN.

No smoking allowed on main deck, nor abaft mainmast on deck, or elsewhere, except in smoking hours.

Purser to see after the rations, and serve out to each individual the proper quantity granted by the Government; also, to take entry of every boy's name, &c., that may be sent on board.

J. S. V. MEIN.

All officers to appear on deck in uniform, when the Government uniform has come out. They are to supply uniform at their own expense, and, at all times, to appear clean and tidy.

25 May, 1867.

J. S. V. MEIN.

#### Order for Summer.

Hammock gauntlines to be rove on Monday, after supper, and the hammocks scrubbed next day, in the morning, and triced up at 8 a.m. Messenger and side boys to be changed every Monday, at 7 a.m.

Swearing, or bad language of any kind, to be reported to the Superintendent. It is strictly prohibited.

10 September, 1867.

J. S. V. MEIN.

Ship to be scrubbed round outside, at least once a week, and washed outside more frequently, if Ship to be practicable (*i.e.*, every day).

12 September, 1867.

J. S. V. MEIN.

Any person going on leave at any time to be reported to the Superintendent. All or any boats or persons coming alongside to be reported to the Superintendent promptly.

12 September, 1867.

J. S. V. MEIN.

Pay attention to the rule in summer routine, that instructors are to attend with the boys always whilst going aloft.

16 September, 1867.

J. S. V. MEIN.

The hammocks to be stowed properly, and boys not allowed to jump them down with their feet.

16 September, 1867.

J. S. V. MEIN.

Quartermaster not to be used as messenger, except in a great emergency.

17 September, 1867.

J. S. V. MEIN.

Boats not to be sent away, for any person or thing, without first reporting to the Superintendent.

17 September, 1867.

J. S. V. MEIN.

Boys in school not to be called out on any pretence without the special orders of the Superintendent.

17 September, 1867.

J. S. V. MEIN.

There are not to be so many officers on the poop, spying with glasses, on Sundays; if they wish to spy, they can do so from other parts of the ship, without mustering on the poop.

30 September, 1867.

J. S. V. MEIN.

The messing deck of the boys is never to be left at night without a ship's corporal; if a boy is obliged to come on deck, the corporal is to hand him over to the officer or quartermaster on deck.

15 October, 1867.

J. S. V. MEIN.

When Government or other boats come alongside, all boatmen are to keep in their boats, unless they have a special permission to come on deck.

19 October, 1867.

J. S. V. MEIN.

The boys are to be examined every Friday morning, to see that their skin is in a healthy condition, so as to be able to report to the Doctor.

30 October, 1867.

J. S. V. MEIN.

The officer in charge of the watch at night will go round the lower deck every half-hour, to see that all is correct, and that the watch on the lower deck is awake.

28 January, 1868.

J. S. V. MEIN.

Ship's boats are not to be used for shore people on any account.

6 June, 1868.

J. S. V. MEIN.

Quartermasters, when upon duty on shore, to wear blue jackets with crown and anchor buttons, plain caps.

Warders, the same uniform as they have at present.

Boatswain's mates, blue jackets, crown and anchor buttons, with three buttons on the cuffs. White trousers to be the uniform dress for summer, and blue for the winter, for all officers, without exception.

21 November, 1868.

J. S. V. MEIN.

All officers to appear on deck in uniform, and at all times to appear clean and tidy; on liberty, they can wear plain clothes.

Renewed from 25 May, 1867.

J. S. V. MEIN.

Stores to be issued with steward's assistance.

Purser to issue rations daily, with the assistance of the steward, and, in his absence on leave, the steward to perform the duty, and to be responsible. No boy is to be allowed to enter any store-room unless accompanied by an officer, and all store-room doors or hatches to be kept constantly locked up, except when articles are required to be taken out or put in.

1 December, 1868.

J. S. V. MEIN.

New boys.

Newly joined boys are not to be taken upon excursions, or landed on the mainland, nor allowed to go near the shore, until they have been at least three (3) months on board.

1 December, 1868.

J. S. V. MEIN.

Boys for punishment.

Boys that are up for punishment are to fall out by themselves until after prayers, when they are to be brought forward. This line of distinction is made between the good and bad conduct boys, so that they may all endeavour to be good.

N.S.S. "Vernon," 1 December, 1868.

J. S. V. MEIN.

## A 2.

### SUMMER ROUTINE.—To take effect

September.

#### MONDAY.

4:30 A.M. Turn the hands up.  
 5:45. Instructors to inspect hammocks, then stow ditto.  
 5:30. Three divisions clean upper decks, &c. Boats to be lowered, washed out, and gear cleaned; one division to boats.  
 7. Breakfast.  
 7:30. Watch to clean stow bags. Watch below to clean lower deck. Side-boys and messengers to be told off.  
 7:45. Overhaul lifts and braces.  
 8. Cross top-gallant and royal yards, loose sails; one watch to square yards, spread awnings, flemish down ropes, sweep decks; one watch at quarters to clean guns and arms.  
 8:30. Clean lower decks.  
 8:45. Inspection of all decks. Boys to fall in at bugle call for muster with their instructors, to see they are all properly washed, cleaned, and combed.  
 9. Divisions and prayers, after which the boys are to be told off for exercise, viz.:—One, gun drill; one division at seamanship and boats; the remainder at school, agreeably to the school routine.  
 10:15. Roll of drum, stand at ease ten minutes; boys in the first instruction to go over the mast-head; change drill, boys that were at gunnery exercise to rifle drill.  
 11:30. Furl sails, square yards; cooks and captains of messes to prepare the dinner tables.  
 11:45. Inspection of messes.  
 Noon. Dinner.  
 1 P.M. Boys to fall in by sound of bugle, clear up and inspect lower deck; the divisions to be told off as in the forenoon, viz.:—One division to be told off to gun drill, one division at seamanship and boats, the remainder at school.  
 2:15. Roll of drum, stand at ease ten minutes, and change drills; boys in the first instructions to go over the masthead, one division to sword drill, one at seamanship and boats.  
 3:30. Dismiss drills, down topgallant yards.  
 5. Supper.  
 5:30. Fire stations; hoist up all boats not required; after which, boys to bathe and skylark.  
 7. Stand by hammocks.  
 7:10. Furl or haul over hammock cloths.  
 8:30. Captains of messes report to the instructors that their messes are cleaned up. The instructors are to see that all the boys are in bed before rounds.  
 9. Rounds.

#### TUESDAY.

5 A.M. Turn the hands up. Instructors are to carry on the same routine as on Monday. After prayers, the boys are to be told off to drill—one division to gun drill, one at seamanship and boats.  
 10:15. Roll of drum, change drill, as on Monday.  
 11:30. Furl sail.  
 P.M. Boys fall in as before—one division at gun drill to change to sword drill, one division at seamanship and boats; routine as Monday; washing clothes.

#### WEDNESDAY.

A.M. Routine as before.  
 9:15. General sail drill. Boys are to be exercised making, shortening sail, and reefing, &c.; this to be alternated with drilling at stations and manning the ropes.  
 11:30. Clear up decks.  
 P.M. Boys not at school, at general sail exercise, except newly raised boys, who will be exercised at the monkey sail.  
 3:30. Dismiss drills.

#### THURSDAY.

A.M. Routine as before.  
 9:15. General muster per open list, then one watch at school, and one at general boat exercise, except newly raised boys, who will exercise at the monkey sail. The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday, the other watch on the second Thursday of every month. Every boy should bring with him, for inspection at divisions on Thursday, hammocks and clothes stops, knife and comb.  
 P.M. Mend clothes.

#### FRIDAY.

A.M. Boys not at school to exercise at general quarters, except junior boys, who will exercise at topsail drill or boats.  
 1 P.M. Boys not at school to assemble under arms for rifle drill.  
 After supper, wash clothes.

#### SATURDAY.

5 A.M. Hands up; get all boys on deck, rig engine, lead hose along, lower all boats, overhaul the gear for cleaning; up all mess-traps, stone lower deck and poop.  
 7. Breakfast.  
 10:0. Down all boys, stone upper deck and fore-castle.  
 P.M. Air bedding, square yards.  
 2. One watch at quarters to clean guns, after which, clean all boats, and scrub the gear.  
 4. Divisions to serve out clean hammocks alternate weeks. Every boy to be passed through the bath on Saturday afternoon, if the weather will permit of it.  
 P.M. The ship's corporal to muster them; after supper, sling clean hammocks.

#### SUNDAY.

## SUNDAY.

5:30 A.M. Hands up; sweep all decks.  
 9:30. Divisions.  
 10:0. Divine Service.  
 1:0 P.M. Sunday School.  
 3:0. Roman Catholic Sunday School.

NOTE.—Clothes-lines to be rove before 3:30 on Tuesdays and Fridays; hammock gauntlines to be rove on Monday after supper, and the hammocks scrubbed the next morning, and triced up at 8 a.m.

When the weather is warm, the boys to bathe three times a week, at 5:30 p.m. Every boy's hair is to be cut, and his head examined by a barber, the first week of every month. Boats' crews, messengers, and side-boys to be changed every Monday, at 7 a.m. The barber to attend divisions when the boys are inspected. All the boys to be examined in March, June, September, and December, as to their proficiency in gunnery, schooling, and seamanship; the result to be entered in the progress book against each boy's name, as also his conduct during the quarter. All boys in the first instruction are to go over the mast-head at the hour of changing drills. The instructors are always to attend with them whilst going aloft. Every boy is to be medically examined once per month.

J. S. V. MEIN,  
 Superintendent.

14 Sept., 1867.

These Rules are to be observed as far as circumstances will admit. A few cases will arise, that they cannot be followed to the letter; such cases to be reported to the Superintendent.

J. S. V. MEIN.

EDMUND T. HARRIS,  
 Acting Chief Officer.

## A 3.

## WINTER ROUTINE.

May, 1868,  
 N. S. S. "Vernon."

THE following shall, until further notice, be the routine on board this ship:—

## MONDAY.

6 a.m. Hands up.  
 6:15. Lash up and stow hammocks, under the inspection of the seaman instructors.  
 6:30. Clean decks.  
 7:15. Breakfast.  
 7:45. Watch below clean lower deck, stow bags.  
 7:55. Watch fall in, sweep upper deck, coil down ropes, lower boats, &c., according to weather.  
 8:30. Square yards, spread awnings, if required, clean woodwork, &c.  
 9:15. Bugle to sound, and boys fall in for inspection.  
 9:30. Divisions and prayers; after which, boys are to be told off for exercise, viz.—one division at gun drill, one division at seamanship and boats, and the remainder at school, according to school routine.  
 10:30. Roll of drum. Stand at ease 10 minutes, and change drills.  
 11:45. Inspection of messes.  
 Noon. Dinner.  
 1 p.m. Boys fall in at sound of bugle, clear up and inspect lower deck; divisions to be told off as in forenoon.  
 2:20. Roll of drum, stand at ease 10 minutes, and change drills.  
 3:30. Divisions assemble at sound of bugle, and drills dismissed.  
 4. Hoist up all boats not required.  
 4:30. Supper.  
 5. Fire stations.  
 7:30. Hang up hammocks and down all bags.  
 8. Rounds.  
 (The seaman instructors are to see that all the boys are in bed before the time of rounds.)

## TUESDAY.

A.M. Routine as on Mondays.  
 1 p.m. Boys fall in as on Monday, one division at gun drill, to change to sword drill.  
 Routine as on Monday.

## WEDNESDAY.

A.M. Routine as on Monday.  
 9:30. After prayers general sail drill; boys are to be exercised making and shortening sail, &c.; this to be alternated with drilling at stations and manning the ropes.  
 P.M. Boys not at school, at general boat exercise—except junior boys, who will be exercised at the deck topsail.

## THURSDAY.

A.M. Routine as on Monday.  
 9:30. After prayers, a general muster per open list, then one watch at school and one at general boat exercise—except junior boys, who will be exercised at the deck topsail.  
 The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday, the other watch on the second Thursday of each month. Every boy should bring with him for inspection at divisions, on Thursday, hammocks and clothes stops, knife and combs.  
 P.M. Routine as on Monday.

## FRIDAY.

A.M. Boys not at school to exercise at general quarters, except junior boys, who will exercise at topsail drill and boats.  
 1 p.m. Boys not at school to assemble for general drill; to land if practicable.

## SATURDAY.

6 a.m. Hands up; get all boys on deck, rig engine and pass hose along, &c., lower boats, and overhaul the gear for cleaning.  
 7:15. Breakfast.  
 7:45. Up all mess traps and stone main deck.  
 10. Down all bags, stone upper deck, poop, and forecabin.  
 1 p.m. Air the bedding, square yards, repair ratlines, &c.; one watch at quarters to clean guns and complete gear, after which they are to clean all boats and scrub the gear.  
 4. Divisions to serve out clean hammocks on alternate weeks. Every boy to be passed through the bath on Saturday afternoon, weather permitting; the ship's corporal to attend to muster them. After supper, sling clean hammocks.

SUNDAY.

## SUNDAY.

6 a.m. Hands up, sweep all decks.  
10. Divine Service.  
2 p.m. Sunday School.

NOTE.—Hammocks are to be scrubbed after breakfast on alternate Tuesdays, and triced up to dry in the early part of the forenoon, on which days prayers at 10 o'clock, or earlier if practicable. Clothes are to be washed on Tuesdays and Fridays at 2-15 p.m. Hammocks are always to be collected and inspected at divisions, and issued in the same manner. Clothes-lines are to be rove at 11 a.m. on washing days; hammock gauntlines are to be rove every Monday after supper. Every boy's hair to be cut, and his head examined by the barber, the first week of every month. Boats' crews, messenger, and side boys, are to be changed every Monday, at 7 a.m.

J. S. V. MEIN,  
Commander.

6 June, 1867.

Ship's boats are not to be used for shore people on any account.

J. S. V. MEIN.

## A 4.

*RULES to be observed by the Seamen Instructors and Boys of N.S.S. "Vernon."*

1. Instructors are expected on all occasions to show an example of cheerfulness and willing obedience in executing their several duties. They are not only to abstain from using violent or harsh language themselves, but they are uniformly to discourage all improper conduct in others.

2. The Instructors, in their several stations, are expected to report all skulking characters, and to point out all those who, by activity and good conduct, deserve encouragement.

3. Nothing whatever is to be taken in at, or thrown out of, the ports, nor are any clothes to be hung about the chains, head-rigging, or in the messes between decks.

4. When any duty is being carried on, the strictest silence is to be kept.

5. All complaints are to be made on the quarter-deck to the Commanding Officer, in order that they may be communicated to me.

6. It is the duty of every boy to report all skulkers and lazy characters, in order that they may be made to do their share of the work.

7. It is the duty of every boy to detect a thief as a common enemy to all on board; and any boy screening or holding communication with a thief will be considered as equally bad in character, and will not be allowed to mess with the other boys. No article can ever be lost on board, therefore everything found is to be taken to the ship's Corporal for its proper owner.

8. All quarrelling and fighting will be severely punished, and on no account are cards, dice, or gambling of any sort to be allowed in any part of the ship.

9. If any boy should disobey the orders of Instructor, or Captain of Mess, he will be punished.

10. Selling or exchanging clothes and all trafficking is strictly forbidden, and will be punished by the forfeiture, on both sides, of the article so sold or exchanged, and further as may be deemed necessary.

11. The boys are to be mustered at divisions, according to the instructions to which they belong. The Warrant Officers in charge of the boys, assisted by their Instructors, will be responsible for the progress they make in the instructions; they will take care never to allow them to appear otherwise than clean in their skin and orderly in their clothes.

12. All are expected to feel a proper pride in their ship, and to merit encouragement by showing activity and a cheerful spirit in the performance of their several duties.

J. S. V. MEIN,  
Commander.

N.S.S. "Vernon,"

13 May, 1867.

## A 5.

## MESSING.

Two boys are to be told off as captains to each mess. They are to wear a distinctive badge, and to be selected with great care. They should be boys of good character, and of good disposition. They are to be held responsible for the good order of their messes, and to portion out the food to each boy. At 11-30, one cook is to lay out the table with the mess traps, &c., and one is to go to the coppers for the meat, &c.; this to be divided, and a portion put into each plate, by the Captain of the Mess, under the superintendence of the Seamen Instructors and Master-at-Arms. The boys are to be ranged outside of the stools, standing. When the dinner has been portioned out, it is to be inspected by the Chief or other Officer; the senior boys of each mess are then to say grace. The boys are to take their places, and to dine with their caps off. If, on inspection, it is found that any boy has an undue proportion of bones, &c., the senior boy should be made to exchange dinners with the one that has an unfair share given to him; by this means this selfish practice will be easily corrected.

J. S. V. MEIN.

## A 6.

## DIVISION, OR SCHOOL LIST.

*1st Division, Starboard Watch.*

1	1	Pettit, William.	31	16	Kearney, J.
3	2	Hughes, James.	33	17	O'Connor, P.
5	3	M'Dermott, T.	35	18	Brenan, E.
7	4	Pope, J.	37	19	Wales, J.
9	5	Little, C.	39	20	Fowler, J.
11	6	Johnston, J.	41	21	M'Dermott, J.
13	7	Reynolds, R.	43	22	Harris, Joseph.
15	8	Dunn, T.	45	23	Hollowhead, J.
17	9	Clayson, T.	47	24	Carter, J.
19	10	Little, J.	49	25	M'Gill, H.
21	11	M'Evo, Ed.	51	26	Stilsby, J.
23	12	Patnude, W.	53	27	Findlay, J.
25	13	Spence, W.	55	28	M'Farlane, W.
27	14	Potter, A.	57	29	M'Coy, J.
29	15	Donelly, J.	59	30	Johnson, G.

2nd

## APPENDIX.

5

*2nd Division, Starboard Watch.*

61	1	Cashen, M.	93	17	Allan, T.
63	2	Bird, S.	95	18	Connerty, M.
65	3	Thurston, J.	97	19	Bethel, T.
67	4	Fry, S.	99	20	Evans, G.
69	5	Malloy, J.	101	21	Holland, J.
71	6	Jones, D.	103	22	Cummins, W.
73	7	Winsor, Alfred.	105	23	M'Namarra, B.
75	8	Cavell, J.	107	24	Challoner, W.
77	9	Williams, W.	109	25	Cooper, Chas.
79	10	Ryding, W.	111	26	Foster, R.
81	11	Ryding, F.	113	27	Foster, Jas.
83	12	Boyd, A.	115	28	Spalding, George H. Albert.
85	13	Whallan, C.	117	29	Spalding, Owen Horatio.
87	14	Hillery, R.	119	30	Jupp, Jas.
89	15	Tester, W.	121	31	Rigby, John Thomas.
91	16	Peart, J.	123	32	Gordon, F. H.

*1st Division, Port Watch.*

2	1	M'Intosh, A.	32	16	M'Beath, J.
4	2	Connell, A.	34	17	Galvin, J.
6	3	White, G.	36	18	Hudson, Thos.
8	4	Wiley, T.	38	19	Bailey, W.
10	5	Twyford, H.	40	20	Wright, E.
12	6	Harvey, J.	42	21	Walker, W.
14	7	M'Evo, E.	44	22	Collier, W.
16	8	Hilder, G.	46	23	Carter, G.
18	9	Hurley, Cornelius.	48	24	Wilson, G.
20	10	Belford, G.	50	25	O'Donnell, D.
22	11	M'Ilwrath, G.	52	26	Bruce, R.
24	12	Maloney, J.	54	27	Rose (Wright), John.
26	13	Beckingham, H.	56	28	Humphries, W.
28	14	Smyth, R.	58	29	Johnson, W.
30	15	Harris, W.	60	30	Robinson, W.

*2nd Division, Port Watch.*

62	1	Chapman, J.	94	17	Noonan, Do.
64	2	Thurston, A.	96	18	Marsden, S.
66	3	Cleary, Jno.	98	19	Evans, H.
68	4	Daley, W.	100	20	Rudd, J.
70	5	M'Allister, C.	102	21	Warren, C.
72	6	Winsor, Ab.	104	22	Vickery, J.
74	7	Craig, D.	106	23	Rutherford, J.
76	8	Turner, G.	108	24	Winn, H.
78	9	Rose, G.	110	25	Higgins, C.
80	10	Moore, Alf.	112	26	Cook, Jas.
82	11	Boyd, J.	114	27	Boyd, D.
84	12	Boyd, W.	116	28	Spalding, Edgar Albert.
86	13	Knowles, G.	118	29	Finley, Thos.
88	14	Elyard, J.	120	30	Williamson, S.
90	15	Bethel, T.	122	31	Brimble, Samuel.
92	16	Butler, J.			

## A 7.

## PROFESSIONS AND TRADES OF BOYS.

*Sailors.*

no.	no.	no.
1	23	45
2	24	46
3	25	47
4	26	48
5	27	49
6	28	50
7	29	51
8	30	52
9	31	53
10	32	54
11	33	55
12	34	56
13	35	57
14	36	58
15	37	59
16	38	60
17	39	61
18	40	62
19	41	63
20	42	64
21	43	65
22	44	66

*Carpenters.*

1	5	9
2	6	10
3	7	11
4	8	

*Shoemakers.*



## APPENDIX.

*Shoemakers.*

1 Connell, A.	7 Fowler, T.	13 Williams, W.
2 Hurley, C.	8 Collier, Wm.	14 Marsden, S.
3 Little, C.	9 Cashen, M.	15 Jupp, —
4 Potter, A.	10 Daley, W.	16 Beckingham, H.
5 Higgings, Chs.	11 Molloy, J.	17 Hughes, J.
6 Galvin, J.	12 Pope, J.	18 Bailey, W.

*Tailors.*

1 Hilder, G.	6 Connerty, M.	10 Johnson, W.
2 Fry, J.	7 Turner, G.	11 Patnude, W.
3 M'Coy, J.	8 White, G.	12 Brennan, E.
4 Boyd, W.	9 Cavill, J.	13 M'Gill, H.
5 Dunn, T.		

*Too young for choice.*

1 Boyd, O.	5 Bethell, J.	9 Spalding, G.
2 Thurston, A.	6 Holland, J.	10 Finley, Thos.
3 Chapman, J.	7 Foster, Jas.	11 Gordon, F. H.
4 Bird, S.	8 Foster, Robt.	

*Sailmakers.*

1 M'Beath, J.	2 Cooper, Chs.
---------------	----------------

*Unfit for trade or profession.*

1 Clayson, T.
---------------

*Cook.*

1 Tester, Wm.
---------------

## A 8.

## TAILORS' Division, and Time-table.

Names.	Time.			Names.	Time.		
	From	To	Total.		From	To	Total.
<i>Monday, a.m.</i>				<i>Monday, p.m.</i>			
1st Division, Port Watch—	a.m.	noon.	hours.	1st Division, Starb. Watch—	p.m.	p.m.	hours.
White, G. ....	9	noon	3	Dunn, T. ....	1	4	3
Hilder, G. ....	9	do	3	Patnude, Walter ....	1	4	3
Johnson, W. ....	9	do	3	Brennan, E. ....	1	4	3
				M'Gill, H. ....	1	4	3
				M'Coy, J. ....	1	4	3
2nd Division, Port Watch—				2nd Division, Starb. Watch—			
Turner, G. ....	9	do	3	Fry, J. ....	1	4	3
Boyd, W. ....	9	do	3	Cavill, J. ....	1	4	3
				Connerty, M. ....	1	4	3
2nd Division, Starb. Watch—				2nd Division, Port Watch—			
Fry, J. ....	9	do	3	Turner, G. ....	1	4	3
Cavill, J. ....	9	do	3	Boyd, W. ....	1	4	3
Connerty, M. ....	9	do	3	All boys less 1 hour tea-time	4	6	1
<i>Tuesday, a.m.</i>				<i>Tuesday, p.m.</i>			
3 Divisions ....	9	noon	3	3 Divisions ....	1	4	3
				Wash clothes after supper...	4	4:30	0:30
<i>Wednesday, a.m.</i>				<i>Wednesday, p.m.</i>			
General sail drill.....	...	...	...	3 Divisions ....	1	4	3
				All boys, less tea-time 1 hour	4	6	1
<i>Thursday, a.m.</i>				<i>Thursday, p.m.</i>			
3 Divisions ....	9	noon	3	3 Divisions ....	1	4	3
				All boys, less tea-time 1 hour	4	6	1
<i>Friday, a.m.</i>				<i>Friday, p.m.</i>			
1 Division not at drill.....	...	...	...	3 Divisions ....	1	4	3
				After supper wash clothes ...	4	4:30	0:30
<i>Saturday, clean ship.</i>				<i>Clean ship.</i>			
				Each boy per week, 22 hours.			

## SHOEMAKERS' Division, and Time-table.

Names.	Time.			Names.	Time.		
	From	To	Total.		From	To	Total.
<i>Monday, a.m.</i>				<i>Monday, p.m.</i>			
1st Division, Port Watch—	a.m.	noon.	hours.	1st Division, Starb. Watch—	p.m.	p.m.	hours.
Connell, A. ....	9	noon	3	Hughes, J. ....	1	4	3
Hurley, C. ....	9	do	3	Pope, J. ....	1	4	3
Galvin, J. ....	9	do	3	Little, C. ....	1	4	3
Bailey, Wm. ....	9	do	3	Potter, A. ....	1	4	3
Collier, Wm. ....	9	do	3	Fowler, T. ....	1	4	3
Beckingham, H. ....	9	do	3				
2nd Division, Starb. Watch—				2nd Division, Port Watch—			
Cashen, M. ....	9	do	3	Daley, W. ....	1	4	3
Molloy, J. ....	9	do	3	Higgins, C. ....	1	4	3
Williams, W. ....	9	do	3	Marsden, S. ....	1	4	3
Jupp, J. ....	9	do	3	Rudd, J. ....	1	4	3
				All tradesboys, less tea-time			
				1 hour .....	4	6	1
<i>Tuesday, a.m.</i>				<i>Tuesday, p.m.</i>			
2nd Division, Port Watch...	9	noon	3	1st Division, Port Watch ...	1	4	3
1st Division, Starb. Watch...	9	do	3	2nd Division, Starb. Watch...	1	4	3
				All tradesboys, after supper			
				wash clothes .....	4	4:30	0:30
<i>Wednesday, a.m.</i>				<i>Wednesday, p.m.</i>			
General sail drill.....	...	...	...	2nd Division, Starb. Watch...	1	4	3
				1st Division, Port Watch ...	1	4	3
				All boys, less tea-time 1 hour	4	6	1
<i>Thursday, a.m.</i>				<i>Thursday, p.m.</i>			
2nd Division, Port Watch...	9	noon	3	1st Division, Starb. Watch...	1	4	3
2nd Division, Starb. Watch...	9	do	3	1st Division, Port Watch ...	1	4	3
				All boys, less tea-time 1 hour	4	6	1
<i>Friday, a.m.</i>				<i>Friday, p.m.</i>			
1st Division, Starb. Watch...	9	noon	3	2nd Division, Port .....	1	4	3
General gun drill .....	...	...	...	2nd, Starboard.....	1	4	3
				After supper wash clothes ...	...	...	0:30
<i>Saturday, clean ship.</i>				Each boy per week, 16 hours.			

## A 9.

## STATIONS—MANNING YARDS.

*Foremast and Yards.*

Cavill, M'Beth, Belford.	Dunn, Patnude, Brennan.
Wilson, Smyth, Beckingham, Galvin, Collier, M'Ilwrath.	Wales, Donnelly, M'Evoy, Johnston, Hollowhead, Reynolds.
Twyfard, Harvey, Bailey, Maloney, W. Harris, M'Evoy, Wright, Walker.	C. Little, Carter, J. Little, Spence, Kearney, J. Harris, Fowler, O'Connor, and M'Dermott.

*Mainmast and Yards.*

O'Donnell, W. Johnson, Turner.	Cashen, Maloy, Fry.
M'Allister, Craig, Daley, Elyard, J. Boyd, Knowles.	Findlay, M'Farlane, Whalan, W. Williams, Alfd. Winsor, G. Johnson.
Bruce, Robinson, Chapman, Rose, Moore, W. Boyd, Ab. Winsor, Cleary, A. Thurston.	M'Gill, Stilsby, M'Coy, J. Thurston, Jones, Cavill, A. Boyd, W. Ryding, F. Ryding, Hillery.

*Mizenmast and Yards.*

Marsden, Noonan, Vickery.	Cummings, Peart, Cooper.
H. Evans, T. Bethel, Warren, Rutherford, Cook, Finley.	G. Evans, Tester, Allan, Cohnerty, M'Namara, Jupp.
Butler, Rudd, Winn, Higgins, Williamson, Spalding	Bethel, Holland, Challoner, Foster, O. Spalding.

*Flying-jib.*

Connell, M'Intosh, White, Wiley.

*Jib.*

Pettet, Hughes, M'Dermott, Ths. Pope.

SAIL

## SAIL DRILL.

M'Beath.	Patnude.
Carter, M'Beath.	Patnude, Brennan.
Belford, Vickery.	Dunn, Cummings.
Belford, W. Johnson, Vickery.	Cashen, Dunn, Cummings.
Warren, Craig, Beckingham, Smyth.	Wales, Donnelly, Hollowhead, M'Evo.
Warren, Craig, Beckingham, H. Evans, M'Allister, Smyth, Collier.	Wales, Findlay, G. Evans, Macfarlane, Donnelly, Hollowhead, M'Evo.
Wilson, Galvin, M'Ilwrath, Daley, Cook.	Reynolds, J. Johnstone, Whalan, Allan, G. Johnson.
Galvin, Wilson, M'Ilwrath, Elyard, Knowles, Daley, Rutherford, Cook, Finley, Bethel.	Reynolds, J. Johnston, Molloy, Whalan, W. Williams, Alf. Winsor, Tester, M'Namarra, Allan, G. Johnson.
Pettit, Hughes, M'Dermott, Pope.	
Connell, M'Intosh, White, Wiley.	

## STATION BILL.

<i>Port Watch.</i>		<i>Forecastle.</i>	<i>Starboard Watch.</i>
M'Intosh.	White, G.	Pettit, Wm., Captain.	M'Dermott, Thos.
Captain Connell, A.	Wiley, T.	Hughes, Jas.	Pope, J.
		<i>Fore-top.</i>	
Twyford, H.	Harris, Wm.	Little, C.	Donnelly, J.
Harvey, J.	M'Beath, J.	Johnstone, J.	Kearney, J.
M'Evo, Ed. (2)	Galvin, J.	Reynolds, R.	O'Conner, P.
Hilder, G.	Hudson, Thos.	Dunn, T.	Brennan, E.
Hurley, Corns.	Bailey, Wm.	Clayson, T.	Wales, J., Captain.
Belford, G.	Wright, E.	Little, John.	Fowler, J.
M'Ilwrath, G.	Walker, Wm.	M'Evo, Ed. (1)	M'Dermott, J.
Maloney, J.	Collier, Wm.	Patnude, W.	Harris, Joseph.
Beckingham, H.	Carter, G.	Spence, W.	Hollowhead, Joseph.
Smythe, R., Captain.	Wilson, G.	Potter, A.	Carter, J.
		<i>Main-top.</i>	<i>Starboard.</i>
O'Donnell, D.	Winsor, Ab.	M'Gill, H.	Malloy, J.
Bruce, R.	Craig, D.	Stilsby, J.	Jones, D.
Martin, D.	Turner, G.	Findlay, J., Captain.	Winsor, Alf.
Humphries, Wm.	Rose, G.	M'Farlane, W.	Cavill, J.
Johnson, Wm.	Moore, W.	M'Coy, J.	Williams, W.
Chapman, Jas.	Boyd, J.	Johnston, G.	Ryding, W.
Thurston, A.	Boyd, W.	Cashen, M.	Boyd, A.
Cleary, J.	Knowles, G.	Bird, S.	Whalan, Ch.
Daley, Wm.	Elyard, J.	Thurston, J.	Hillery, R.
M'Allister, Chas.		Fry, S.	
		<i>Mizen-top.</i>	
Bethel, T.	Winn, H.	Tester, W.	Challoner, W.
Butler, J.	Higgins, C.	Peart, J.	Cooper, C.
Noonan, D.	Cook, J.	Allan, T.	Foster, R.
Marsden, S.	Boyd, D.	Connerty, M.	Foster, Jas.
Evans, H., Captain.	Spalding, E. A.	Bethel, J.	Spalding, S. H. A.
Rudd, J.	Finley, Thos.	Evans, G., Captain.	Spalding, O. H.
Warren, C.	Williamson, S.	Holland, J.	Jupp, Jas.
Vickery, J.		Cummings, W.	Gordon, F. H.
Rutherford, J.		M'Namarra, B.	

## A 10.

## Church of England Boys.

1 M'Intosh, A.	24 Potter, A.	47 Pope, J.
2 Evans, G.	25 Carter, G.	48 Higgings, C.
3 Wright, E.	26 Stilsby, J.	49 Fry, S.
4 Rutherford, J.	27 Little, C.	50 Forster, Robert.
5 Rudd, J.	28 Fowler, T.	51 Forster James.
6 Knowles, G.	29 Pettit, W.	52 Spalding, Owen H.
7 Carter, J.	30 Twyford, H.	53 Spalding, George.
8 Bird, S.	31 Peart, J.	54 Spalding, Edgar.
9 Little, J.	32 Bethel, J.	55 Cooper, Charles.
10 Harvey, J.	33 Craig, D.	56 Finley, Thomas.
11 White, G.	34 Hilder, G.	57 Harris, Joseph.
12 Hillery, R.	35 Cavill, J.	58 Harris, Wm.
13 Johnson, G.	36 Humphries, W.	59 Jupp, James.
14 Johnson, W.	37 Robertson, W.	60 Hudson, Thomas.
15 Beckingham, H.	38 Daley, W.	61 Rose, G.
16 Thurston, J.	39 Bruce, R.	62 Rose, J.
17 Bethel, T.	40 Thurston, A.	63 Tester, W.
18 Moore, W.	41 Cleary, J.	64 Johnstone James.
19 Williams, W.	42 Winsor, A.	65 Brimble, Samuel.
20 Patnude, W.	43 Winsor, Ab.	66 Turner, G.
21 Evans, H.	44 Vickery, J.	67 Gordon, Fredk. Henry.
22 Whalan, C.	45 Chapman, J.	
23 Challoner, W.	46 Holland, J.	

Presbyterian

## APPENDIX.

9

*Presbyterian Boys.*

- |               |                        |
|---------------|------------------------|
| 1 Boyd, J.    | 5 Winn, Henry.         |
| 2 Boyd, A.    | 6 Williamson, Simpson. |
| 3 Boyd, W. H. | 7 M'Beath, —           |
| 4 Boyd, D.    |                        |

*Wesleyan Boys.*

- |                 |               |
|-----------------|---------------|
| 1 M'Farlane, W. | 2 Findlay, J. |
|-----------------|---------------|

*Congregational Boys.*

- |              |              |
|--------------|--------------|
| 1 Ryding, W. | 2 Ryding, F. |
|--------------|--------------|

*Roman Catholic Boys.*

- |                    |                       |                        |
|--------------------|-----------------------|------------------------|
| 1 Connell, A.      | 16 Butler, J.         | 31 Jones, D.           |
| 2 M'Dermott, Thos. | 17 Galvin, J. J.      | 32 O'Donnell, D.       |
| 3 M'Coy, J.        | 18 M'Evoy, E., No. 1. | 33 Spence, W.          |
| 4 M'Namara, B.     | 19 Holyhead, Joseph   | 34 M'Evoy, E. (No. 2.) |
| 5 Wales, J.        | 20 M'Alister, Chas.   | 35 Hurley, C.          |
| 6 Collier, W.      | 21 Brennan, E.        | 36 Allen, T.           |
| 7 Cummings, W.     | 22 Cashen, M.         | 37 Wiley, T.           |
| 8 Maloney, J.      | 23 Elyard, J.         | 38 Reynolds, R.        |
| 9 M'Ilwraith, G.   | 24 Noonan, D.         | 39 Bayley, W.          |
| 10 Dunn, T.        | 25 Marsden, J.        | 40 Wilson, G.          |
| 11 Kearney, J.     | 26 Warren, C.         | 41 Connerty, M.        |
| 12 M'Dermott, J.   | 27 Molloy, J.         | 42 Clayton, T.         |
| 13 Hughes, J.      | 28 M'Gill, H.         | 43 Cook, Jas.          |
| 14 Smythe, R.      | 29 Walker, W.         | 44 Rigby, John Thos.   |
| 15 Belford, G.     | 30 Donnelly, J.       | 45 O'Connors, P.       |

J. S. V. M.—28 Jan., 1869.

## A 11.

Master, Barque "Dashing Wave," to Capt. Mein, Nautical Training-ship "Vernon."

Sydney, 19 January, 1869.

Sir,

I have been desired by the owner of my vessel (Mr. W. Andrews) to report to you respecting the two boys I have as apprentices, transferred from the "Vernon," and it affords me much pleasure to mention that they have conducted themselves properly, worked hard, kept themselves clean, and otherwise given me every satisfaction. Of course, the previous training on board the "Vernon" materially assisted them in seamanship; and I also found them anxious and willing to learn anything they did not previously know—things which, as a fact, cannot be learned without practical sea experience.

I am, &amp;c.,

H. VANDERVORD,

Master, Barque "Dashing Wave."

## A 12.

Master of the "Ashburton," to Capt. Mein, Nautical Training-ship "Vernon."

Sydney, 21 January, 1869.

Dear Sir,

Having just returned from a voyage to San Francisco, I take this early opportunity of reporting on the two boys whom I took from the above ship as apprentices. It gives me great pleasure to say that they turned out in every way to my satisfaction, and too much praise cannot be given to you for the judicious manner in which you had them trained. Two better lads I could not wish to have on board my vessel; and should their future conduct be as good as their past, I can safely say that, at no distant period, they may aspire to posts of responsibility in the profession.

I am, &amp;c.,

C. SMITH,

Master of the "Ashburton."

## A 13.

John M'Grane, to Capt. Mein, Nautical Training-ship "Vernon."

South Grafton,

January 15, 1869.

Dear Sir,

I take much pleasure in writing those few lines to you, hoping that they will find you in good health as it leaves me at present. I like Grafton verrey well. I have got a good master and misses; my master has bough me plenty of clothes. I was verrey sick coming down. I was verrey sorry to hear that St. Maryes Church was burnt down; I have not gon to church as yet, but I hope I shall soon go; I have plenty to eat and drink, and not mutch to do. I have seen williams me dermit and collier; I was up on williams and me dermits station for three or fore dayes; they ar all wll, and sends ther kind love to all on board, in which I Join, and remain,

Dear Sir,

your obedient,

Servant, JOHN M'GRAN,

please excues my spelling.

## A 14.

## Boys apprenticed and discharged.

Date.	Names of Boys.	Master.	Captain of Ship, or Superintendent of Station, &c.	Profession.	No. of Years.
1868.					
25 May	J. J. M'Evoy .....	C. Smith .....	C. Smith .....	Sailor, ship "Ashburton," .....	
25 "	J. Plowright .....	do. ....	do. ....	do. do. ....	
16 June	A. A. Adlem .....	Wm. Andrews .....	— Vandervord .....	Sailor, ship "Charlotte Andrews" .....	
16 "	G. M'Intosh .....	do. ....	do. ....	do. do. ....	
16 "	Wm. Jaques .....	Laidley, Ireland, & Co. ....	— Barrak .....	Australind .....	
15 "	G. Whitmore .....	J. S. V. Mein .....	J. S. V. Mein .....	Cabin-boy and servant .....	
4 "	D. Bowie .....	Graham Mylne .....	Stephen Buchan .....	Stock-keeper, Eatonswill .....	
4 "	Jas. Harvey .....	do. ....	do. ....	do. do. ....	
1 July	John Connell .....	Wm. Andrews .....	— Vandervord .....	Sailor, "Dashing Wave" .....	
1 "	Albert Dempsey .....	do. ....	do. ....	do. do. ....	
25 June	James Little .....	A. Loder, Esq. ....	A. Loder, Esq. ....	Groom, Colley Creek .....	
13 "	Wm. Farrell .....	H. Halloran .....	H. Halloran .....	do. Mowbray .....	
10 July	Francis Williams .....	Joseph Page .....	Joseph Page .....	Stock-keeper, "Ramornie" .....	
10 "	Pat. M'Dermott .....	do. ....	do. ....	do. do. ....	
10 Oct.	Jeremiah Carey .....	A. W. Kennilwell .....	A. W. Kennilwell .....	Boot & shoe maker, Singleton .....	
8 Dec.	Patk. Maher .....	H. Creer .....	H. Creer, C.R. ....	General Servant .....	
8 "	James Collier .....	Wm. Stuckley .....	Wm. Stuckley, C.R. ....	Cabinetmaker .....	
23 "	John M'Grane .....	R. B. Hill .....	R. B. Hill, P.M. ....	General Servant .....	

## A 15.

## Boys discharged to Parents and otherwise.

Date.	Names.	To whom.	By what Authority.
1867.			
19 Aug. ....	A. Smith .....	To parents .....	By order of Governor in Council.
1868.			
3 Mar. ....	A. Paterman (D) ...	Killed by a fall (D) ...	Buried at Haslem's Creek.
22 May ....	W. Brett .....	To parents .....	Order, Governor and Executive Council.
23 " ....	A. Simpson .....	" Benevolent Asylum .....	do. do. ....
3 June ....	R. Benton .....	" parents .....	do. do. ....
9 Dec. ....	E. Cassidy .....	" father .....	Governor, by advice of Executive Council.
9 " ....	J. Cassidy .....	" father .....	do. do. ....
24 " ....	Jas. Roach .....	On shore, over age ...	Order, Honorable Colonial Secretary.
30 " ....	John Thompson .....	Died in Infirmary ...	Buried at Necropolis, 31st December, 1868.

Seven discharged—two dead.

1868.

## BOYS DESERTED.

9 July..... Cassidy, P. .... } Not caught..... A reward was offered.  
 9 July..... Boulton, R. .... }

## A 16.

## SCALE OF VICTUALLING.

When to be issued.	Articles.	Officers.	Boys.
		lbs. ozs.	ozs.
Daily .....	Biscuit, or soft bread .....	1 & 1½ 0	12
	Fresh meat .....	1½ 0	12
	Potatoes .....	1 0	16
	Sugar .....	0 2½	2
	Cocoa .....	0 ½	
	Tea .....	0 ¼	¼
	Soap .....	0 ½	½
	Vegetables for soup .....	0½ 0	4
	Rice or pearl barley .....	0 ½	½
	Treacle .....		8
	Maize meal .....		½
	Salt .....		½
Sundays and Holidays...	Flour .....	0½ 0	8
	Suet .....	0 ½	½
	Currants .....	0 2	2

One ounce of pepper and (25) twenty-five ounces of salt for every 100 rations. For officers and crew ¼ of a gill of kerosene oil, and 2 lb of coal per diem, for each individual on board.

January 1st, 1869.

J. S. V. M.

A 17.

## A 17.

Colonial Secretary's Office,  
Sydney, 13 January, 1869.

THE following Regulations for the Nautical School-ship "Vernon," having been made by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the 3rd clause of the Industrial Schools Act of 1866.

JOHN ROBERTSON.

## REGULATIONS FOR THE NAUTICAL SCHOOL-SHIP "VERNON."

## THE SUPERINTENDENT AND COMMANDER.

*Charge of Institution.*

1. The Superintendent will have entire charge of the Institution, and be held responsible for all property belonging to the Government; he will visit and inspect every part of the ship daily, and ascertain that the whole is under efficient management and control; he will attend the daily musters, and appoint the boys for work under the various divisions.

*Responsible for duties of Officers.*

2. He will be held responsible for the proper discharge of all duties to be performed by the various Officers of the Institution; and he will be guided, from time to time, by such instructions as he may receive from the Colonial Secretary.

*Training.*

3. He will see that the boys are properly instructed by the Schoolmaster; that they are taught habits of cleanliness, industry, and diligence; and he will be expected to do everything in his power to encourage, by force of example, moral and pious conduct amongst those entrusted to his care. Those boys who are capable of receiving nautical instruction are to be taught by the Superintendent and Commander, one hour in the winter and two hours in the summer.

*Treatment.*

4. He will see that the boys are treated with kindness, combined with strict discipline, and check every instance of harsh conduct on the part of the Officers or Instructors.

*Register to be kept.*

5. He will keep a Register for recording the name of every boy admitted into the Institution, entering such particulars as can be ascertained respecting age, religion, parentage, &c.; also, how the boys are disposed of on leaving the Institution; and, in case of death, the cause should be stated.

*Power to suspend Officers and dismiss Instructors.*

6. All complaints made by the Officers, Instructors, or the boys, must be carefully looked into by the Superintendent, in order that any abuses or infringement of the Regulations may be checked and rectified. The Superintendent may suspend any Officer for neglect of duty or improper conduct, pending the decision of the Colonial Secretary, and shall have power to hire or discharge any of the Instructors not appointed by the Executive authority.

## CHIEF OFFICER.

*To take charge in absence of Superintendent.*

7. The Chief Officer will take charge of the Institution in the absence of the Superintendent, and will see that all orders are punctually and efficiently carried out; he will have to keep watch, and assist the Superintendent to instruct the boys in navigation and seamanship, when required to do so; he will also be held responsible for the issue of Boatswain's stores.

## PURSER.

*Charge of Stores and Clothing.*

8. The Purser will have charge of all stores and clothing, except those placed under the Boatswain, and he will be held accountable for the same before issue. No stores or clothing of any description are to be issued without the orders of the Superintendent. Upon receipt of the provisions from the contractor, the Purser, with the Steward's assistance, will weigh out the rations, and see that each mess has its fair allowance.

## VISITING SURGEON.

*To visit at least twice a week.*

9. The Visiting Surgeon is to visit the sick at least twice a week, or oftener if required; he is to attend the Institution at any time when he may be sent for by the Superintendent.

*Medical Journal.*

10. A Medical Journal is to be kept at the Institution, in which he will record all cases of sickness, disease, or death, with any particulars he may deem necessary.

*Inspection of Boys admitted.*

11. He will see every boy that is admitted into the Institution, and examine into the state of his health, in the presence of the Superintendent, and make an entry of the result of such examination in the Medical Journal.

*Deaths.*

12. In the event of death, he should make an entry in the Medical Journal, specifying the name of the boy, the date, cause of death, with any other particulars he may consider necessary, and report the same to the Superintendent as early as possible.

*Medical Comforts.*

13. When medical comforts are ordered, it will be necessary for him to enter, in an Order Book, to be kept for the purpose, the name of the boy for whom they are required, with the quantities of the articles to be supplied; and he will also have to certify to the correctness of the account for the same on the voucher for the Colonial Treasurer.

SCHOOLMASTER.

## SCHOOLMASTER.

*Hours of Attendance for Teaching.*

14. The hours for the school instruction will be from 9 o'clock to 12 o'clock noon, and from 1 o'clock to 4 o'clock p.m. The Schoolmaster in charge should be in attendance and have the school-room ready for commencing duties punctually at 9 o'clock.

*Muster Roll.*

15. He will receive the boys from the Commanding Officer at school hours, and see that they are all clean and tidy in person; any who may appear to him not to be so should be sent back; he will then call the Muster Roll, and report to the Superintendent any boys who may be absent.

*Prayers.*

16. Prayers are to be read to the boys at divisions every morning by the Schoolmaster.

*Monitors.*

17. As many Monitors as the Schoolmaster may consider necessary may be selected by him as Assistants in the School, to whom he will give one hour's additional instruction, between 4 o'clock and 5 o'clock p.m.

## CARPENTER.

*Instruction to Carpenter.*

18. The Carpenter to work at his own trade, and to instruct the boys who may be told off as carpenters during the day; he will also have to take charge of a night watch.

## MASTER-AT-ARMS.

*Responsible for Cleanliness of Boys.—Escape of Boys from Lower Deck.*

19. The Master-at-Arms to have charge of the lower deck, and to be responsible for the order and cleanliness of the same; he should see that the boys properly wash themselves, and that their clothes are clean and tidy. Every morning he will have to muster and inspect the boys before divisions with the Chief Officer, and to report when all are present; he will be held responsible for the escape of any boys from off the lower deck, and will also have to perform the duties of Gunner.

## BOATSWAIN'S MATES.

*Watches.—Boatswain's Stores.*

20. The Boatswain's Mates have to perform their duties under the Commanding Officer, and to keep watches when required; they will have to instruct boys in seamanship and boats; the Senior Boatswain's Mate to have charge of Boatswain's Stores, which are not to be issued without the orders of the Commanding Officer.

## WARDERS.

*Watch on Lower Deck.—Washing at Divisions.—Care of Bags, Clothes, &c.*

21. The Warders or Seamen Instructors to keep watch on the lower deck, both by day and by night, under the immediate orders of the Master-at-Arms; one to attend the boys when washing, at divisions, and inspection; they are to see that all bags are properly stowed away, the boys' clothes in order, and the decks kept clean. Clothes are not to be left on the lower deck, nor allowed to hang between decks. Mess traps, tables, stools, &c., must be kept clean and in good order. The Warders will also have to instruct the boys when required to do so.

## QUARTERMASTERS.

*Watch, Upper Deck.—Boats to be kept off.—To report boats approaching.*

22. The Quartermasters or Seamen Instructors to keep watch on the upper deck, both day and night; to instruct in seamanship and boats; when on the watch to keep off all boats from alongside, unless they have business with the ship; to see that boys do not go over the side, unless by orders; to report all boats approaching the vessel to the Commanding Officer. At night all boats to be hailed and warned off, unless they have an order on duty.

## BARBER.

*Hair to be cut once a month.—Charge of Bath-room.*

23. The Barber to perform both Bugler and Barber's duties, to attend the boys with the Warder when they are washing. Each boy's head to be examined once a month, and his hair cut. He will also take charge of the bath-room, and see that it is kept clean and in proper order.

## STEWARD AND COOK.

*Boys to be instructed.*

24. The Steward and Cook to perform their own duties, and instruct such boys as may be placed under them in their art.

## TAILOR AND SHOEMAKER.

*Trade instruction.*

25. The Tailor and the Shoemaker will have to instruct any boys who may be told off to them in their trades, and will have to take charge of them whilst at work.

## GENERAL RULES.

*Caution to Officers.*

26. Every Officer must bear himself in such a manner before the boys as not to set a bad example by either word or deed; and not only any offence, such as drunkenness, will be visited with instant dismissal, but such dismissal will follow from ascertained unsuitableness without any special bad conduct.

*Book for Visitors.*

27. A Visitors' Book will be kept, in which all ladies and gentlemen who visit and inspect the Institution must be courteously requested to enter their names, with the date of visit, and any remarks they may think proper to make.

*Strangers*



*Strangers to explain relationship to boys when visiting.—Warders to be present during interviews with boys.*

28. Strangers wishing to visit any of the boys must explain to the Superintendent, or, in his absence, to the officer in charge, their relationship to the boy whom they desire to see, the object of their visit, and any other particulars that the Superintendent may desire to know; and either the Master-at-Arms or Warden must be present during the interview of any such stranger with a boy.

*Relatives to enter names in book.*

29. The relatives and friends of the boys will be required, on every occasion of a visit, to enter their names in a separate book kept for that purpose.

*Boys permitted on shore.*

30. Any boy who has proved himself to the satisfaction of the Superintendent to be trustworthy, may be permitted to go on errands on shore.

*Boys permitted to attend Divine Worship on shore.*

31. Any number of the boys whom the Superintendent has reason to believe may be so trusted, will be permitted to attend Divine Worship on shore, on such occasions and under the charge of such officers as the Superintendent may approve.

*Prayers to be read by Schoolmaster in absence of Clergyman.*

32. The Officers, Instructors, and boys must attend Divine Worship every Sunday on board the ship; if no Clergyman is in attendance, prayers must be read by the Schoolmaster.

#### PUNISHMENT.

*Punishment to be awarded by the Superintendent.*

33. No officer or instructor will be allowed to punish any boy summarily; but the names of such boys as may misconduct themselves must be sent in, with the nature of offence, to the Superintendent, who may award such punishment, hereinafter named, as he may consider sufficient.

*Punishments to be awarded in presence of Ship's Company.*

34. All punishments shall be administered at divisions after prayers, every morning (Sundays excepted), when the whole of the boys and ship's company are present.

*Mode of punishment.*

35. The modes of punishment to be—black list, masthead, meals by themselves, loss of dinner, cells during playhours, cells with bread and water.

*Restriction to punishment.*

36. Corporal punishment not to exceed six cuts with the cane on the hand. For stealing, immoral conduct, and malversation, the boy to be placed over a gun, and punished with a plain leather strap, but no more than twenty stripes shall be given for any offence. This last mode of punishment is only to be resorted to when all other chastisements have failed to have effect upon the conduct of any boy, or in cases of very gross breach of discipline.

#### CLOTHING BOYS.

37. As soon as a boy has been entered, he is to be sent to the barber to have his hair cut and his head examined; he is then to have a warm bath and be turned over to the boatswain in charge, who will supply him with a hammock, bag, clews and lashing, a bed, blanket, and bed cover, which are to be legibly marked before being issued.

38. As soon as the clothes are received, an instructor, told off for the purpose, is to take them to be marked and issued, and he is to see the boy place them in his bag. No further supply of clothes is to be issued without the sanction of the Commanding Officer.

39. The following articles of clothing are to be supplied to each boy during the year :—

2 pairs blue cloth trousers	1 hat (cabbage-tree)
2 do. drill do.	1 ribbon with name
1 pair canvas trousers	1 neckerchief
1 canvas jumper	1 knife and lanyard
2 blue serge frocks	1 rug
2 blue drill do.	1 blanket
2 flannel shirts	Needles and thread
2 pairs socks	2 combs
2 pairs boots	2 towels
1 comforter	1 scrubbing brush
2 caps	2 pocket handkerchiefs

1 clothes brush, with blacking brushes and blacking for every mess of twelve boys.

#### MESSING.

40. Two boys are to be told off as captains to each mess; they are to wear a distinctive badge, and to be selected with great care; they should be boys of good character and of good disposition; they are to be held responsible for the good order of their messes, and to portion out the food to each boy. At 11:30 A.M., one cook is to lay out the table with the mess traps, &c., and one is to go to the coppers for the meat, &c.; this is to be divided, and a portion put into each plate by the Captain of the Mess, under the superintendence of the Seamen Instructors and Master-at-Arms. The boys are to be ranged outside of the stools, standing. When the dinner has been portioned out, it is to be inspected by the Chief or other Officer; the senior boys of each mess are then to say grace, the boys are to take their places, and to dine with their caps off. If on inspection it is found that any boy has an undue proportion of bone, the senior boy should be made to exchange dinners with the one that has an unfair share given him; by this means this selfish practice will be easily corrected.

*Apprenticeship.*

41. Each boy, upon being apprenticed, or otherwise discharged from the ship, will receive a certificate of service, signed by the Superintendent and Commander, of the following form :—

No.

CERTIFICATE of Service on board the Nautical School-ship "Vernon."

Name.	No.	Entry.	Discharge.	Conduct.	Abilities.		Trade.
					Seamanship.	Gunnery.	

Captain's signature.

42. Each boy, upon being apprenticed to the sea, is to be supplied with the following outfit :—

1 bed.	2 pairs socks.
1 blanket.	1 canvas bag.
1 rug.	1 rack comb.
2 pairs trousers.	1 small tooth comb.
2 blue shirts or jumpers.	1 jack knife and lanyard.
2 flannels.	1 knife and fork.
2 caps.	1 spoon.
1 pair boots.	1 plate.
1 comforter.	1 panikin.
1 neckerchief.	1 Bible.
2 towels.	

#### SCHOOL ROUTINE.

43. *Working of Divisions.*

Days.	A.M.	P.M.
Monday.....	1st division, starboard watch ...	1st division, port watch.
Tuesday .....	2nd do., do. do. ...	2nd do., do. do.
Wednesday .....	General sail drill .....	1st do., starboard watch.
Thursday .....	1st division, port watch .....	2nd do., do. do.
Friday .....	2nd do., do. do. ...	1st do., do. do.
Saturday .....	Clean ship.....	Clean ship.
Sunday .....	10.30. Divine Service .....	{ 1.0. Church of England Sabbath School. 3.0. Roman Catholic Sabbath School.

#### *Changing divisions.*

44. Every Friday afternoon a different division to be sent to school, so that each boy will receive the same number of hours schooling during the month.

#### *Idle boys.*

45. Idle and inattentive boys who will not learn, but play, will be kept in to study during their playhours till they give signs of progress.

#### *Boys not to be called out of School.*

46. Boys are not to be called out of school, under any circumstances, without the permission of the Superintendent.

#### *Books to be kept posted up.*

47. The following books are to be kept posted up by the Schoolmaster, and ready for inspection at any moment, viz. :—Register of Average Attendance at School, School Routine, Progress Book, School Record Book, and Quarterly Examinations.

#### INSTRUCTION IN SEAMANSHIP.

##### *Classes.*

48. The boys are to be arranged in classes, and a system devised by which a boy will be gradually passed out of one class to a higher one, a register of which is to be kept by the Instructors.

#### FIRST INSTRUCTION.

##### *Drilling.*

49. The names of all the masts and yards, decks, &c., and drilling at the monkey topsail yard on the gangway, also learning to pull in a boat.

#### SECOND INSTRUCTION.

##### *Sailor's work.*

50.	Reef knot.	Bend studding sail haulyards.
	Bowline knot.	Cat's-paw.
	Bowline on bight.	Sheep-shank.
	Running bowline.	Carrick bend.
	Clove hitch.	Bend hawsers.
	Timber hitch.	Sling a cask.
	Blackwall hitch.	Inside clench.
	Two half hitches	Outside clench.
	Rolling hitch.	Clap on siggers and stoppers

For this instruction, a jackstay is to be stretched along, and set up ; at intervals of three feet, pieces of rope, one fathom long, are spliced in it ; each boy in the class will hold one of these in his hand, and wait the orders of the Instructor, who is to give directions which knot or bend is to be made ; and when it is finished, each boy will wait until the Instructor comes round to examine the work, and to explain its uses.

#### THIRD INSTRUCTION.

##### *Splicing, pointing, &c.*

51.	Long splice.	To make a clue.
	Short splice.	Worming.
	Eye splice.	Parcelling.
	Mathew Walker knot.	Serving.
	Stopper knot.	Strapping blocks.
	To make a grummet.	Turning in dead eyes.
	To make a Turk's head.	Reeving a lanyard.
	To make a point.	Rattling down rigging.
	To make a gasket	To point ropes.
	Shroud knot.	To pass an earing.

#### FOURTH

## FOURTH INSTRUCTION.

*Naming Rigging, &c.*

52. The boys are to learn the names of all the running rigging and blocks, to set up rigging, as also to use the palm and needle. Each boy is to be able to sew a seam and work an eyelet hole well.

*Instruction not to be continued too long.*

53. The foregoing should be varied with the gunnery instruction. No boys should be kept long at any instruction, otherwise they will tired and weary, therefore the seamanship instructions are to be alternated with the gunnery classes. The hours for changing the instructions are to be 10-15 a.m. and 2-15 p.m.

*Pulling in Boats.*

54. Two boats are daily to be sent with the boys that are in the first instruction, to learn to pull; and on Wednesday afternoon and Thursday forenoon the watch not at school are to man all the boats, and to go away for the purpose of boat exercise, viz:—Under sail, to practice getting up and down masts, making and shortening sail, tacking, wearing, reefing, steering by compass, attending sheets haulyards, &c.

## TRADES.

*Boys to be told off to Trades.*

55. One division of boys is to be told off to trades at 9 o'clock a.m. and 1 o'clock p.m.; all trades-boys to be sent to their respective trades after divisions, at 4 o'clock p.m., until 6 o'clock p.m.

## GUNNERY.

*Exercise with Guns, and Powder and Shot.*

56. Boys to be taught the first, second, and third instructions of gun drill with detail, manning both sides, and handspike drill, also cutlas and rifle drills. Occasionally to be exercised with powder, that they may be accustomed to its use, and when practicable to be exercised with shot; they are also to be taught to aim at a movable target; a boat pulling abreast of the ship, to be used for that purpose.

## SUMMER ROUTINE.

*Monday.*

4-30 a.m., Turn the hands up.  
 4-45. Instructors to inspect hammocks, then stow them.  
 5-3. Three divisions to clean upper decks. Boats to be lowered, washed out, and gear cleared; one division to bathe.  
 7-0. Breakfast.  
 7-30. Watch to clean, stow bags. Watch below clean lower deck.  
 7-45. Overhaul lifts and braces.  
 8-0. Cross topgallant royal yards, loose sails; one watch to square yards, spread awnings, flemish down ropes, clean wood-work, and sweep decks; one watch at quarters to clean guns and arms.  
 8-30. Clean lower deck.  
 8-45. Inspection of all decks, boys to fall in at bugle call for muster with their Instructors, to see they are all properly washed, cleaned, and combed.  
 9-0. Divisions and prayers, after which the boys are to be told off for exercise, viz:—One division at gun drill; one division at seamanship and boats; the remainder at school, agreeably to the school routine.  
 10-15. Roll of drum, stand at ease ten minutes, boys in the first instruction to go over the mast-head; change drill—boys that were at gunnery exercise to rifle drill.  
 11-30. Furl sails, square yards, reeve clothes-lines; cooks and captains of messes to prepare the dinner tables.  
 11-45. Inspection of messes.  
 Noon. Dinner.  
 1 p.m. Boys to fall in by sound of bugle, clear up and inspect lower deck; the divisions to be told off as in the forenoon, viz:—One division to be told off to gun drill, one division at seamanship and boats, the remainder at school.  
 2-15. Roll of drum, stand at ease ten minutes, and change drills—boys in the first instruction to go over the masthead, one division at sword drill, one at seamanship and boats.  
 4-0. Dismiss drills, down topgallant yards.  
 5-0. Supper.  
 5-30. Fire stations. Hoist up all boats not required, after which boys to bathe and skylark.  
 7-0. Stand by hammocks.  
 7-10 p.m. Furl or haul over hammock cloths.  
 8-30. Captains of Messes report to the Instructors that their messes are cleaned up. The Instructors are to see that all the boys are in bed before the rounds.  
 9-0. Rounds.

*Tuesday.*

4-30 a.m. Turn the hands up. Instructors to carry on the same routine as on Monday; after prayers the boys to be told off to drills—one division at gun drill, one at seamanship and boats.  
 10-15. Roll of drum, change drills as on Monday.  
 11-30. Furl sail.  
 p.m. Boys fall in as before, one division at gun drill to change to sword drill, one division at seamanship and boats; routine as on Monday.

*Wednesday.*

a.m. Routine as before.  
 9-15. General sail drill, boys to be exercised, making, shortening sail, reefing, &c.; this to be alternated with drilling at stations and manning the ropes.  
 11-30 a.m. Clear up decks.  
 p.m. Boys not at school, at general boat exercise, except newly raised boys, who will be exercised at the monkey sail.  
 4 p.m. Dismiss drills.

*Thursday.*

a.m. Routine as before.  
 9-15. General muster per open list, then one watch at school, and one at general boat exercise, except newly raised boys, who will be exercised at the monkey sail.  
 The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday; the other watch on the second Thursday of every month.  
 Every boy should bring with him for inspection at divisions on Thursday, hammock and clothes stops, knife, and combs.  
 p.m. Mend clothes.

*Friday.*

*Friday.*

A.M. Boys not at school to exercise at general quarters, except junior boys, who will exercise at topsail drill or boats.

1 P.M. Boys not at school to assemble under arms for general rifle drill. After supper, wash clothes.

*Saturday.*

A.M. Hands up at 4.30. Get all bags on deck, rig engine, lead hose along, &c., lower all boats, overhaul the gear for cleaning, up all mess traps, stone lower deck and poop.

7.0. Breakfast.

10.0. Down all bags, stone upper deck and forecastle.

P.M. Air bedding, square yards, repair ratlines, &c.; one watch at quarters to clean guns, after which clean all boats and scrub the gear.

4 P.M. Divisions to serve out clean hammocks (alternate weeks). Every boy to be passed through the bath on Saturday afternoon, if the weather will admit of it. The Ship's Corporal to attend to muster them. After supper sling clean hammocks.

*Sunday.*

A.M. Hands up at 5.30. Sweep all decks.

9.30. Divisions.

10.0. Divine Service.

1 P.M. Sunday School.

3.0. Roman Catholic do.

NOTE.—Clothes-lines to be rove on Tuesdays and Fridays before 3.30 P.M. Hammock guantlines to be rove on Monday after supper, and the hammocks scrubbed the next morning, and triced up at 8 A.M. When the weather is warm the boys to bathe three times a week, at 5.30 P.M. Every boy's hair is to be cut, and his head examined by a barber, the first week of every month. Boats' crews, messenger, and side-boys, to be changed every Monday morning at 7 A.M. The Barber to attend divisions when the boys are inspected. All the boys to be examined in March, June, September, and December, as to their proficiency in school, gunnery, and seamanship; the result to be inserted in the Progress Book against each boy's name, as also his conduct during the quarter. All boys in the first instruction to go over the mast-head at the hours of changing drills. The Instructors are always to attend with them whilst going aloft. Anything that may occur to interrupt the proper carrying out of the Routine Regulations must be reported to the Superintendent.

## WINTER ROUTINE.

*Monday.*

6 A.M. Hands up.

6.15. Lash up and stow hammocks, under the inspection of the Seamen Instructors.

6.30. Clean decks.

7.15. Breakfast.

7.45. Watch below clean lower deck, stow bags, &c.

7.55. Watch fall in, sweep upper deck, coil down ropes, lower boats, &c., according to weather.

8.30. Square yards, spread awnings if required, clean wood-work, &c.

9.15. Bugle to sound, boys fall in for inspection.

9.30. Divisions and prayers, after which boys are to be told off for exercise, viz.:—One division at gun-drill; one division at seamanship and boats; and the remainder at school, according to school routine.

10.30. Roll of drum, stand at ease ten minutes, and change drills.

11.45. Inspection of messes.

Noon. Dinner.

1 P.M. Boys fall in at sound of bugle, clear up and inspect lower deck. Divisions to be told off as in forenoon.

2.15. Roll of drum, stand at ease ten minutes, and change drills.

3.30. Divisions assemble at sound of bugle, and drills dismissed.

4.0. Hoist up all boats not required.

4.30. Supper.

5.0. Fire stations.

7.30. Hang up hammocks, and down all bags.

8.0. Rounds. (The Seamen Instructors are to see that all the boys are in bed before the time for rounds.)

*Tuesday.*

A.M. Routine as on Monday.

1 P.M. Boys fall in as on Monday; one division at gun drill to change to sword drill.

Routine as on Monday.

*Wednesday.*

A.M. Routine as on Monday.

9.30. After prayers, general sail drill; boys are to be exercised making and shortening sail, &c.; this to be alternated with drilling at stations and manning ropes.

P.M. Boys not at school at general boat exercise, except junior boys who will exercise at the deck topsail.

*Thursday.*

A.M. Routine as on Monday.

9.30. After prayers, a general muster per open list; then one watch at school and one at general boat exercise, except junior boys who will be exercised at the deck topsail.

The clothes are to be mustered as follows:—One watch (not at school) on the first Thursday, the other watch on the second Thursday of each month. Every boy should bring with him for inspection at divisions on Thursday, hammock and clothes stops, knife and comb.

P.M. Routine as on Monday.

*Friday.*

A.M. Boys not at school to exercise at general quarters, except junior boys who will exercise at topsail drill or boats.

1 P.M. Boys not school to assemble for general drill (to land if practicable.)

*Saturday.*

*Saturday.*

6 A.M. Hands up, get all boys on deck, rig engine, and pass hose along, &c., lower boats and overhaul the gear for cleaning.

7-15. Breakfast.

7-45. Up all mess traps, and stone lower deck.

10. Down all bags, stone upper deck, poop, and fore-castle.

1. P.M. Air bedding, square yards, repair ratlines, &c.; one watch at quarters to clean guns and complete gear, after which they are to clean all boats and scrub the gear.

4-0. Divisions—to serve out, clean hammocks on alternate weeks. Every boy is to be passed through the bath on Saturday afternoon, weather permitting. The ship's Corporal to attend to muster them. After supper, sling clean hammocks.

*Sunday.*

6 A.M. Hands up, sweep all decks.

10. Divine Service.

2 P.M. Sunday School.

NOTE.—Hammocks are to be scrubbed after breakfast on alternate Tuesdays, and triced up to dry in the early part of the forenoon, on which days prayers at 10 A.M., or earlier if practicable. Clothes are to be washed on Tuesdays and Fridays at 2-15 P.M. Hammocks are always to be collected and inspected at divisions, and issued in the same manner. Clothes-lines are to be rove at 11 A.M. on washing days. Hammock gauntlines are to be rove every Monday after supper. Every boy's hair is to be cut, and his head examined by the Barber, the first week of every month. Boats' crews, messengers, and side-boys, are to be changed every Monday, at 7 A.M.

## RULES TO BE OBSERVED BY THE SEAMEN INSTRUCTORS AND BOYS OF N. S. S. "VERNON."

1.—Instructors are expected on all occasions to show an example of cheerfulness and willing obedience in executing their several duties; they are not only to abstain from using violent or harsh language themselves, but they are uniformly to discourage all improper conduct in others.

2.—The Instructors in their several stations are expected to report all skulking characters, and to point out all those who, by activity and good conduct, deserve encouragement.

3.—Nothing whatever is to be taken in at, or thrown out of, the ports, nor are any clothes to be hung about the chains, head, rigging, or in the messes between decks.

4.—When any duty is being carried on, the strictest silence is to be kept.

5.—All complaints are to be made on the quarter-deck, to the Commanding Officer, in order that they may be communicated to the Commander.

6.—It is the duty of every boy to report all skulkers and lazy characters, in order that they may be made to do their share of the work.

7.—It is the duty of every boy to detect a thief, as a common enemy to all on board; and any boy screening or holding communication with a thief will be considered as equally bad in character, and will not be allowed to mess with the other boys. No article can ever be lost on board, therefore everything found is to be taken to the ship's corporal for its proper owner.

8.—All quarrelling and fighting will be severely punished, and on no account are cards, dice, or gambling of any sort, to be allowed in any part of the ship.

9.—If any boy should disobey the orders of his Instructor or Captain of Mess, he will be punished.

10.—Selling or exchanging clothes, and all trafficking, is strictly forbidden, and will be punished by the forfeiture, on both sides, of the article so sold or exchange, and further as may be deemed necessary.

11.—The boys are to be mustered at divisions, according to the instructions to which they belong. The Warrant Officers in charge of the boys, assisted by their Instructors, will be responsible for the progress they make in their instructions; they will take care never to allow them to appear otherwise than clean in their skin and orderly in their clothes.

12.—All are expected to feel a proper pride in their ship, and to merit encouragement by showing activity and a cheerful spirit in the performance of their several duties.

## A 18.

EXTRACT from the *Sydney Morning Herald*, 14 January, 1869.

The barque "Ashburton," Captain Smith, arrived yesterday afternoon from Puget Sound, with a cargo of timber, consigned to order. Captain Smith reports of his passage that he sailed from Port Gamble, Puget Sound, 8th November, at 8 a.m.; cleared Fuca Straits, 9th, at 8 p.m., with a strong breeze from S.E., gradually hauling to the S. and S.W., and increasing to a gale; next day, at noon, it blew a complete hurricane from S.S.W.; had a continuance of S. and S.W. gales until the 19th; afterwards moderate weather from the S. and S.E. until the 4th December, when we got the N.E. trades in latitude 22° N.; carried strong N.E. trades until the 12th December, when we lost them in latitude 20° N.; had light variable winds until the 16th, when we got the S.E. trades in 3° S.; crossed the Equator on the 14th December, in longitude 154° 35' W.; 5 a.m., 21st December, passed Reirson's Island; 11 p.m., 26th December, passed Savage Island; 1 p.m., 29th December, passed Fylstaart Island; 10th January, 8 a.m., passed Howe's Island; had S.E. and E. winds all the latter part of the passage. On the departure of the "Ashburton" from this port, Captain Smith shipped as apprentices two lads from the training-ship "Vernon"; and it is satisfactory to learn that they have not only conducted themselves in every respect so as to meet the approbation of their commander, but have advanced themselves in nautical science to an extent that will enable them, in a short time, to occupy the position of officers. The names of the youths referred to are James M'Ivory and James Plowright.

## A 19.

N. S. S. "Vernon,"  
26 September, 1867.

Sir,

With deep regret I have to report the boy *Albert Dempsey* of malversation.

He has been reported to me to-day of having been in the habit of abusing himself; and, upon questioning him, he admitted the fact.

He has also been charged with other immoral conduct, but the evidence is not quite clear.

At present I have placed him in a separate apartment, and made him mess by himself, until I receive instruction how his case is to be dealt with, and what punishment is to be inflicted; or if it would not be better to remove him, so as to deter others from following his bad example.

I have, &c.,  
J. S. V. MEIN.

## A 20.

The Principal Under Secretary to The Superintendent of Nautical School-ship "Vernon."

Colonial Secretary's Office,  
Sydney, 30 September, 1867.

Sir,

I am directed by the Colonial Secretary to acknowledge the receipt of your letter of the 26th instant, respecting the misconduct of the boy named Albert Dempsey, and to say that the offence of which the boy has been guilty is one of a scandalous character, less accessible to legal coercion than to influences of a moral kind.

It appears to Mr. Parkes, that an attempt should be made by you to convince the offender of the unmanly and degrading character of the offence, and to stimulate him to a mode of thought which would render the repetition of the offence almost impossible.

It is particularly the duty of the Superintendent of an institution like the Vernon Nautical School, to anticipate and deal with, if not to prevent such disgraceful proceedings; but failing to influence the offender in such manner as is suggested, it would then be the duty of the Superintendent to adopt such other corrective measures as the separation from the others, the restriction of diet, or such other means as may appear to him most desirable.

I have, &c.,  
HENRY HALLORAN.

## A 21.

In examining men for the "Vernon," Captain Mein must ascertain—

1. Course of life for the last seven years.
2. Whether married; and if so, how long, and number of children.
3. Whether content to live on board.
4. Whether strictly sober.
5. Educational capabilities. Must also judge of character yourself, which is very important, viz.:—Whether addicted to swearing or fits of bad temper, and whether likely to have correct notions of the proprieties of life.

You must impress upon *all*, even the *Cook*, the necessity of such a manner and bearing before the boys as not to set a bad example even by words or deed. And you must tell them, that not only any offence such as drunkenness will be visited with instant dismissal, but that the dismissal will follow from ascertained unsuitableness, without any special act of bad conduct.

H.P.—12/4/67.

## A 22.

Captain Mein to the Chairman of the Committee on N. S. S. "Vernon."

N. S. S. "Vernon,"  
2 March, 1869.

Sir,

Before the evidence is closed relating to the management of the N. S. S. "Vernon," I beg most respectfully to bring under the notice of the Committee the following particulars of the establishment of the institution, and the difficulties which have been encountered in properly carrying out its primary object.

From the inauguration up to the present time, the greatest difficulty has been experienced in obtaining officers and men properly qualified for the duties required of them; and, consequently, numerous changes have taken place aboard the vessel. In very many cases, during the earlier period of the working of the institution, it was almost impossible to preserve that degree of discipline necessary on board a vessel of this kind. Officers and men, who had made faithful promises of obedience to all orders, and generally to carry out with zeal and efficiency the instructions received from their superiors, instead of so doing, either disregarded their duties, or performed them in a careless and negligent manner; and when reprimanded, exhibited a spirit of insubordination which tended materially to disorganize the discipline of the ship, and to frustrate the objects of the institution.

This want of discipline among the men I attribute, in a great measure, to the insufficient authority I possessed in shipping and discharging them. This authority, which every commander of a vessel possesses, is, I think, absolutely necessary; and since the recent Regulations for this vessel have been in force, by which such power is afforded me with regard to those not appointed by Executive authority, I have found the crew more entirely under my control. Beyond this, I think it would be perhaps advisable, for the better management of the institution, if the right were conceded me of recommending my officers for the approval of the Honorable the Colonial Secretary.

Another difficulty which this establishment has experienced has been, that both officers and men, from the peculiar character of the institution, have had, in a great measure, all their duties to learn; and as the vessel itself was, in the first instance, not sufficiently equipped for the purposes intended, the institution has only been gradually progressing to a state of efficiency. It is, therefore, at present hardly possible to judge of the amount of good likely to arise when it has had sufficient time to mature itself.

Notwithstanding, however, these disadvantages, there can be no doubt that the establishment of this vessel has produced beneficial results. It has now been in operation since 20th May, 1867; and, from that time to the present, 159 boys have been received on board. Of these, 8 have been discharged to their parents or otherwise, and 23 have been apprenticed out as follows:—

- 9 as sailors.
- 4 " stockkeepers.
- 3 " general servants.
- 2 " grooms.
- 3 " farmers.
- 1 " cabinet-maker.
- 1 " shoemaker.

Most of the boys thus apprenticed out came on board with the reputation of being bad characters; but it is gratifying to learn that their masters have in all cases appeared perfectly satisfied with their conduct, and that applications are now being received for apprentices faster than they can be drafted out. The certificates that I have recently laid before you, and those which I have now the honor to hand in, will support my statement that the boys' conduct has met with the approval of their masters.

Five enclosures.

One

One of the boys of the ship, who has been apprenticed to me as cabin boy and servant, has afforded me very great satisfaction. He is constantly sent by me on errands to all parts of the city. I have frequently trusted him with sums of money to make payments with, and in every instance his conduct has been most trustworthy.

I would here beg to remark that, on every occasion in which the boys have been taken out to pleasure excursions, I have been congratulated upon their good behaviour and orderly conduct, and that they bear favourable comparison with any other school-boys.

Arrangements have now been made for the boys to attend the churches of their own denominations on shore on Sunday, and also for their clergymen to come on board on one afternoon in the week to give them religious instruction. The boys' conduct when on shore is highly satisfactory, and they have been reported to me as being most orderly and attentive during divine worship. On all these occasions when taken on shore, either for pleasure parties or attending divine service, there has never been any attempt of desertion.

There can be no doubt, therefore, from these circumstances, that great benefit has resulted from this institution, especially when it is considered that these boys, who a few months ago were prowling about the wharves of this city, or were the associates of thieves and prostitutes, have been so far reformed, and have conducted themselves in such an orderly and diligent manner.

In conclusion, I would most respectfully offer for your consideration the following suggestions, which, if carried out, would be for the future advancement of the objects of this institution, and of permanent benefit to this Colony:—

1. To remove the "Vernon" from her present moorings, and moor her in Middle Harbour, above the spit, abreast the Government reserve, or lands not yet disposed of by sale, and made a receiving ship for all male juvenile delinquents.

The reserve to be enclosed in with a high, close fence; working parties to be told off daily to erect substantial workshops and sheds for trades, such as shipwrights, carpenters, boatbuilding, blacksmiths, shoemakers, tailors, baking, quarrying, &c. Large tanks could be quarried out of the rock to hold a quantity of water, and the rest of the ground laid out as a farm. Cows could be kept, to produce sufficient milk for the establishment and to make butter for the market.

2. For the efficient training of seamen, to purchase a small vessel, either a schooner or brig, as a tender to the "Vernon," of about 100 tons—a good weatherly craft—which, I think, could be obtained ready for sea for about £800. This vessel could go to sea when wanted for exercise, or could be made use of in going either to the Islands or a cruise along the coast, on visits to lighthouses, or any special Government service, and to be entirely worked by the boys from the receiving ship "Vernon." The boys would thus become really practical sailors.

The shore working party could be conducted, as nearly as possible, on the Red Hill Farm system, or Mettray, as would be found from experience the best adapted to the juveniles of this Colony. A Reformatory, Industrial School, and Training Vessel for seamen, would thus be all under the one superintendence, and be an easy distance from Sydney, where the head of the department could inspect at any moment required; and being under one superintendence and staff, the expense would be much less than by separate establishments. From this depot the whole Colony could be supplied with trained artisans, agriculturists, servants, and seamen.

The expense of adopting these suggestions would not be attended with any material increase of the present estimate for this institution. The boys who are on board the "Vernon" have now acquired such habits of industry that all the manual labour required could be furnished from the decks of this vessel, and it would be only necessary to engage the services of one or two skilled persons to direct their energies in certain special departments.

I have, &c.,  
J. S. V. MEIN.

(To Evidence given by Mr. J. Pickering, 19 February, 1869.)

#### B.

RETURN of Estimated Cost of Boots made on board the N. S. S. "Vernon," by order of the Select Committee of Legislative Assembly, for six months ending 17th February, 1869:—

No. of pairs made.	Without salary : per pair.	With salary : per pair.	Contract price per pair.	Retail selling price per pair.
	s. d.	s. d.	s. d.	s. d.
260	2 7½	7 7	5 6	6 6

NOTE.—This is the first six months the boys have been at work. Every half-year, if the boys are allowed to continue at the trade, they will increase the work, and by this means lessen the cost per pair; and after a short time (say eighteen months), they will not only lessen the price, but bring in a return, because they will become more proficient, and a greater amount of work will be done. I am sorry I cannot obey the commands of the Committee in regard to cost of victualling and clothing the boys, as I am not able to obtain the desired information.

I am, &c.,  
JAMES PICKERING,  
Trademaster, N. S. S. "Vernon."





1868-9.  
LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.  
**CEMETERIES.**  
(RETURN RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 11 March, 1869.*

RETURN of Cemeteries in the Metropolitan Police District.

Parish.	Locality of Cemetery.	No. of, in Parish.	Description of Cemetery.	Area.	Approximate distance from Cemetery—					Remarks.
					To Haslem's Creek.	To nearest Railway Station. •		To nearest Town.		
						Distance.	Station.	Distance.	Town.	
The Metropolitan Police District comprises the Parishes of—	Alexandria .....	2		a. r. p.						
	South Head .....		General .....	1 0 0	17 miles .....	6 miles .....	Redfern .....	$\frac{1}{2}$ mile ..	Watson's Bay.	Only 4 acres of this is in use— Church of England.
	Randwick .....		General .....	2 0 0	14 $\frac{1}{2}$ miles .....	3 $\frac{1}{2}$ miles ..	Redfern .....		Randwick .....	
	At Booralee .....	1	Wesleyan .....	1 0 0	14 $\frac{1}{2}$ miles .....	3 $\frac{1}{2}$ miles ..	Redfern .....		Booralee.	
	Botany .....	None.								
	Broken Bay .....									
	Concord .....	5								
	At Longbottom .....		General .....	8 2 20	3 $\frac{1}{2}$ miles .....	$\frac{1}{2}$ mile ..	Homebush ..		Longbottom ..	Not yet used.
	At Longbottom .....		Church of England .....	1 0 0	5 miles .....	1 mile .....	Burwood .....		Longbottom.	
	At Longbottom .....		Roman Catholic .....	1 0 0	4 miles .....	$\frac{1}{2}$ mile ..	Burwood .....		Longbottom.	
	At Ashfield .....		Church of England .....	4 2 0	6 miles .....		Ashfield .....		Ashfield.	
	At Enfield .....		Church of England .....	2 0 0	6 miles .....	2 miles .....	Burwood .....		Enfield.	
	Gordon .....	2								
	Lane Cove Road .....		Church of England .....	1 0 0	22 miles .....	11 miles .....	Redfern .....	6 $\frac{1}{2}$ miles ..	St. Leonards.	
	Manly Cove .....	3								
	At Rodborough .....		General .....	3 0 0	25 miles .....	14 miles .....	Redfern .....	5 $\frac{1}{2}$ miles ..	Balgowlah.	
	Balgowlah .....		General .....	2 2 37	20 $\frac{1}{2}$ miles .....	9 $\frac{1}{2}$ miles ..	Redfern .....		Balgowlah.	
	Quarantine .....		General .....	1 3 0	22 $\frac{1}{2}$ miles .....	11 $\frac{1}{2}$ miles ..	Redfern .....	2 miles .....	Balgowlah.	
	Narrabeen .....	None.								
	Petersham .....	6								
	Elswick .....		Roman Catholic .....	4 0 7	9 $\frac{1}{2}$ miles .....	1 $\frac{1}{2}$ mile ..	Petersham .....	$\frac{1}{2}$ mile ..	Petersham .....	Not yet in use. In hands of a Company.
	Camperdown .....		Church of England .....	13 0 0	9 miles .....		Newtown .....		Newtown .....	
	At St. Peter's Church .....		Church of England .....	3 0 0	10 $\frac{1}{2}$ miles .....	1 $\frac{1}{2}$ mile ..	Newtown .....	1 mile .....	Newtown.	
	Petersham .....		Roman Catholic .....	4 0 0	8 $\frac{1}{2}$ miles .....	$\frac{1}{2}$ mile ..	Petersham .....		Petersham.	
	Elswick .....		General .....	22 0 0	9 $\frac{1}{2}$ miles .....	1 $\frac{1}{2}$ mile ..	Petersham .....	$\frac{1}{2}$ mile ..	Petersham .....	In hands of a Company.
	Canterbury .....		Church of England .....	1 0 0	8 miles .....	2 miles .....	Ashfield .....	2 miles .....	Ashfield.	
St. Andrew.										
St. James.										
St. George.										
St. Laurence .....	1									
Lord's Forest .....		General .....	8 0 0	15 $\frac{1}{2}$ miles .....	6 $\frac{1}{2}$ miles ..	Newtown .....	6 $\frac{1}{2}$ miles ..	Newtown.		
St. Philip.	1									
Devonshire-street .....		General .....	12 1 11 $\frac{1}{2}$	11 miles .....		Redfern .....		Sydney.		
Willoughby .....	4									
At St. Leonards .....		Church of England .....	2 0 0	15 $\frac{1}{2}$ miles .....	4 $\frac{1}{2}$ miles ..	Redfern .....		St. Leonards.		
In St. Leonards .....		Roman Catholic .....	1 0 0	15 miles .....	4 miles .....	Redfern .....		St. Leonards.		
In St. Leonards .....		Church of England .....	1 0 6	15 miles .....	4 miles .....	Redfern .....		St. Leonards.		
On Lane Cove Road .....		General .....	9 0 0	16 miles .....	5 miles .....	Redfern .....	2 miles .....	St. Leonards ...	Not yet in use.	



1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

BALMAIN CEMETERY, PETERSHAM.

(PETITION—CERTAIN INHABITANTS OF PETERSHAM.)

*Ordered by the Legislative Assembly to be Printed, 28 January, 1869.*

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

The humble Petition of the undersigned Owners and Occupiers of Land, in  
the Parish of Petersham,—

SHewETH :—

That your Petitioners either own or occupy land in the parish of Petersham,  
and in the vicinity of the so-called Balmain Cemetery.

That in every instance, your Petitioners occupied the said land prior to the  
establishment of the same Cemetery.

That such of your Petitioners as are owners of land, have laid out large sums of  
money in erecting dwelling-houses, and in improving their property.

That the establishment of the said Cemetery in their vicinity interferes very  
materially with the ease, comfort, and enjoyment of your Petitioners, has already  
become a nuisance, and threatens, at no distant day, to be a fruitful source of disease.

That your Petitioners, from the time when the promoters first mooted the project  
of the said Company for the Cemetery, up to the present day, have done everything in  
their power to prevent the establishment of so great a nuisance amongst them.

That they took proceedings in due course of law to abate the nuisance of the  
said Cemetery, but were advised by counsel, that the Act of Council 19th Victoria,  
No. 30 (the Marriage Laws Consolidation Act), had repealed the only Act in force in  
the Colony for the regulation of burials, namely, the 6th George IV, No. 21.

That your Petitioners are thus left entirely without remedy, and subject to this  
nuisance, although, when the Necropolis Act of last Session was passed by your  
Honorable House, it was expected that that Act would have the effect of preventing all  
burials in and around Sydney, except in the said Necropolis.

That the said Necropolis has been established at great cost to the public; and it  
is therefore, in the opinion of your Petitioners, opposed to sound policy to allow  
individuals to compete with it, by the establishment of a nuisance.

Your Petitioners, therefore, humbly pray your Honorable House to take the  
foregoing premises into your favourable consideration, and to re-enact clause 10 of the  
6th George IV, No. 21, or to pass such other Act on the subject as in your wisdom may  
seem meet.

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

[*Here follow 33 Signatures.*]



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

BURIALS REGULATION BILL.

(PETITION—BALMAIN.)

---

*Ordered by the Legislative Assembly to be Printed, 12 March, 1869.*

---

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

The humble Petition of the undersigned residents of the Borough of Balmain,—

SHEWETH :—

That your Petitioners have observed with great satisfaction that a Cemetery for the interment of the dead of all denominations has been opened on the Balmain Road.

That your Petitioners have been informed that a few interested persons have presented a Petition having for its object the closing of the said Cemetery.

Your Petitioners beg the attention of your Honorable House to the great distance that they reside from the Necropolis, and the hardship it would entail upon them to be compelled to convey their dead to that place of interment.

Your Petitioners assert, without fear of contradiction, that no nuisance can possibly arise from the Cemetery in question, the regulations of which are quite unobjectionable ; and your Petitioners have been informed and believe that the Company have offered and are willing to submit the same to the inspection of Government.

Your Petitioners, therefore, humbly pray that your Honorable House will not pass a Bill now before it which would have the effect of closing the Balmain Cemetery.

Dated this 6th day of March, 1869.

[*Here follow 587 Signatures.*]

---





1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

**BURIALS REGULATION BILL.**  
(PETITION—FROM THE MUNICIPAL COUNCIL OF BALMAIN.)

*Ordered by the Legislative Assembly to be Printed, 12 March, 1869.*

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

GENTLEMEN,—

This Petition humbly sheweth that a Bill to provide for the Burial of the Dead is now before your Honorable House, which, if passed into law, would have the effect of closing the Balmain Cemetery.

That the said Cemetery is of great advantage to the inhabitants of the Borough of Balmain, inasmuch as from the furthest point of the township the distance does not exceed three (3) miles; whereas, to the Receiving-house at Redfern, the distance is not less than five (5) miles, from whence the dead would have to be taken to the Necropolis at Haslem's Creek.

That your Petitioners would respectfully deny the statement or allegations which have been made that any number of inhabitants live near the Cemetery, or that it is likely ever to be the centre of a large population; but that, on the contrary, it would be difficult to find a piece of ground so admirably adapted for the purpose to which it is devoted.

Your Petitioners would respectfully remark that, in order to prevent a repetition of those nuisances which many Cemeteries, both public and private, have created, it would be advisable that your Honorable House should take the management of all Cemeteries under its own control.

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

Signed and sealed on behalf of the Council of the Borough of Balmain, on the eighth day of March, in the year of our Lord one thousand eight hundred and sixty-nine, by me—

F. R. ROBINSON, (L.S.)  
Mayor of Balmain.



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## BURIALS REGULATION BILL.

(PETITION—RESIDENTS IN THE VICINITY OF THE BALMAIN CEMETERY,  
PETERSHAM.)

---

*Ordered by the Legislative Assembly to be Printed, 12 March, 1869.*

---

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

The humble Petition of the undersigned owners and occupiers of land, residing  
in the immediate vicinity of the Balmain Cemetery, Petersham,—

HUMBLY SHEWETH:—

That your Petitioners have been informed and believe that a Petition has been presented to your Honorable House, by some few residents in the vicinity of Balmain Cemetery, setting forth that the establishment of the said Cemetery will depreciate the value of the property which they hold in the neighbourhood; that it is likely to become a nuisance to them, and a source of disease to the inhabitants of Petersham; and praying that your Honorable House would take steps to prevent such danger by closing the said Cemetery.

Your Petitioners have every reason to believe, from experience gathered both at Home and in this Colony, that so far from the establishment of a Cemetery in any neighbourhood depreciating the value of property, it tends on the contrary to enhance it. Your Petitioners further believe that no nuisance is likely to arise from the establishment of the Balmain Cemetery under the regulations now in force there.

Your Petitioners, many of whom are in humble circumstances, would respectfully urge on your Honorable House the necessity which exists for the establishment of Cemeteries easily accessible; as very many of your Petitioners and others would be prevented, by the loss of time and cost of transit, from ever seeing the graves of those whose memories they cherish, should they be compelled to inter their dead in the Necropolis at Haslem's Creek.

Your Petitioners would therefore pray—that, before acceding to the prayer of the Petition now before your Honorable House for the closing of the Balmain Cemetery, your Honorable House will cause such evidence to be taken in the premises as you may deem fit.

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

Dated this sixth day of March, 1869.

[Here follow 165 Signatures.]

---



1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

**BURIALS REGULATION BILL.**  
(PETITION—RESIDENTS IN THE VICINITY OF THE BALMAIN CEMETERY,  
PETERSHAM—No. 2.)

*Ordered by the Legislative Assembly to be Printed, 22 March, 1869.*

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.  
The humble Petition of the undersigned owners and occupiers of land residing  
in the immediate vicinity of the Balmain Cemetery, Petersham,—

HUMBLY SHEWETH,—

That your Petitioners have been informed and believe that a Petition has been presented to your Honorable House by some few residents in the vicinity of the Balmain Cemetery, setting forth that the establishment of the said Cemetery will depreciate the value of the property which they hold in the neighbourhood, that it is likely to become a nuisance to them and a source of disease to the inhabitants of Petersham, and praying that your Honorable House would take steps to prevent such danger by closing the said Cemetery.

Your Petitioners have every reason to believe from experience gathered both at Home and in this Colony, that so far from the establishment of a Cemetery in any neighbourhood depreciating the value of property, it tends on the contrary to enhance it. Your Petitioners further believe that no nuisance is likely to arise from the establishment of the Balmain Cemetery under the regulations now in force there.

Your Petitioners, many of whom are in humble circumstances, would respectfully urge on your Honorable House the necessity which exists for the establishment of Cemeteries easily accessible, as very many of your Petitioners and others would be prevented by the loss of time and cost of transit from ever seeing the graves of those whose memories they cherish, should they be compelled to inter their dead in the Necropolis at Haslem's Creek.

Your Petitioners would therefore pray, that before acceding to the prayer of the Petition now before your Honorable House for the closing of the Balmain Cemetery, your Honorable House will cause such evidence to be taken in the premises as you may deem fit.

[Here follow 95 Signatures.]



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

**BURIALS REGULATION BILL.**

(PETITION—CLERGYMAN AND CHURCHWARDENS OF ST. PETER'S, COOK'S RIVER.)

---

*Ordered by the Legislative Assembly to be Printed, 16 March, 1869.*

---

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the undersigned [Clergyman and Churchwardens of  
St. Peter's, Cook's River,—

SHEWETH :—

That whereas a Bill has been introduced into your Honorable House professing  
“to provide for the Burial of the Dead,” by closing all Burial-grounds within the distance  
of one mile from any town or hamlet, &c.,—your Petitioners beg to represent that the  
Burial-ground of St. Peter's, Cook's River, is perfectly free from anything injurious to  
the health, or offensive to the senses ; inasmuch as every grave is seven feet deep, and only  
one body allowed to be buried in any grave, and no grave is permitted to be re-opened.  
Therefore, your Petitioners pray that a clause be inserted exempting St. Peter's Burial-  
ground aforesaid, so that it may be permitted to remain as a Burial-ground for the benefit  
of those parishioners who avail themselves of it.

And your Petitioners will ever pray.

[Here follow 4 Signatures.]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

**BURIALS REGULATION BILL.**

(PETITION—CERTAIN FREEHOLDERS, &c., PARISH OF ST. PETER'S, COOK'S RIVER.)

---

*Ordered by the Legislative Assembly to be Printed, 16 March, 1869.*

---

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

The humble Petition of the undersigned freeholders and householders of the parish of St. Peter's, Cook's River, in the Police District of Sydney,—

HUMBLY SHEWETH:—

That your Petitioners have seen with pleasure the introduction into your Honorable House of a Bill to regulate the Burial of the Dead.

That the Burial-ground attached to the Parish Church of St. Peter's has now become closely surrounded by dwelling houses, and has long been in such a state as to demand the interference of the Legislature.

That when a grave or vault in the said Burial-ground is opened for the reception of another body, it is found full either of water or of noxious pent up gases. The former has to be baled out before the required interment can take place, and the latter disseminate themselves through the atmosphere and cause the circulation of a large amount of pestilential air. In either case, the exhalations arising threaten those living in the neighbourhood with epidemic diseases of the worst character.

That your Petitioners have been desirous of closing the said Burial-ground, but have been able to find no law that will enable them to do so in the ordinary course.

That your Petitioners are willing to leave the matter in the hands of the Executive Council if it be armed with the necessary power for acting as is proposed by the Bill now before your Honorable House.

Your Petitioners therefore humbly pray your Honorable House to pass the said Bill for regulating the Burial of the Dead, with such amendments as to your Honorable House may seem meet, so as to leave it to the Executive Council to declare when a burial should, or should not, continue to be used.

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

[*Here follow 55 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

**BURIALS REGULATION BILL.**  
(PETITION—BOROUGH OF BALMAIN.)

---

*Ordered by the Legislative Assembly to be Printed, 23 March, 1869.*

---

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

The humble Petition of the undersigned residents of the Borough of Balmain,—

SHEWETH :—

That your Petitioners have observed with great satisfaction that a Cemetery for the interment of the dead of all denominations has been opened on the Balmain Road.

That your Petitioners have been informed that a few interested persons have presented a Petition having for its object the closing of the said Cemetery.

Your Petitioners beg the attention of your Honorable House to the great distance that they reside from the Necropolis, and the hardship it would entail upon them to be compelled to convey their dead to that place of interment.

Your Petitioners assert, without fear of contradiction, that no nuisance can possibly arise from the Cemetery in question, the regulations of which are quite unobjectionable ; and your Petitioners have been informed and believe that the Company have offered and are willing to submit the same to the inspection of Government.

Your Petitioners, therefore, humbly pray that your Honorable House will not pass a Bill now before it which would have the effect of closing the Balmain Cemetery.

[*Here follow 67 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

MRS. MARY SINGLETON.

(PETITION OF.)

---

*Ordered by the Legislative Assembly to be Printed, 6 January, 1869.*

---

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

The Petition of Mary Singleton,—

RESPECTFULLY SHEWETH :—

That your Petitioner is the widow and sole legatee under the will of the late Benjamin Singleton, of Singleton, Hunter River.

That, in or about the year 1836, the Government built a Court House at a place called Minimba, near Singleton.

That the inhabitants of Singleton were inconvenienced thereby, and, in public meeting assembled, resolved to address the Government to the following effect :—

“That Mr. Benjamin Singleton agreed to build a Court House and Lock-up, similar to the plan and specification, in the town of Singleton, on condition that the house and land at Minimba should be given up to him, and that, in the meanwhile, he would provide accommodation for the sittings of the Bench of Magistrates and Clerk of Petty Sessions, in a room adjoining the mill.”

This offer was accepted by the Colonial Secretary, on the 3rd of December, 1838, and in 1839 the site, &c., proposed for said building was approved, and in 1841, August 30th, the building, &c., was occupied and used by the Government as a Court House, &c., from that date up to 1868, without any remuneration whatever from the Government to the said Benjamin Singleton or his assigns.

Your Petitioner believes that the Government have never had a proper title to Minimba, and therefore could not comply with their engagement with Mr. Singleton.

Your Petitioner, however, conceives that that does not invalidate her claim to compensation for use and occupation for thirty years.

That your Petitioner has in various ways sought to obtain compensation from the Government, without avail, and being in reduced circumstances, is unable to carry on a suit in the Supreme Court ; she is therefore barred from what she conceives to be her just rights.

Your Petitioner, therefore, respectfully prays that your Honorable House would take the matter into its consideration, and grant her inquiry by Committee into the whole matter, and cause such redress as by inquiry the case may require.

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

MARY SINGLETON.

---





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON THE

PETITION OF MRS. MARY SINGLETON;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

23 *February*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price*, 1s.]

166—

1868-9.

## EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES, No. 24. TUESDAY, 19 JANUARY, 1869.

4. Mrs. Mary Singleton (*"Formal" Motion*):—Mr. Wilson moved, pursuant to Notice,—
- (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report on the Petition of Mrs. Singleton, presented by him on the 5th January.
- (2.) That said Committee consist of Mr. Foster, Mr. Lucas, Mr. Burns, Mr. Bell, Mr. Tighe, Mr. Farnell, Mr. Dodds, Mr. Neale, Mr. Wisdom, and the Mover.
- Question put and passed.

VOTES, No. 25. WEDNESDAY, 20 JANUARY, 1869.

3. Member of Legislative Council as Witness:—Mr. Wilson moved, 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 on the Petition of Mrs. Mary Singleton," and that Committee being desirous to examine the Honorable Bourn Russell, 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, 20th January, 1869.*

Speaker.

Question put and passed.

VOTES, No. 26. THURSDAY, 21 JANUARY, 1869.

6. Mrs. Mary Singleton:—Mr. Wilson, *with the concurrence of the House*, moved (without notice), That the Return to an Address of the Legislative Council, containing Copies of Correspondence relating to the "Land Claim of Mrs. Mary Singleton," ordered by the Council to be printed on 5th December, 1855, be referred to the Committee now sitting on the Petition of "Mrs. Mary Singleton."
- Question put and passed.

\* \* \* \* \*

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

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 20th day of January, 1869, requesting leave for the Honorable Bourn Russell, a Member 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 Petition of Mrs. Mary Singleton, 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, 21st January, 1869.*

T. A. MURRAY,

President.

VOTES, No. 43. TUESDAY, 23 FEBRUARY, 1869.

3. Mrs. Mary Singleton:—Mr. Wilson, 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 matter was referred on the 19th January, 1869, together with Appendix.
- Ordered to be printed.

### CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Report ... ..	3
Proceedings of the Committee ... ..	4
Expense of Witness ... ..	7
List of Witnesses ... ..	7
Minutes of Evidence ... ..	1
Appendix ... ..	13

1868-9.

---

 PETITION OF MRS. MARY SINGLETON.
 

---



---

 REPORT.
 

---

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 19th January last,—“*with power to send for persons and papers,*” “*to inquire into and report on the Petition of Mrs. Singleton, presented by Mr. Wilson, on the 5th January,*”—to whom was referred, on the 21st January,—“*the Return to an Address of the Legislative Council, containing Copies of Correspondence relating to the ‘Land Claim of Mrs. Mary Singleton,’ ordered by the Council to be printed, on 5th December, 1855,*”—have agreed to the following Report:—

Your Committee, having examined the witnesses named in the margin, are of opinion that it has been fully proved that, in the year 1841, Mr. Benjamin Singleton did, by agreement, build, and hand over to the Government, the Court House at Singleton, and ground attached. That the said Court House has, since that date, been in the possession of the Government, but that no payment for the same has yet been made.

M. Fitzpatrick, Esq.  
Hon. Bourn Russell,  
M.L.C.  
E. G. Ward, Esq.  
A. Bell, Esq., M.P.  
John Williams, Esq.  
John Luca Esq., M.P.  
John S. Adam, Esq.

Your Committee are further of opinion that the right of the Petitioner, Mrs. Singleton, to the assets in her late husband's estate, has been clearly shewn, and that she alone has any valid claim to compensation.

Your Committee therefore recommend Mrs. Singleton's claim to the favourable consideration of the Government.

J. BOWIE WILSON,  
Chairman.

No. 1 Committee Room,  
Sydney, 19 February, 1869.

---

# PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 20 JANUARY, 1869.

## MEMBERS PRESENT:—

Mr. Lucas,	Mr. Wilson,
Mr. Farnell,	Mr. Burns.
Mr. Tighe,	

Mr. Wilson called to the Chair.

Committee deliberated as to their course of proceedings.

Chairman requested to take the usual course for obtaining the leave of the Legislative Council for the attendance of the Hon. Bourn Russell to give evidence.

*Ordered*,—That the Under Secretary for Lands be summoned to give evidence at next meeting, and to produce all the papers in the case.

[Adjourned to to-morrow, at 10:30 A.M.]

THURSDAY, 21 JANUARY, 1869.

## MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Burns,	Mr. Tighe,
Mr. Forster,	Mr. Farnell,
	Mr. Bell.

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

Witness handed in Report from the Crown Solicitor, dated 28 June, 1866. (*Vide Appendix A.*)

Witness withdrew.

Committee deliberated, and decided to examine the Hon. Bourn Russell, M.L.C., at next meeting.

Clerk instructed to send usual letter, when leave shall have been given by the Legislative Council.

[Adjourned to to-morrow, at 10:30 A.M.]

FRIDAY, 22 JANUARY, 1869.

## MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Bell,	Mr. Burns,
Mr. Tighe,	Mr. Farnell,
Mr. Neale,	Mr. Lucas.

The Honorable Bourn Russell, M.L.C., called in and examined, by leave of the Legislative Council.

Witness produced a Map of the Town of Singleton; also, a copy of the Conveyance from Creditors to Benjamin Singleton, junior; also, Deed, dated 7th December, 1852—B. Singleton, junior, to B. Singleton, senior; also, B. Singleton's Will and Probate.

Witness handed in Extract from Mortgage Deed; also, Declaration made by Benjamin Singleton, junr., 19th January, 1869. (*Vide Appendix, B 1 and B 2.*)

Committee deliberated, and

[Adjourned to Wednesday next, at 10:30 A.M.]

WEDNESDAY, 27 JANUARY, 1869.

## MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Tighe,	Mr. Farnell,
Mr. Bell,	Mr. Burns,
	Mr. Neale.

Committee deliberated.

Clerk instructed to summon Mrs. Burdekin, or her Agent, to give evidence at next meeting.

[Adjourned to to-morrow, at 10:30 A.M.]

THURSDAY,

THURSDAY, 28 JANUARY, 1869.

MEMBERS PRESENT :—

Mr. Wilson in the Chair.

Mr. Farnell,		Mr. Tighe,
Mr. Bell,		Mr. Dodds.

Clerk submitted a letter from M. Burdekin, Esq., M.P., which he read at length, by direction of the Chairman, as follows :—

“ Macquarie-street, Sydney,  
27 January, 1869.

“ Sir,

“ I have the honor to state, in reply to your letter of this date, requesting the attendance of Mrs. Burdekin, or her Agent, at a meeting of the Select Committee on the Petition of “ Mrs. Mary Singleton,” that Mrs. Burdekin would feel much pleasure in affording the Committee every information in her power. I am, however, desirous to say, that all particulars relating to Mrs. Singleton’s claim to compensation, as regards the Court House at Singleton, so far as the rights of Mrs. Burdekin and her sons are affected thereby, will be found fully stated in the correspondence with Government on the subject. I think it will be found more convenient to the Committee to refer to written documents, especially as legal questions come into consideration. I believe the correspondence and all other papers will be obtainable from the Crown Solicitor.

“ O. F. Kelly, Esq.,  
Legislative Assembly.”

“ I have, &c.,  
MARSHALL BURDEKIN.”

Committee deliberated.

Edward Grant Ward, Esq. (*Deputy Registrar General*), called in and examined.

Witness produced Registers of Memorials of Mortgages of 1838, 1840, and 1841, containing particulars of the several Mortgages referred to in the Enclosure to letter No. 43 of the Correspondence referred to this Committee.

Witness withdrew.

Committee deliberated.

Archibald Bell, Esq., M.P., examined in his place.

Committee deliberated, and decided to summon the Crown Solicitor to give evidence at next meeting.

Clerk instructed to send usual letter, requesting John Lucas, Esq., M.P., a Member of this Committee, to favour the Committee with any information he may possess, at next meeting.

[Adjourned to Tuesday next, at 10:30 A.M.]

TUESDAY, 2 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Wilson in the Chair.

Mr. Tighe,		Mr. Burns,
Mr. Bell,		Mr. Farnell.

John Williams, Esq. (*Crown Solicitor*), called in.

Committee deliberated, and, at the suggestion of the Witness, decided to postpone his examination, in order to enable him to peruse the evidence of the Deputy Registrar General, which the Clerk was instructed to forward to him.

[Adjourned to Friday next, at 10:30 A.M.]

FRIDAY, 5 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Wilson in the Chair.

Mr. Lucas,		Mr. Dodds,
Mr. Farnell,		Mr. Tighe,
		Mr. Bell.

John Williams, Esq., called in and again examined.

Witness produced various documents, from which he quoted during his examination.

Witness handed in Extract from the Memorial of the Mortgage of 13th January, 1838, from Benjamin Singleton to John M’Intosh.

Ordered to be appended. (*Vide Appendix C.*)

Witness withdrew.

Committee deliberated.

Motion

Motion made (*Mr. Tighe*), and *Question*,—"That Mr. Williams be requested to take Counsel's opinion upon the effect of the devises in the Will of the late Benjamin Singleton, in the event of the Crown Law Officers not thinking it a matter in which they could be required to advise thereon officially,"—*agreed to*.

Clerk directed to write to Mr. Williams accordingly.

John S. Adam, Esq. (*Chief Draftsman, Surveyor General's Office*), called in and examined.

Witness promising to produce a plan described in Appendix C, at the next meeting,—withdrew.

John Lucas, Esq., M.P., a Member of this Committee, examined in his place.

Committee deliberated, and *ordered*—that John S. Adam, Esq., be further examined at next meeting.

[Adjourned to Wednesday next, at 10:30 o'clock.]

### WEDNESDAY, 10 FEBRUARY, 1869.

#### MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Tighe,		Mr. Bell,
		Mr. Farnell.

John S. Adam, Esq., called in and again examined.

Witness *produced* plan, shewing site for Court House described in Deed of Mortgage, from Benjamin Singleton and Mary his wife, to John Macintosh, of 12th and 13th January, 1838.

Witness withdrew.

[Adjourned to Wednesday next, at 10:30 o'clock.]

### WEDNESDAY, 17 FEBRUARY, 1869.

#### MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Wisdom,		Mr. Farnell.
-------------	--	--------------

John Williams, Esq., called in and again examined.

Witness *handed in* copy of Counsel's opinion (*Mr. Gordon*) on the effect of Singleton's Will.

*Ordered to be appended.* (*Vide Appendix D.*)

Witness withdrew.

Committee deliberated.

*Resolved*,—on motion of Mr. Wisdom,—“That the sum of £5 7s. 6d. be paid to Mr. Gordon, Barrister,—fee to Counsel for advising on effect of Singleton's Will.”

[Adjourned to Friday next, at 10:30 o'clock, to consider Draft Report.]

### FRIDAY, 19 FEBRUARY, 1869.

#### MEMBERS PRESENT:—

Mr. Wilson in the Chair.

Mr. Wisdom,		Mr. Farnell,
Mr. Bell,		Mr. Tighe,
Mr. Burns,		Mr. Neale.

Chairman submitted and read Draft Report.

Committee deliberated.

Motion made (*Mr. Burns*), and *Question*,—"That the Draft Report, as read, be the Report of this Committee,"—*agreed to*.

Chairman to report to the House.

## EXPENSE OF WITNESS.

Name of Witness.	Profession or Condition.	Nature of Expense incurred.	Expenses allowed.	Total Expenses allowed to Witness.
John Williams.....	Crown Solicitor ...	Procuring Counsel's opinion on effect of Singleton's Will.	£ s. d. 5 7 6	£ s. d. 5 7 6

## LIST OF WITNESSES.

	PAGE.
Adam, John S., Esq. ... ..	10, 12
Bell, A. Esq., M.P. ... ..	8
Fitzpatrick, M., Esq. ... ..	1
Lucas, John, Esq., M.P. ... ..	11
Russell, Hon. Bourn, M.L.C. ... ..	1
Ward, E. G., Esq. ... ..	5
Williams, John, Esq. ... ..	9, 12





1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PETITION OF MRS. MARY SINGLETON.

THURSDAY, 21 JANUARY, 1869.

Present:—

MR. BURNS,	MR. FORSTER,
MR. TIGHE,	MR. BELL,
MR. FARNELL,	MR. WILSON.

JOHN BOWIE WILSON, Esq., IN THE CHAIR.

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

1. *Chairman.*] You have received a copy of the Petition of Mrs. Mary Singleton, setting forth her claim to be compensated in respect to the Court House at Singleton? I have. M. Fitzpatrick, Esq.
2. You have with you the papers connected with the case? Yes.
3. Since the Committee issued the summons requesting you to attend and produce these papers, my attention has been drawn to a number of printed papers, forming a Return to Address, laid on the Table of the House, in the year 1855, on motion of Mr. Nichols; and, on looking through these papers, I think the great bulk of the papers you have in your possession are included in that Return? I think it very likely, but I cannot answer the question now. I only got the summons to attend within the last twenty minutes, and I have not had time to look at the papers, which, indeed, were not in my possession until a few moments ago, when I sent for them for the purpose of coming here. I may say that a report from the Crown Solicitor, dated 28th June, 1866, appears to me to contain the gist of the whole affair, and the grounds on which the Government have decided not to act in the matter.
4. Perhaps it would be as well if you were to hand in that paper? Very well. (*Handed in. Vide Appendix A.*) 21 Jan., 1869.

FRIDAY, 22 JANUARY, 1869.

Present:—

MR. BELL,	MR. FARNELL,
MR. BURNS,	MR. LUCAS,
MR. TIGHE,	MR. NEALE.

JOHN BOWIE WILSON, Esq., IN THE CHAIR.

The Honorable Bourn Russell, M.L.C., attending by leave of the Legislative Council, examined:—

5. *Chairman.*] I suppose you are aware that the object of this Committee is, to inquire into a Petition of Mrs. Mary Singleton, for compensation for a Court House and land at Singleton? I am. The Hon. B. Russell, M.L.C.
6. You have been connected with the town of Singleton for many years, I believe? I have been more or less connected with Singleton since 1834.
7. 22 Jan., 1869.

The Hon.  
B. Russell,  
M.L.C.  
22 Jan., 1869.

7. Are you personally acquainted with any of the circumstances stated in this Petition of Mrs. Singleton? I am; I was a storekeeper at the time, and had a branch store at Singleton, and I was there when the Court House was built by Mr. Singleton. I was there off and on. My residence was at Maitland. I built myself, two years previous to that, at Singleton.

8. The Petition states that, in the year 1836, the Government built a Court House at a place called Minimba, near Singleton; that the inhabitants of Singleton were inconvenienced thereby; and that, at a public meeting, they resolved to address the Government as to this inconvenience caused by the distance of the Minimba Court House from Singleton. Have you any recollection of that circumstance taking place? I have a recollection of it, though I was not present at the meeting; but I have a paper here which states the circumstance. It is a former Petition of Mrs. Mary Singleton to the Government, which states the circumstances of the case, and upon which a correspondence was carried on with the Government, through Mr. Andrew M'Dougall. There is a letter published in the Return to an Address respecting Mrs. Singleton's claim, laid on the Table of the Council in 1855, which states that the inhabitants of Singleton were dissatisfied with the distance of the Court House at Minimba from the town of Singleton, and they petitioned the Government that the Court should not be held there; and, by a letter, which I hold, the Government suspended the holding of the Courts there for one month, which afterwards was made permanent. They did not hold Courts there afterwards.

9. Was that before or after the building of the Court House by Mr. Singleton, that the suspension of the holding of the Courts at Minimba took place? It was before.

10. Where was the Court held during the intervening period? In a room at Singleton's Mill.

11. The accommodation being given by Mr. Singleton? Yes, by old Mr. Benjamin Singleton.

12. In consequence of representations made at this public meeting, as I understand, Mr. Singleton entered into an agreement with the Government to build a Court House at Singleton, equal to the Minimba Court House? He did; and I hold in my hand the conditions upon which he agreed to do it. These conditions will be found in a letter (No. 2 in the Return to Address before referred to) from Mr. Deas Thomson, the then Colonial Secretary, to Mr. Andrew M'Dougall.

13. This agreement, as far as you know, was carried out by Mr. Singleton, in building this Court House? It was, with a slight difference, which was an addition to what he agreed to do; that is, the present old Court House is said to be three feet higher than the one at Minimba,—costing a little more money, as a matter of course, in consequence.

14. From the correspondence which was laid on the Table of the Council, in 1855, it would appear that the Government were not in a position to complete their agreement, as far as concerned the handing over of the Minimba Court House to Mr. Singleton, because it was built on the land of a Mr. Cobbs? That is so.

15. Are you aware whether, from that time up to the present, Mr. Singleton or his heirs have ever received any compensation from the Government, for the erection of this Court House? I am aware they have not; neither compensation nor consideration of any kind.

16. Has this Court House, from the year 1841 to the present date, been in possession of the Government, and used by them as a Court House? It was used by them as a Court House until last year; it is still in their possession, and, I believe, at this moment, is occupied by a stand of arms that was sent up there for the Volunteers.

17. It is stated—or at least, one would gather from the correspondence laid on the Table in 1855—that Mr. Burdekin laid a certain claim to this Court House and land, on account of a mortgage. Do you know anything of the circumstances connected with that? I do. In fact, I was present at the conversation respecting this mortgage, with Mr. Burdekin and Mr. Singleton, at which it was clearly stated by Mr. Burdekin that, at any time Mr. Singleton might have the property back, by simply paying off the mortgage and interest. As the question has been raised, I made it my business, yesterday, to search the Registry Office; and I find that the mortgage of Mr. Benjamin Singleton to Mr. Thomas Burdekin was made on the 25th and 26th days of August, 1841, and that it was registered on the 28th August, 1841. That mortgage sets out separately every allotment in the town of Singleton,—it is a large affair,—and this allotment on which the Court House is built is specially excepted. I now produce a map shewing that it is so excepted; and it is so far acknowledged by the Burdekin family, that they published this map, and show it as excepted. This is a map of the town of Singleton. (*Map produced, and Court House allotment pointed out.*) If you will take that, and compare this exception with it, which I vouch is a true copy of that portion of the mortgage, you will find that that is the piece reserved for the Court House, and is not mortgaged to Mr. Burdekin, and never was.

18. *Mr. Burns.*] Did you ever make search to see whether there was any mortgage by Mr. Singleton, subsequent to this mortgage? There were several mortgages, but they have been answered, I believe, and I believe a printed letter will be found, completely showing that they did not touch this matter at all. There is a letter from Mrs. Mary Singleton, in this published correspondence, showing that these mortgages had no reference to this land whatever; and further, I believe they were all satisfied.

19. Have not the Burdekin family set up some claim as respects the land reserved for a Court House? They have, but they have no claim as shown by that mortgage.

20. *Chairman.*] It is on that mortgage they base their claim? It is on that mortgage they base their claim, I believe.

21. Will you hand in this extract from the mortgage deed? I will. (*Handed in. Appendix B 1.*) When I got this first, I was not sure of its correctness, and I wished to satisfy myself of it. I went yesterday to the Registry Office for that purpose. 22.

22. Then we are to understand from your evidence, that you believe Mr. Burdekin's heirs or executors have no claim whatever on this Court House, or on the land on which it has been built? I am satisfied they have not. It would not have been so excepted if they had. There were other allotments in Singleton at the time, which were also excepted. I was myself the owner of twenty-seven allotments in Singleton, and they have no claim whatever upon them—not one of them.

The Hon.  
B. Russell,  
M.L.C.

22 Jan., 1869.

23. Are you aware of what Mr. Singleton paid for the erection of this Court House? I do not know of my own knowledge, but I have heard it stated that it cost £900. I myself built a place at Singleton, something about the same in extent, which cost me between eight and nine hundred pounds, and about the same time—a little previous to it.

24. Mrs. Singleton must, from the circumstances within the knowledge of the Committee, be now an old lady? She is at present upwards of seventy years of age, I believe. She is a very fresh woman for her age.

25. Do you think there is any information that she could give the Committee, that we cannot get in some other way, without putting the old lady to the great trouble of coming to Sydney? I do not think she could give the Committee any information. I had long conversations with her on this subject, about a fortnight or three weeks ago, and I have obtained all the information from her that she could give. I find that her memory is a little defective, and that she does not recollect many things which we are prepared to show, by documentary evidence, really took place. I think I have documents here that will give most of the evidence that the Committee will require. Of course it is not for me to dictate to the Committee whom they should call, or anything of that sort. This Court House, if I might go on to state, was taken possession of by the Government, under the agreement, on the 30th day of August, 1841, as will be seen from the original document I hold in my hand, signed by Mr. Percy Simpson, the Police Magistrate. (*Document produced.*)

26. Will you read that paper? *The witness read as follows:—*

“ Police Office, Singleton,  
“ 30th August, 1841.

“ At the request of Mr. John Lucas, builder, I hereby certify that he has, this day, on the part of Mr. Benjamin Singleton, voluntarily surrendered up possession to me of the new house built by him in Singleton, in the vicinity of the lock-up, for the purpose of being used as a Court House, by the police of Patrick's Plains, in lieu of the room hitherto gratuitously occupied by the Bench of Magistrates, at the Mill House, Singleton.

“ PERCY SIMPSON,  
“ Police Magistrate.”

27. It has been in the possession of the Government ever since? It has.

28. This arrangement appears to have been entered into by Mr. Singleton long before any of the Singleton property was mortgaged to Mr. Burdekin, which will account for the omission of this portion in the deed of mortgage? The arrangement was made in 1838, and the mortgage was made in 1841.

29. *Mr. Tighe.* Was the mortgage you looked at yesterday an original mortgage, or a transfer of some previous mortgage? It is an original mortgage.

30. Because, in the papers published, there is mention made of a mortgage made by Mr. Singleton in 1838, to Mr. John Mackintosh? There were four or five other mortgages.

31. The mortgage to Mr. Mackintosh was afterwards, in 1841, transferred to Mr. Burdekin? He bought that up as part of the advance to Singleton, I should presume.

32. You are quite sure the mortgage you looked at yesterday was not that transfer? I am quite sure of that.

33. Supposing it should appear that this land on which the Court House stands was never mortgaged to Mr. Burdekin or any one else, and that it remained in the estate of Mr. Singleton, does it follow that Mrs. Singleton would be then the rightful possessor or owner of the property? I should think not in that way; but she does not claim to be the rightful possessor of it under such circumstances. The circumstances under which she claims to be the rightful possessor of the property are these:—When Mr. Benjamin Singleton became insolvent, there was a Mr. Stewart appointed Official Assignee; I believe his name was George Charles Stewart. He, in carrying out, as he thought, his duties as Official Assignee, in taking possession of the property of Mr. Singleton, seized upon the property of all the family—sheep, cattle, horses, and everything he could lay his hands on. The family were determined not to put up with this, and they commenced an action against Mr. Stewart, as Official Assignee, and they cast him in damages to the extent, I believe, of from £1,400 to £1,600. I believe the creditors refused to pay the amount, and he was unable to pay it; but they consented to make over the property to Benjamin Singleton, junior, who was representative of all the rest of the family in this action, to satisfy that claim or debt. The property was so made over, and I produce a copy of the conveyance. (*Produced.*) The original was supposed to have been lost; and I have an affidavit from Benjamin Singleton, junior, stating the circumstances, something as I have related them. But I find, by these printed papers, that that document which was supposed to have been lost, is actually in the hands of the Colonial Secretary. It is referred to, and ordered to be sent to the Lands Department; therefore they have it. (*See Enclosure 3 in No. 43 in the Return to Address, 1855.*) The property being thus vested in Benjamin Singleton, junior, by that document, he makes it over to his father, Benjamin Singleton, senior, by this document, dated 7th December, 1852. (*Deed produced.*)

The Hon.  
B. Russell,  
M.L.C.

22 Jan., 1869.

34. Is that registered? It is. Some time afterwards Mr. Benjamin Singleton died; and, by will, which I produce for perusal, left the property to his wife, Mary Singleton. (*Will and probate produced.*) The will divides the property amongst all the children after her death.

35. Then Mrs. Singleton has only a life interest? Yes.

36. *Mr. Farnell.*] Does that include the property this Court House is built upon? It includes all kinds of property, the residue of the estate.

37. This land upon which the Court House is erected, is a portion of that residue? It is, being reserved from the mortgage to Mr. Burdekin.

38. Strictly speaking, if I understand you, it is not reserved by the mortgage deed—but the mortgage deed does not take in this piece of land in the description of the land included? No, it is not included.

39. This plan you produce to-day was prepared, you say, at the instance of Mr. Burdekin? Yes, it is the one they sold by.

40. That is, Mr. Burdekin cut the land up into allotments and sold them? It was cut up before, but there is a portion in addition called South Singleton, I think, now. This plan cut up all parts that were not previously cut up into allotments, and they had them advertised for sale by that plan.

41. Mr. Burdekin sold by the plan now produced by you? Yes.

42. *Mr. Tighe.*] If Mr. Singleton, the elder, considered himself the owner of the property at the time he became insolvent, and was under the impression that it had not been mortgaged, would he not have set down this Court House as an asset in his estate? I do not know whether it was so; it might have been so for anything I know; I do not know what assets he set down in his estate. But we have the facts stated in this affidavit of Benjamin Singleton, junior, which I think it would be as well to have read. (*Read and handed in. Vide Appendix B 2.*)

43. I suppose the creditors in the estate never objected to that document, transferring the assets to young Singleton? Not that I am aware of; it seems to have been by their consent.

44. Do you know that there is amongst the papers an opinion of the Crown Solicitor, stating that that document was voidable by the creditors, it not having been made by the direction of the creditors, pursuant to the Insolvent Act? That is a mere opinion; they never took any steps in the matter that I am aware of.

45. *Mr. Farnell.*] I understand by this Petition of Mrs. Singleton, that she is asking for compensation on account of her husband having erected a Court House, and handed it over to the Government, in lieu or in exchange for another Court House built at an inconvenient place for the inhabitants of Singleton? That is so.

46. She grounds her claim on the fact of her husband having done this,—that she is entitled to the cost of erecting these buildings, and of the land? She does not make any specific claim; she asks to be remunerated, leaving it to the Government to say what that shall be.

47. Do you think that Mrs. Singleton is entitled to compensation for this land—supposing, for instance, she cannot give a title to the Government after they do compensate her? I believe she can give a title.

48. She has nothing but a life interest, I understood you to say? She has a life interest, and for the rest she can fall back upon the children, who are all perfectly willing to join in the conveyance.

49. In the event of the Government compensating Mrs. Singleton, would she be prepared to convey the property to the Government for what title she can give—and would her children join her in the conveyance? I am sure they would; there would be no difficulty in that respect.

50. *Mr. Tighe.*] Are they of age? Yes, all of them.

51. And within reach? Yes, within a few days' communication.

52. *Mr. Farnell.*] Does the property go to any one on the death of Mrs. Singleton? It is divided in equal parts among the whole of the children.

53. Would the whole of these children join in the conveyance with Mrs. Singleton? I am satisfied they would.

54. In that case Mrs. Singleton would be in a position to give the Government a good title to this land? I think so. Of course, I am not a lawyer, but I think it is pretty clear that the legal title is in her.

55. *Mr. Burns.*] Will you turn to page 19 of the printed papers—I will ask you to look at letter No. 36—a letter from Mrs. Burdekin to the Colonial Secretary, dated 9th March, 1850? Yes.

56. In that letter Mrs. Burdekin gives a description, both in the body of the letter and in the plan at foot of it, of the land on which the Court House is erected. You observe that Mrs. Burdekin says the land "is a corner allotment with frontage of 173 feet 6 inches and 138 feet to Elizabeth and Bourke Streets respectively." Then there is appended to the letter a plan. Does that plan correspond with the plan you now produce here? Yes; it is block 18; the block is not numbered here, but it is in the plan I produce.

57. You see that, according to the plan Mrs. Burdekin has sent to the Government, the land on which the Court House stands is bounded on one side by Hunter-street? That is the block of land—not the allotment on which the Court House stands. There is no question but that the legal title is in her, for portions of block 18 is not included in the mortgage.

58. Do the boundaries in Mrs. Burdekin's plan correspond with the description of the land excepted from the mortgage? Yes.

59. And you have no doubt that the land now claimed by Mrs. Burdekin is that excepted from the mortgage? No.

60. You say you estimate the cost of the buildings erected by Mr. Singleton at £900? I have been informed they cost about that amount.
61. Are you aware that Mrs. Burdekin wrote to the Government, on the 4th October, 1849, stating that it was estimated the Court House had cost Mr. Singleton £400? I am aware that such a letter was written by seeing it in print, but that is very far wide of what the cost must have been at the time. I imagine Mrs. Burdekin's information is defective in some way.
62. When you speak of £800 or £900, you speak of your own personal knowledge of the cost of building at Singleton at that time? Yes; I built a building similar in size, which cost between £800 and £900.
63. *Mr. Bell.*] You could not have it built now for £1,500, perhaps? I dare say not.
64. *Mr. Tighe.*] Are you quite sure the mortgage you have referred to is the only one in connection with this matter? I believe it to be so. I believe all the other mortgages were taken up by Mr. Burdekin when he got the land conveyed to himself, and all who knew Mr. Burdekin knew he would not take a second mortgage if he could help it.
65. Have you read that enclosure 1 in No. 43? I have. It goes on the supposition that the whole of Mr. Singleton's grant at Singleton was mortgaged to Mr. Burdekin, which is not the fact.
66. Is the mortgage you speak of, from which you made the extract yesterday, referred to in that enclosure at all? It says—"By a plan indorsed on the deed of 24th July, 1841, afterwards referred to, it appears that the steam-mill is situated at a great distance from, and, in fact, in a totally different part of the town to that in which the Court House stands." That so far carries out what I have stated, that these were looked upon as separate properties, and were so divided in Mr. Singleton's own mind.
67. Is the mortgage you referred to yesterday, the one mentioned in this paragraph? I believe it is.
68. If you look at the last two lines of that paragraph, you will find that this was not a mortgage to Mr. Burdekin in the first instance, but a mortgage to Mr. Cullen, who transferred to Mr. Burdekin? Yes.
69. I understood that you were under the impression that the mortgage you looked at yesterday was an original mortgage from Mr. Singleton to Mr. Burdekin? Yes.
70. If so, that cannot be the mortgage referred to in this paragraph? I am not quite clear about that. I think myself, that the circumstances are these,—that Mr. Burdekin found the money, and that, perhaps, this may be an exception to it, and Singleton paid off the mortgages.
71. *Chairman.*] Allow me to draw your attention to the fact that the next paragraph mentions a "mortgage in fee, with power of sale, from Mr. Singleton, senr., to Mr. Thomas Burdekin, of 150 acres of land at Singleton, and "Singleton Inn" and steam-mill, (subject to two prior mortgages of £1,000 and £600), these prior mortgages being those to Mr. Thomas Cullen and Mr. Thomas Dyer Edwards. Now it is shown, in this same document, that neither of these two mortgages in any way affected the land on which the Court House is situated? Not at all.
72. Consequently, that point cannot affect Mrs. Singleton's claim? I do not see that it can. I did not see that, when I made the remark about the mill; but I know that, in his own mind, Mr. Singleton treated these as separate properties.
73. The plan shown on page 20 of the Return to Address in 1855, is identical with block 18 on the plan you have produced? Yes, so far as the reserve for the Court House is concerned.

The Hon.  
B. Russell,  
M.L.C.

22 Jan., 1869.

THURSDAY, 28 JANUARY, 1869.

Present:—

MR. BELL,  
MR. DODDS,

MR. FARNELL,  
MR. TIGHE.

JOHN BOWIE WILSON, ESQ., IN THE CHAIR.

Edward Grant Ward, Esq., Deputy Registrar General, examined:—

74. *Chairman.*] You have been summoned to attend here to-day, with the view of producing the registration of certain mortgage deeds? The summons is, to produce a mortgage; but I must inform the Committee that I have not the mortgage in my possession, but merely the memorial of the mortgage. At this time deeds were registered by memorial, and not by deposit of a sworn copy, as at present.
75. I suppose the information will be given of what was mortgaged? Yes.
76. Have you got there (*referring to books produced by the witness*) a mortgage to Mr. Thomas Dyer Edwards, by Mr. Benjamin Singleton? Yes, one from Mr. Benjamin Singleton to Mr. Thomas Burdekin, which is the mortgage mentioned in the summons to me.
77. *Mr. Tighe.*] Is that the original mortgage? The memorial of the mortgage.
78. Of the original mortgage—not of a transfer? Not of a transfer.
79. What is the date? There is no date—the date is left out, but it is sworn the 21st August, 1841.
80. *Chairman.*] It appears that this mortgage to which you allude, to Mr. Thomas Burdekin, is subject to two prior mortgages—one for £1,000, and one for £600. The one for £600, to Mr. Thomas Dyer Edwards, appears to be in May, 1838? That will be in a previous book to that I have here. It does not state in this memorial that this present mortgage

E. G. Ward,  
Esq.

28 Jan., 1869.



E. G. Ward, Esq. mortgage mentioned here is subject to any other mortgage. This present mortgage is a mortgage for £1,000, but it does not mention that it is subject to any other mortgage, which, I think, it would, if it were.

28 Jan., 1869. 81. Will you be kind enough to see whether there is a mortgage to Mr. Thomas Cullen, of October, 1840? That will be in a previous book too. I can send for those two books at once. (*The witness sent for the books.*)

82. *Mr. Tighe.*] Can you state the boundaries? The property is described here as "157 acres, situated in Patrick's Plains, in the parish of Whittingham, in the county of Northumberland, being the largest portion of the newly formed township of Singleton, and situated on the banks of the Upper Hunter, which said land is part of the land mentioned and described in two grants, both issued under the hand of Sir Richard Bourke, Governor of the said territory of New South Wales, one dated 20th December, 1835, and the other the 6th June, 1836, and more particularly shewn by the portion coloured red in the plan thereunto annexed, together with the inn called or known by the name of the 'Singleton Inn,' and the steam flour-mill thereon erected and built." That is all the description of the land.

83. Is there any means to define the part of the land described? It is impossible.

84. In point of fact, it is not in your power to give us an accurate description? No, not from the records of the office, unless there are any deeds long subsequent to the registration of this deed—that is, after the system of registration by memorial was abandoned, and the system of registration by a sworn copy was adopted—then I could, of course.

85. Is there any such deed? It would take a long time to search, unless we had some information to go by. There is a subsequent deed of reconveyance of this mortgage, registered 28th August, 1841, a week afterwards, from Mr. Burdekin to Mr. Singleton; and there is also a subsequent mortgage registered on the same day from Benjamin Singleton and Mary his wife of the first part, Parry Long, as trustee, of the second part, and Thomas Burdekin of the third part. This describes a variety of land allotments in Singleton, and is a mortgage for £2,000.

86. *Chairman.*] Will you be kind enough to see if there is reference made to the blocks by number in this mortgage? There is in this memorial.

87. Will you look at block No. 18? (*The witness referred to the memorial, and read the descriptions of the sections.*) I do not see the number 18. I have lot 17, lot 19, and various other lots, but not lot 18.

88. *Mr. Farnell.*] There is a memorial giving a description of the land that is mortgaged? Included in a subsequent mortgage to the one I have just read. I do not see No. 18 here; there are 17, 19, 20, 21, and so on.

89. *Mr. Tighe.*] Does this (*the memorial*) purport to define the land included in this mortgage? Yes.

90. No. 18 is excluded from that altogether? Yes.

91. What is that? A mortgage of all the various portions I have been reading.

92. What reference has it to the former one you have referred to? The former mortgage has been reconveyed for £1,000.

93. Is that equivalent to the cancellation of the former mortgage? Yes. The next memorial I find is the mortgage from Benjamin Singleton and his wife, to Thomas Burdekin, for £2,000, of the various portions I have read here.

94. In that, reference is not made to any portion of land numbered on the map 18, bounded by George-street, Hunter-street, Bourke-street, and Elizabeth-street? No; the numbers seem to run almost consecutively, commencing from the lower, and rising to the higher numbers. The memorial passes from 17 to 19, omitting 18.

95. How do you identify this plan with the plan referred to in that mortgage? We cannot; this refers merely to the plan in the original mortgage.

96. Where is that? Attached to the original mortgage, which we have not got in our possession, as the system of registration was then merely by memorial.

97. What is the date of that document? 25th and 26th August, 1841.

98. Then it is clear that, up to August, 1841, in your opinion, this particular piece of land, No. 18, referred to here, was not mortgaged by Mr. Singleton to Mr. Burdekin? I should say it was not. I have not made a careful search through the whole, from the commencement of registration to this date, in August, 1841, but I will do so.

99. Subsequently to 1841, was there any mortgage, or were there any mortgages, from Mr. Singleton to Mr. Burdekin? I have caused a search to be made, to the year 1862, and can find none.

100. *Mr. Farnell.*] The land could not be identified from the description given in the first mortgage? No.

101. *Mr. Tighe.*] Nor from the second, on the supposition that this is a true map—(*referring to the map before the Committee*)? No—if that is a correct subdivision. That could be ascertained only by a comparison of the various lots with that plan.

102. *Mr. Farnell.*] Are the lengths of the lines given in that memorial? No.

103. And no bearings? No bearings. It merely says, bounded on the west by so and so—easterly boundary.

104. That description is very vague? Yes; so it is in all the old maps.

105. *Mr. Tighe.*] Did the Crown Law Officers—who, on one or more occasions, have given an opinion in regard to this matter—get their information from your books? I cannot say. It is the first time I have heard anything of it myself.

106. *Chairman.*] Are you aware of any mortgage of the land at Singleton, by Mr. Benjamin Singleton, to Mr. Thomas Burdekin, of a later date? I am not.

The books sent for by the witness having been produced, the witness referred to a memorial of the 9th May, 1838.



107. Will you be kind enough to tell us what does that mortgage include? This memorial is a mortgage from Benjamin Singleton, and Mary his wife, on one part, and Thomas Dyer Edwards of the other part, of all that plot piece or parcel of land or ground situate in the town of Singleton, at Patrick's Plains aforesaid, containing by estimation three acres or thereabouts, be the same more or less; bounded on the south-east by John-street; on the south-west by a reserve; on the north-east by lot on a public chart thereof numbered 246, and a straight line to Hunter's River; and on the west by that river, being lot numbered 270 on the said chart; and also all that mill and buildings now erecting and being built upon the said piece or parcel of land and hereditaments, together with the steam-engine, machinery, and apparatus thereto belonging; and also, all those several pieces or parcels of land, or allotments of ground, situate in the town of Singleton aforesaid, and being lot numbered 7; and also, lots number 15 to 22 inclusive; also, lots number 41, 42, 71, 72, 73, 76, 77, 92, 93, 94, and 95; also, lots number 103 to 109 inclusive; also, lots 142 to 158 inclusive; also, lots 167 to 176 inclusive; also, lots number 179 to 201 inclusive; also, lots 205 to 221 inclusive; also, lots 224, 225, 228, and 229; and also, lots 260 to 274 inclusive, marked on the said public chart thereof; all which said several allotments or pieces or parcels of land are particularly delineated by a plan indorsed on the back of the said indenture of release by way of mortgage: Together with all rights, members, and appurtenances whatsoever to the said several pieces or parcels of land, or allotments, hereditaments, and premises, belonging, or in anywise appertaining. Mortgage to secure £600." The next is dated 26th October, 1840—Memorial of mortgage from Benjamin Singleton to Thomas Cullen; and the description of the land is—"all that piece or parcel of land situate lying and being in the town of Singleton; bounded on the east by John-street, by a line bearing north  $2\frac{1}{2}$  chains; on the south by a line bearing west to the Hunter River 3 chains; on the north by a line bearing west 3 chains to the Hunter River; and on the west by the Hunter River  $2\frac{1}{2}$  chains; and also, all that messuage or tenement and steam-mill, with the engine-house thereunto belonging and adjoining the same, and which said steam-mill is known by the name of the Union Mill. Mortgage for £1,000, registered 605, Bk. Y."
108. *Mr. Tighe.*] You told us of a third mortgage? That was for 157 acres.
109. The mortgage dated 9th May, 1838, the mortgage dated 26th October, 1840, and the mortgage of 157 acres, have all been cancelled, have they not? I do not see any cancellation or any release of these two first mortgages, but there is of the third one. There is a release of that dated 24th August, 1841, and on the 25th August a fresh mortgage is registered for £2,100. The mortgage of £1,000 is released, and a fresh mortgage of £2,100 is executed.
110. *Chairman.*] Is there no mortgage registered on the 28th August, 1841? On the 25th and 26th August.
111. When was it registered? On the 28th August; at least, it was sworn on that date. That is one of which I went through the parcels.
- The witness again referred to the memorial.
112. *Mr. Tighe.*] Upon further reference to the mortgage deed dated 25th and 26th August, 1841, do not you find that the statement you made, a little while ago, in respect to section No. 18, was incorrect, and that section No. 18, described as being "bounded by Elizabeth-street, Hunter-street, Bourke-street, and George-street" is included in the mortgage, with the exception of a portion of the lot or section that was reserved for a Court House and —? Yes, I overlooked this before, because the writing is small and close, and I merely hastily glanced at the numbers. It does not say whether it is a section or lot—it says "a piece of land marked."
113. Then, although the lot or section 18 is included in the mortgage, yet that portion of section 18 comprising the Court House reserve is not really included in the mortgage? It is excepted.
114. Then the Court House was never mortgaged at all by Mr. Singleton to Mr. Burdekin? Not by this memorial certainly.
115. Shall we be right in understanding that the Court House is reserved, and was never mortgaged at all by Mr. Singleton to Mr. Burdekin, unless it were included in these two previous mortgages which you have referred to, of May, 1838, and October, 1840? Unless it was in some subsequent mortgages.
116. Or in one of those two mentioned? Yes.
117. Both these two previous mortgages comprise lands bounded by the Hunter River? Yes.
118. And are not of large extent—only three or four acres? They refer to small portions on the Hunter River.
119. The Court House is a considerable distance from the river, is it not? I do not know anything about Singleton. In the description of this piece marked 18, it says it commences at "the north-east corner of a reserve for a new Court House."
120. Suppose this particular lot on which the Court House stands were included in that mortgage of 157 acres, to which you have referred, has not that mortgage been released or cancelled? Yes.
121. So that that goes for nothing? Yes.
122. We have four mortgages before us; and the Court House can by no possibility be mortgaged to Mr. Burdekin, unless it be included in one of these  $3\frac{1}{2}$ -acre mortgages which are on the banks of the river? No.
123. According to this plan, how far would you suppose the Court House is from the banks of the river? About 22 chains.
124. Would it not then be physically impossible for that allotment on which the Court House stands to be included in any of the  $3\frac{1}{2}$ -acre allotments on the banks of the river? I should think so.

E. G. Ward,  
Esq.  
28 Jan., 1869.

- E. G. Ward, Esq.  
28 Jan., 1869.
125. It is not then in one of these two, the 157-acre mortgage has been cancelled, and it is specially excepted in the fourth mortgage? It is not specially excepted, but it has not been included.
126. I would like to draw your attention to an enclosure in a letter from Mr. Billyard, the Civil Crown Solicitor, dated 23rd August, 1850. In the last paragraph of that enclosure, evidently referring to the fourth mortgage we have now been talking about, he says—"It is probable that in one of the three earlier mortgages the piece of land on which the Court House stands is included, but this point could not be ascertained without the aid of a surveyor"? It may have been included in the 157-acre mortgage.
127. I think you have clearly shewn that the Court House was not included in the two earlier mortgages? I think it could not have been.
128. It does not matter whether it was included or not in the third mortgage, as that has been made void by a release? Yes.
129. *Chairman.*] In this memorandum of Mr. Billyard's, this fourth mortgage, of August, 1841, which is now the only actual mortgage in existence, is not alluded to at all? It is not alluded to at all; the mortgage of July, 1841, not of August, 1841, is alluded to. That is the date of the mortgage of 157 acres.
130. Which has been cancelled? Which has been discharged.
131. *Mr. Farnell.*] There has been no subsequent mortgage to Mr. Burdekin, since the 25th and 26th August, 1841? I cannot say—I am not aware of any.
132. In the description of No. 18 in this mortgage, the memorial of which was registered 25th August, 1841, the reserve for the Court House is excluded? It does not specially exclude it—it commences by describing section 18 from a certain corner of reserve for a Court House, and it goes right round the boundaries of a reserve for a Court House. It excludes it in that way, but it does not exclude it in specific terms. It omits it from the description.
133. *Mr. Tighe.*] That is quite as strong as if it were specially excepted? Yes.
134. *Mr. Farnell.*] The land is described as being bounded on two sides by the Court House reserve, and on the other sides by streets? Yes.
135. Which of course clearly excludes that portion of land from the description of section 18? Yes.

---

Archibald Bell, Esq., M.P., a Member of the Committee, examined in his place:—

- A. Bell, Esq., M.P.  
28 Jan., 1869.
136. *Chairman.*] You are well acquainted with the town of Singleton? I am.
137. You have been for many years? For many years.
138. Do you remember the building of the Court House by Mr. Singleton? I do.
139. Do you remember the Government having been in possession of that Court House from that to the present time? Yes.
140. You have heard certain evidence given by the Deputy Registrar General, of the existence of two mortgages of small allotments of land, of from 2 to 4 acres, on the banks of the Upper Hunter, at Singleton? I have.
141. Do you think, from your knowledge of the country, that such mortgages could include the Court House? It is quite impossible.
142. *Mr. Tighe.*] These mortgages are of the land adjoining the old mill? Yes, I think so. There are six or seven allotments between the Court House and the river, adjoining the old mill—I have one myself; there are six or seven, or more.
143. *Mr. Farnell.*] How far is it from Singleton's Mill to the Court House reserve? I should call it something less than half a mile, at a guess; in the bush I should call it half a mile.
144. *Chairman.*] When this Court House was built by Mr. Singleton, where was the Court held in Singleton? At the mill.
145. Are you aware whether the mill was then the property of Mr. Singleton? Yes.
146. And he allowed the Government to use it as a Court House? He did, for many years.
147. *Mr. Tighe.*] You heard Mr. Ward read an extract from the mortgage from Benjamin Singleton to Thomas Cullen, of a steam-mill and other property, comprising some small extent of land? Yes.
148. If you will look to the Crown Solicitor's (Mr. Billyard's) enclosure in his letter to the Colonial Secretary, dated 23rd August, 1850, you will see reference made to that mortgage—I mean the mortgage from Singleton to Cullen—in which he uses these words:—"Mortgage from Mr. Benjamin Singleton, senior, to Mr. Thomas Cullen, of messuage and steam-mill; and also all that messuage or tenement and Court House, and also all that weather-boarded storehouse, both adjoining the said steam-mill, and also all that tenement or store near to the said steam-mill." Now, from your knowledge of the present Court House, and your knowledge of the steam-mill and of the country generally, and from your recollection of the extract that was read by Mr. Ward, in which he points out that this particular mortgage refers to the mortgage of land bounded by the river Hunter,—from all these different means of forming an opinion, should you say that it is possible the present Court House can be the Court House there referred to as adjoining the steam-mill? Certainly not.
149. Then that Court House must mean the old Court House? The old Court House adjoining the steam-mill; I have frequently been in it. It was found to be so noisy at the old Court House, that Mr. Brown gave up a room in his place till this other Court House was built.

---

FRIDAY,

FRIDAY, 5 FEBRUARY, 1869.

Present:—

MR. BELL,		MR. FARNELL,
MR. DODDS,		MR. LUCAS,
	MR. TIGHE.	

JOHN BOWIE WILSON, Esq., IN THE CHAIR.

John Williams, Esq., examined:—

150. *Chairman.*] You have seen the evidence of the Deputy Registrar General, as to certain mortgages of land at Singleton, made by the late Mr. Benjamin Singleton? I have. J. Williams,  
Esq.

151. Will you state the conclusions you have arrived at? I will, and perhaps it may also be as well to state the steps by which I have arrived at that conclusion. The first mortgage is for £1,000, from Benjamin Singleton, senior, to John Mackintosh, dated 13th January, 1838, and registered No. 390, Book M, said to contain two parcels of land—90 acres and 40 acres. I think it will be found that that contains a third parcel; and it is impossible to tell, from a mere reference to parcels, whether the land on which the Court House is built is included in that or not. I think a surveyor could speak as to that, and it is material, because this mortgage was transferred to the late Mr. Burdekin. There is then a mortgage for £600, from Benjamin Singleton to Thomas Dyer Edwards. From Mr. Ward's evidence, and from the description in the deed, I think it is clear that the Court House reserve is not part of the mortgage to Edwards. There is then a mortgage—Singleton to Thomas Cullen—of date 26th October, 1840, and in that it is mentioned that the mortgaged property comprises the steam-mill and the Court House. Mrs. Singleton, however, states that this is not the Court House erected upon the land for which she now claims compensation. In Mrs. Singleton's letter of 6th May, 1853, she states that the mortgage to Cullen was dated in 1838. That is a mistake. The mortgage to Cullen was the 26th October, 1840; but it appears by the correspondence in the printed papers, in a letter of Mr. Simpson, the Police Magistrate, dated 31st August, 1840, that Mr. Singleton informed him it was his intention to have the present Court House completed in the course of nine months. It would seem, therefore, that this could not have been the Court House included in the mortgage. The next mortgage appears to be one dated 24th July, 1841—Benjamin Singleton to Thomas Burdekin—registered 21st August following, No. 901, Book W. The parcels in that are described by a general description, and in it, I think, there can be no doubt the site of the Court House was included. There then appears to be a reconveyance of the lands described in this mortgage of date 21st August, 1841. That is registered No. 96,\* Book W; and there is then a mortgage lease and release, dated 25th and 26th August, of a large number of parcels of land—Singleton to Burdekin—to secure £2,100. From the evidence given by Mr. Ward, and a reference to the description of the land, I think it is clear that the site of the Court House is not included. It seems to me that these two mortgages are one transaction. Of course this can be mere matter of surmise; but I think it probable, looking at the dates and the sums, that the mortgage of the 24th July, 1841, which is to secure £1,000, and describes the land by general description, must have been only the first step towards the final mortgage, very likely made because an advance was required before there was time to get a proper description; and that when a proper description was obtained, a conveyance was made. That which was intended to be the final mortgage, containing the proper description and setting out the whole of the loan, was then executed. Unless, therefore, the mortgage I have first referred to, of January, 1838, contains the site of the Court House, no title thereto is at present in the representatives of Mr. Burdekin.

152. Then the release which you have mentioned, which was after September, 1841, was then included—this mortgage of Mackintosh? It may or may not have been—that is matter of survey. The reconveyance is of the same parcels as are set out in the general description given in the mortgage of 24th July, 1841; whether that includes any portion of the parcels mentioned in the mortgage of 13th January, 1838, I cannot say; that is the only difficulty I see.

153. *Mr. Lucas.*] If that includes the parcels —? Then they should be reconveyed. The present claimant's title seems to arise in this way:—Singleton's estate was sequestrated, and George Charles Stewart was appointed trustee. By indenture of 11th November, 1843, Stewart conveyed the Court House land to Benjamin Singleton, junior. I notice that Mr. Billyard, in his evidence on the Singleton title, at page 23 of the printed papers, objects to this conveyance, as not having been made in pursuance of the provisions of the Insolvency Act, not having been advertised in the *Government Gazette*, and other proceedings of that nature not having been taken. I think this objection, however, is got rid of by 3rd section of 11th Vict., No. 14, an amendment of the Insolvent Act. Benjamin Singleton, junior, then seems to have conveyed, by indenture of 7th December, 1852, the Court House lands, to Benjamin Singleton the father. This deed is registered 18th February, 1859, No. 719, Book 59. It might be necessary here to ascertain whether at this time Benjamin Singleton, senior, had obtained his certificate. Benjamin Singleton, by will, in 1853, devises this land, but the devise is so singularly worded that I could not, without more time than I have been able to give to its consideration, express an opinion upon it. I should perhaps also mention, that in none of the papers can I find that

\* NOTE (on revision):—This is not the correct number.

J. Williams,  
Esq.  
5 Feb., 1869.

that the attention of the Crown Land Officers has been called to, or that information has been given to them, of the reconveyance by Burdekin of the mortgage for £1,000, back to Singleton. Their opinions, therefore, were given without a knowledge of this exceedingly material fact; for, by referring to page 23 of the printed papers, it will be seen that Mr. Billyard's remarks on Mrs. Burdekin's title only make reference to the mortgage of the 24th July, 1841, which contains a general description—150 acres, &c. The first reference made by Mrs. Singleton to the mortgage in which the Court House land appears to be excepted from block 18, is by an extract from that mortgage, so far as parcel 18 is concerned, being appended to a memorial to His Excellency, dated 22nd August, 1868. She never appears to have been aware of the fact herself, before that time.

154. *Chairman.*] If this Court House, now the subject of inquiry, had been included in the mortgage to Mackintosh, what necessity would there have been for excluding it so pointedly from the last mortgage to Burdekin? That is a matter of inference I can scarcely answer—I cannot tell in what way the mortgage to Mackintosh and the mortgage to Burdekin affect or do not affect each other. It seems to me that the two mortgages to Burdekin carry out a single transaction, which, as I have suggested, was commenced by a general description being inserted in the first mortgage made, when part of the loan was advanced to the borrower, and perfected by a more formal description being inserted in the second mortgage, the full consideration being included in such mortgage, and the first mortgage reconveyed.

155. Then that would be no reason why this Court House should be excluded in the first instance, and yet redescribed in Burdekin's mortgage? But we have no proof that the person who drew the last mortgage had any knowledge of the former mortgage—no proof that he did not treat this as a single transaction.

156. But he must have been acting under instruction—he must have had minute instructions as to the exclusion of this Court House from the mortgage deed? That is mere matter of surmise. It is very plain that Mr. Burdekin thought at this time it was included in his mortgage, because the letter in which he claims to be paid for the land is dated 23rd March, 1842, page 8 in the printed papers, which is subsequent to the mortgage in which the land is omitted to be included.

157. *Mr. Tighe.*] Are there any means of ascertaining whether this Court House is in the fresh mortgage to Mackintosh? A surveyor might be able to tell, by reading the description, whether it is or not, but from the hasty glance I gave it at the Registrar's Office, I could not pass an opinion.

158. Could you tell us whether it is necessary to survey it, or whether the Surveyor General could give an opinion, from an examination of the papers? That involves the question of survey.

159. *Mr. Lucas.*] What was the date of the reconveyance? 23rd and 24th of August, 1841, and the date of the next mortgage, 25th and 26th August, 1841, and both were registered the same day—28th August, the reconveyance immediately preceding the mortgage.

160. *Mr. Farnell.*] The descriptions themselves are very vague, are they not? In the first mortgage they are rather vague. I could not say they are so vague as that a surveyor could not follow them. I have now before me an extract from the memorial of registration of mortgage, 30th January, 1838—Singleton and wife to Mackintosh—and beg to hand it in. (*Vide Appendix C 1.*) In Mrs. Burdekin's claim of title, there is "bargain and sale from the Sheriff of the Colony, of all the estate and interest of Benjamin Singleton, senior, in and to various allotments numbered according to a plan attached. One of the allotments is said to be 'bounded on the north by Elizabeth-street, commencing at the north-east corner of a reserve for a new Court House.'" As this is, I think, a sale of the equity of redemption, it is probable that the description in this bargain and sale agrees with that in the mortgage, as I notice that Mr. Billyard remarks that this conveyance does not recite a month's notice of the intended sale, in the *Government Gazette*, which is only required in cases of the sale of equity of redemption. It is probable, therefore, that this was the sale merely of the equity of redemption of lands included in the mortgage, and that the description in this deed agrees with the description in the mortgage. The only information I have upon this head I derive from Mr. Billyard's minute in page 23 of the printed papers.

MEMO.—I have made search at the office of the Insolvent Court, and find that Benjamin Singleton's estate was placed under sequestration in 1842, and that George Stewart was appointed Assignee, 31st May, 1845, and that Singleton obtained his certificate of insolvency on 4th February, 1852.

John S. Adam, Esq., examined:—

J. S. Adam,  
Esq.  
5 Feb., 1869.

161. *Chairman.*] I hold in my hand an abstract of mortgage by Benjamin Singleton and Mary his wife, to John Mackintosh, dated 13 January, 1838, in which certain lands at Singleton are described as being mortgaged. We are anxious to find out whether the piece of land upon which the Court House has been built is included in the land mortgaged here. Could you get a tracing made of this land at Singleton, tinting in a particular manner the four portions of land mentioned in the mortgage deed, so that we could identify the piece of land described? Yes, I have little doubt that the descriptions could be followed on the plan. I shall endeavour to have it done.

John

John Lucas, Esq., M.P., a Member of the Committee, examined in his place :—

162. *Chairman.*] Will you be kind enough to state any facts that you know with regard to this claim of Mrs. Singleton? I went to Singleton the last week of January, 1841; I accompanied Mr. Benjamin Singleton, junior, to the Court House then erected at ———, took the dimensions of the Court House there, and contracted with Mr. Benjamin Singleton to erect a Court House similar to that in the town of Singleton. I advised, after the contract was taken, that some alterations should be made; the ceiling in the Court House was very low, and I recommended that the Court House at Singleton should be several feet higher, and some other alterations and improvements which increased the cost of the new building. At the time I went there, the lock-up and enclosure were erected, and to all appearance must have been built some two or three years before. I built the Court House, completed it, and, at the request of Mr. Singleton, delivered possession to Mr. Percy Simpson, then Police Magistrate. The entire cost was something over £800. I may also say that my attention has been drawn to a mortgage of 26th October, 1840, to Thomas Cullen, in which a Court House is mentioned. That could not have been the Court House in question, because the Court House was not commenced until March, 1841, and I know of my own knowledge the then Court House of Singleton was held in a wing of the steam-mill mentioned in this mortgage as the steam-mill. That must evidently have meant the Court House then held in the mill. Shortly after I gave up possession to Mr. Simpson the late Benjamin Singleton became insolvent. He owed me a sum of money for the building of the Court House; and, as the whole of the property fell into the hands of Mr. Burdekin, it suggested itself to me that Mr. Burdekin would pay me the amount due. I, therefore, on my return to Sydney, made application to him, but he ignored the fact altogether, said that he had nothing to do with it, that the site of the Court House at Singleton was given to Government by Mr. Singleton, and he had nothing to do with it. I then put in my claim for some portion of the money that was due to me. In consequence of the assignee at the time selling a lot of property that did not belong to him, an action was entered by the family, and damages were recovered; and as I was one of the creditors of the estate, I was called upon to pay a portion of the damages, and it was decided that the whole of the assets of the estate, whatever they might be, should be handed over to the family, to clear the estate of the liabilities.

J. Lucas, Esq.,  
M.P.

5 Feb., 1869.

163. Was there a meeting of the creditors? There were several meetings. There was a meeting of creditors after I returned to Sydney, and I know I went as one, and consented to the transfer of this property to Benjamin Singleton, junior, and I and all the creditors were glad to get rid of our liability in that way.

164. You state that the lock-up was built previously to the Court House—What do you believe was the value of that lock-up? It was a wooden building, with two cells, and a passage between, with two rooms at the back for the lock-up keeper. It is many years ago since I saw it; but as well as I can remember, it was built of sawn timber, thick planking, one end of slabs grooved top and bottom, and made very strong to keep in the felons; because at that time all persons committed for any crime had to be forwarded to Sydney, and they stayed at this lock-up on their passage from the country to Sydney. The outside enclosure was of slabs also, enclosed in this way—a very substantial affair. I should imagine the value of the lock-up and enclosure could not be less than £250 or £300.

165. *Mr. Bell.*] You say you took the contract. What was the Court House built of? Brick, with stone foundation, plastered inside, and well finished. At this time (1841) everything was very dear; I had to get my lime from Maitland; carriage was dear, and I think I had to pay 4s. 6d. a bushel for lime. I know I had to pay a very high price for bricklayers, for at that time there was only one set of bricklayers there, and I had to get them from Maitland. I think I also got the window-sills and stone steps also there.

166. Did that £800 odd include the fittings? Yes, just the same as the Court House at ———, with the exception of being a very superior building in every way.

167. *Mr. Dodds.*] There is only one apartment? Only one apartment.

168. No small rooms? No small rooms. It was not necessary for the Magistrate or any one to live at the Court House—the lock-up-keeper kept it clean. It was one room, with four walls.

169. *Mr. Bell.*] There is a partition in the Court House now? There was no partition then.

170. *Mr. Dodds.*] A small room for the clerk? That has been added since. I am now speaking of 1841. Mrs. Burdekin, some time after I returned to Sydney, hearing that I had built the Court House, sent to me, and I had an interview with her. She told me that she was then making a claim upon the Government for compensation for the loss of the site of the Court House, and I then said she had no claim in the matter.

171. Do you remember the length and breadth of this building? I do not, but I think it was 40 feet long, by 20 broad.

172. What was the thickness of the walls? Fourteen inches brick-work; in fact, my instructions from Mr. Singleton were, that the building should be in every respect superior to the other, so that there should be no cavilling. There was no writing between us; he came up to my place; I shewed him my plan; of course I knew how it was to be built, and he told me to make an estimate of what I could do it for; I did so; there were not two words about it, and he said—"I will give it." I think I asked him £670—somewhere about that, for the building first, and there was about £170 or £180 for extras.

173. *Mr. Tighe.*] You found everything? I found everything.

174. What was the value of land at that time? The value of allotments of the usual size at Singleton was from £40 to £60, and as high as £80 in some places, but only about £10 or £12 at M'Dougall's, and ———

175. About that place? £40, £50, or £60, according to the locality. This was one of the best sites in the town.

176. The ground would be worth about how much? There were about three or four allotments; the land would be worth fully £200.



WEDNESDAY, 10 FEBRUARY, 1869..

Present:—

MR. BELL,

MR. FARNELL,

MR. TIGHE.

JOHN BOWIE WILSON, ESQ., IN THE CHAIR.

John Sheddon Adam, Esq., further examined:—

J. S. Adam, Esq. 177. *Chairman.*] You were requested, if possible, to define upon a tracing the land specified in a particular mortgage to a person of the name of Mackintosh—Have you been able to do it? I have been able to do it approximately—not exactly. (*The witness produced a tracing.*)

10 Feb., 1869.

178. This land marked within the red is the land that you believe to be defined in this mortgage to Mackintosh? Yes, the various portions edged red are approximately those described in the deed.

179. And you believe that the Court House, or the site of the old Court House, is not included in the land mentioned in that mortgage? It is not included. I may mention that that is not the same plan as is shewn in the lithograph, but is from a tracing of Mr. Bemis's plan, in the possession of Mr. Licensed Surveyor Seecombe.

180. *Mr. Farnell.*] Did Mr. Meehan originally lay out this land in lots? I understand so; the lithograph accompanying the papers is from a subsequent plan by Mr. Lewis.

181. *Chairman.*] It is easy enough to define the position of the Court House upon either plan? Yes, it is shewn in the same position on both plans.

WEDNESDAY, 17 FEBRUARY, 1869.

Present:—

MR. FARNELL,

MR. WISDOM.

JOHN BOWIE WILSON, ESQ., IN THE CHAIR.

John Williams, Esq., examined:—

J. Williams, Esq. 182. *Chairman.*] You have been requested by the Committee to obtain the opinion of counsel as to the effect of the late Benjamin Singleton's will—Have you done so? I have.

17 Feb., 1869.

183. Have you a copy of that opinion? I have a copy of the case submitted by me to counsel—Mr. Alexander Gordon, and the opinion given by him.

184. Is it the opinion of counsel that Government would be justified in paying Mrs. Singleton's demand? It is. (*The witness handed in counsel's opinion. Vide Appendix C 2.*)

185. Such being the opinion of Mr. Gordon, do you know any other reason why the Government should not settle this claim of Mrs. Singleton's? None, except that which arises from the long lapse of time.

186. What is the time? Thirty odd years; that would be a bar to her legal claim.

187. Does the action she has taken at various times—the demands she has made—keep alive her claim? No, no continuous demand keeps alive a claim; it requires an actual entry, followed by possession, for that.

188. *Mr. Farnell.*] That is to say, the Government have had an adverse possession for thirty years? Yes.

189. *Mr. Wisdom.*] It shews she always had a claim? Yes; it does not affect her legal position, but it may affect the equitable consideration of the case, as far as the Government is concerned.

# PETITION OF MRS. MARY SINGLETON.

## APPENDIX.

(To Evidence given by Michael Fitzpatrick, Esq., Under Secretary for Lands, 21 January, 1869.)

### A.

The Crown Solicitor to The Under Secretary for Lands.

Crown Solicitor's Office,  
Sydney, 28 June, 1866.

Sir,

I have the honor to return herewith the papers relating to Mrs. Singleton's claim to be paid for the land at Singleton upon which the Court House is built; and, with reference to the suggestion of the Surveyor General that I should be instructed to advise whether Mrs. Singleton, in the abstract now delivered on her behalf, shews a title to the land at Singleton upon which the Court is built, to state, shortly, how Mrs. Singleton's claim arose, and the steps hitherto taken with respect to it.

By the papers now sent, it appears that the correspondence as to the conveyance of this land to the Government dates as far back as 1838; that Mr. Benjamin Singleton having, in 1842, applied for compensation for this land, Mr. Thomas Burdekin, by letter of date 23 March, 1842, informed the Colonial Secretary that all Mr. Singleton's interest in this land had been assigned to him; and that, for the reasons given in his letter, he declined surrendering the Court House and premises to the Crown, but had no objection to the Government occupying them on sufferance. In 1844, Mr. Singleton having become insolvent, an application was made, on behalf of the trustees of his estate, with reference to this land, which the Colonial Secretary, by letter of date 26 April, 1844, refused to comply with, on the ground that Mr. Singleton had not performed his part of the agreement. In 1849, a negotiation was entered upon with Mrs. Burdekin, as to the purchase money to be paid for this land (see pages 17, 18, 19, and 20 of the printed correspondence), which she offered to transfer with the buildings for £350. The Surveyor General, however, reporting that the land was of the value of £40 only, nothing further was done. In May, 1850, the Government were applied to on behalf of Mr. Benjamin Singleton, junr., who had purchased the interest of the trustees of his father's estate. The Crown Solicitor was requested by the Colonial Secretary to report upon the conflicting claims of Mrs. Burdekin and Mr. B. Singleton, junr., which he did by letter of date 23 August, 1850, in which he states that he had investigated their titles, and was decidedly of opinion that neither party could establish a clear title to the property in question, and recommends the Government to retain possession, without paying rent or making any acknowledgment of title in either claimant, until some person had established a clear title to the premises by due course of law. Of this, both Mrs. Burdekin and Mr. Singleton were informed, by letter of date 20 October, 1850.

In December, 1852, Mr. Benjamin Singleton obtained a conveyance, from his son, B. Singleton, junr., of the interest purchased by the latter from the trustees; and in March, 1853, Mr. Singleton memorialized the Governor to cause a sum of £650 to be placed on the Estimates for payment for this land. This memorial was referred to the Crown Solicitor, who advised that a copy of his report of 23rd August, 1850, should be transmitted to Mr. Singleton and Mrs. Burdekin, and that each should be requested to offer any observations thereon they should deem advisable; and this was done, under cover of letter of date 30 April, 1853.

Shortly after this, Singleton died, leaving all his property to Mrs. Singleton, the present claimant, who, as the person then entitled, in a letter to the Colonial Secretary of date 4 May, 1853, acknowledged the receipt of the copy of the Crown Solicitor's report, and stated her objections to Mrs. Burdekin's claim, and furnished information upon questions raised by the report referred to. Mrs. Burdekin, also, by letter of date 17 May, 1853, replied to the Crown Solicitor's report; and both letters were forwarded to the Crown Solicitor.

On 28th June, 1855, the Crown Solicitor reported that he had submitted a case to the Solicitor General, who was of opinion that, under the circumstances in which the title was placed, the Government should pay nothing to either claimant, and that the title was too much involved for either to be in a position to convey a clear and unincumbered estate in fee; and without such conveyance, no payment should be made. Of this, both Mrs. Burdekin and Mrs. Singleton were informed.

Mrs. Singleton then, by letter of 11th November, 1853, made other proposals to the Government for a settlement. This was also referred to the Crown Solicitor, who reported that it did not shew any ground for deviating from the advice of the Solicitor General; and Mrs. Singleton was so informed, by letter from the Colonial Secretary, of date 16th February, 1854; and nothing further appears to have been done, by either Mrs. Burdekin or Mrs. Singleton, until November last, when Mr. Dalton, on behalf of Mrs. Singleton, without any reference to the previous correspondence or to Mrs. Burdekin's claim, forwarded to the Surveyor General the abstract upon which I am now requested to report.

The whole of the correspondence upon this subject has been printed as a Return to an Address from the Legislative Council, dated 24th July, 1855; but I am not aware whether any action was taken by the Council in the matter.

The title shewn by the abstract now delivered is the same as that upon which Mr. Solicitor General advised in 1853 (excepting that now Mr. B. Singleton's will is abstracted), and Mrs. Burdekin and Mrs. Singleton are in the same position with respect to the claim for compensation as they then were. I would, therefore, suggest that Mrs. Singleton be referred to the letter from the Colonial Secretary to her, of date 16th February, 1854, and informed that there appears to be no reason for altering the decision of the Government upon her claim, as communicated to her thereby.

I have, &c.,

JOHN WILLIAMS,  
Crown Solicitor.

Inform as advised. J.B.W.—2 July.  
Mr. Iceton, 10 July, 1866.

(To



(To Evidence given by the Hon. Bourn Russell, M.L.C., 22 January, 1869.)

B 1.

August, 1841.

[Extract.]

Mortgage by applicant, and release. Benjamin Singleton & Uxor, 1st part; Parry Long, 2nd part; Thomas Burdickin, 3rd part. Registered, 28th August, 1841.

And also, all that piece or parcel of land situate at Singleton, aforesaid, marked 18 on the plan, bounded on the north by Elizabeth-street: Commencing at the north-east corner of a Reserve for a new Court House; on the east by George-street; on the south by Hunter-street; on the west by Bourke-street; again on the north by the south boundary of the Reserve, aforesaid; again on the west by the east boundary line of the Reserve aforesaid.

Search made, 22nd January, 1869, and found to be correct. In 5th Book, 28th August, 1841.  
Mortgage dated 25th and 26th days of August, 1841.

B 2.

I, BENJAMIN Singleton, of Singleton, in the Colony of New South Wales, gentleman, do solemnly and sincerely declare as follows:—That Benjamin Singleton, the elder, of Singleton, in the said Colony, gentleman, my father, lately deceased, became insolvent in or about the year one thousand eight hundred and forty-two, and that one Mr. Stewart—I believe his name was George Charles Stewart—of Sydney, in the said Colony, gentleman, was appointed the Official Assignee of the insolvent estate of the said Benjamin Singleton, the elder. That the said Mr. Stewart, as such Official Assignee, got possession of some horses belonging to the children of the said Benjamin Singleton, the elder, and sold the same, by order of the creditors in the said estate. That the said children brought an action against the said Mr. Stewart for the value of the horses, and a verdict was found for them in damages. That the creditors in the said estate, on such verdict for damages being obtained against the said Mr. Stewart as such Official Assignee, instructed him that, if the said children would agree to accept the remainder or residue of the said insolvent's estate which was then in his hands, in lieu of the damages obtained, that he the said Mr. Stewart should release to them the remainder of the said estate. That the said children agreed to accept this offer, and a release was accordingly made and executed by the said Mr. Stewart, as such Official Assignee, in favour of me, this declarant, who was then acting as trustee in the matter for the said children, they being my brothers and sisters. That the said release was dated in or about the year one thousand eight hundred and forty-three, and was to the effect that the said Official Assignee granted, conveyed, released, assigned, and transferred to me, this declarant, the remainder and residue of the insolvent estate, both real and personal, of my father, the said Benjamin Singleton, the elder, including real property in Singleton, aforesaid. That on obtaining such release, I soon after conveyed and assured the said real and personal property to my father, the said Benjamin Singleton, the elder. That, to the best of this declarant's knowledge and belief, the deed of release made and executed by the said Mr. Stewart in my favour as aforesaid, of the remainder and residue of the real and personal estate of my father, the said Benjamin Singleton, the elder, is lost and cannot be found. And I make this solemn declaration conscientiously believing the same to be true, and under and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present 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.*"

BENJAMIN SINGLETON.

Taken and declared by the declarant, at Singleton, }  
before me, this nineteenth day of January, }  
A.D. 1869,—

WM. C. LESLEY, J.P.

(To Evidence given by John Williams, Esq., 5 February, 1869.)

C 1.

No. 290 M.

Date of deed—12th and 13th January, 1838.

Date of registration—15 January, 1838.

Benjn. Singleton, and Mary his wife, to Jno. Macintosh.

DESCRIPTION.

ALL that capital messuage or tenement with the mill outbuildings and appurtenances thereto belonging called by the name of Singleton's Inn situated at Patrick's Plains aforesaid bounded on the south-east by John-street and on the west by the river and also all that parcel of land situated at Patrick's Plains aforesaid and containing by estimation 90 acres more or less and bounded on the north by Mr. John Brown's grant on the east by Mr. Howe's grant and on the south-east by a line of allotments part of the town of Singleton numbered respectively from 1 to 42 and by lots 243 244 245 and 259 and also all that parcel of land situated at Patrick's Plains aforesaid containing by estimation 60 acres more or less bounded on the south by Dutton's and M'Dougall's grants on the north-west by John-street on the north by William-street and on the north-east by a continuation of Bourke-street and also all that parcel of land situated at Patrick's Plains aforesaid containing by estimation 40 acres more or less bounded on the south (commencing at John-street) by Mr. M'Dougall's land on the west by Yeoman's land to Hunter's River on the north by that river to lot 251 and on the south-east by lot 248 and by lots 92 to 111 together with all outhouses &c.

C 2.

## C 2.

## CASE.

Herewith is a copy of the Will of Benjamin Singleton, bearing date the 21st April, 1853.

Counsel is requested to advise,—

1. What estate the testator's widow, Mary Singleton, takes under such will.
2. Whether payment having to be made for land of which Benjamin Singleton was seised in fee at his death, and which he had agreed to transfer to the Government in consideration of other land being given to him in exchange, but the title to which the Government are unable to perfect, any compensation which might be claimed under the circumstances stated, may be legally paid to Mrs. Singleton.

## COPY WILL.

This is the last will and testament of me Benjamin Singleton of Singleton in the county of Northumberland in the Colony of New South Wales miller I desire that all my just debts testamentary and funeral expenses be paid as soon after my decease as can conveniently be done I give devise and bequeath unto my wife Mary Singleton all the estate whether real or personal of which I may be possessed at the time of my decease and all or any other estate or estates either in reversion expectancy or remainder to which I now am or might hereafter become entitled to in any ways whatsoever for her use during her life and to her heirs or assigns And in case of her decease without making any disposition of the same by will or otherwise then I give devise and bequeath the same or remainder thereof to my three sons William Benjamin and George Australia Singleton In trust to collect sell and dispose of the same and to divide the proceeds thereof among all my children share and share alike The share of my daughter Mary Lloyd to be for her own use and benefit independent in any way of her husband George Lloyd and the shares of my children John and Sarah deceased to be divided equally with their children share and share alike And I make constitute and appoint my dear wife Mary Singleton and my sons William Benjamin and George Australia Singleton Executrix and Executors of this my last will and testament directing that in all things my said sons shall follow the directions and be under the control of my said wife in the collection disposal or otherwise of all or any of my said estate And hereby revoking all or any will or wills codicil or codicils heretofore made I publish and declare this to be my last will and testament this twenty-first day of April one thousand eight hundred and fifty-three in the presence of those who at my request in my presence and in the presence of each other have subscribed their names as witnesses.

BENJN. SINGLETON.

Witness,—

JAS. CURTIS EASTMORE,  
Solicitor, Singleton.  
WALTER ROTTON.

## COPY OPINION.

1. The testator evidently does not intend his widow to take an *absolute interest* in the real and personal estate devised and bequeathed to her, inasmuch as he proceeds to deal with the property in a manner entirely inconsistent with the supposition of such a previous disposal of it. Nor can the testator be taken to have given to his widow *only a life estate*, since the terms of his subsequent dealing with the property necessarily involve a supposition of her having a larger interest, and are in fact equally inconsistent with the idea of the gift being merely of a life estate, as with the idea of its being an absolute interest. If, however, the will be read as giving to the widow an estate or *interest for life, with a power of disposition by will or otherwise*, then the whole devise becomes consistent and intelligible. The testator devises and bequeaths unto his wife all his real and personal estate for her use during her life, and to her heirs or assigns, that is, persons to whom she may give it, either by will (reading the word "*heirs*" to mean "*devisees*") or in some other way; and he then directs that, in case of her decease without making any disposition of the property by will (that is, giving a title to *devisees*), or otherwise (that is, giving a title to *assigns*), the property or the remainder (that is, what has not been disposed of by will or otherwise) shall go to persons whom he names. With regard to reading the word "*heirs*" as "*devisees*" or *heirs created by will*, it results from its being evident that the word "*heirs*" is not used by the testator in its ordinary and proper meaning, and then gathering from the words and tenor of the will the signification which he must have intended to be affixed to it.

I am, therefore, of opinion that the testator's widow, Mary Singleton, takes, under the will, an estate for life, with a full power to dispose of the property by will or otherwise.

2. I see no reason why the compensation claimed should not be paid to Mrs. Singleton; but it will be proper that the executors of the testator's will who have proved should, as such, join in the receipt, as a legal discharge to the Government for the payment.

ALEX. GORDON.



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## DR. FREDERICK BEER.

(PETITION OF.)

*Ordered by the Legislative Assembly to be Printed, 14 January, 1869.*

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

The humble Petition of the undersigned, Frederick Beer, M.D., C.D., and O.D.,—

SHEWETH:—

That your Petitioner arrived in this Colony, and commenced the practice of his profession in the City of Sydney, in the year one thousand eight hundred and fifty-three.

That your Petitioner was very successful in his said practice, and in the years one thousand eight hundred and fifty-four and one thousand eight hundred and fifty-five, and at the date of your Petitioner's arrest, hereinafter mentioned, was in receipt of an income of one thousand eight hundred pounds per annum.

That during that period your Petitioner was the medical attendant of Phillis Brown, known as the wife of Michael George Brown, an officer in Her Majesty's Customs in Sydney aforesaid.

That your Petitioner, being well acquainted with the curative effects of the extract of belladonna, used that drug with very great success in his professional treatment of the said Phillis Brown, in the year one thousand eight hundred and fifty-three, as dressings on blisters and in suppositories containing three grains of the extract.

The said Phillis Brown suffered from a ring stricture of the rectum.

That on the tenth day of February, one thousand eight hundred and fifty-six, your Petitioner attended the said Phillis Brown professionally, she being at the time pregnant and in great danger of miscarriage, and suffering acutely from irritation in the rectum. Your Petitioner then prescribed suppositories, each containing five grains of the extract of belladonna, one to be introduced when the pains were excessive, and repeated every three hours if required, to prevent such miscarriage.

That the miscarriage of the said Phillis Brown was prevented, and the said Phillis Brown was, in the month of March of that year, delivered of a living child.

That on the fourth of March, one thousand eight hundred and fifty-six, your Petitioner was arrested by Inspector James Singleton, without warrant, and before any information was signed, charged with administering half a drachm of belladonna to the said Phillis Brown, with intent to procure a miscarriage, and your Petitioner was detained in custody.

That the said charge was heard before James Sheen Dowling, Esquire, Police Magistrate, Sydney, on the fifth, sixth, seventh, tenth, and eleventh days of March, one thousand eight hundred and fifty-six, and your Petitioner was committed to take his trial at the next Criminal Court.

That the Attorney General, as Grand Jury, did not find a Bill against your Petitioner.

That your Petitioner was prosecuted by the Australian Mutual Provident Society, and on the thirty-first of March, one thousand eight hundred and fifty-six, the Solicitor of the said Australian Mutual Provident Society applied to the then Solicitor General for permission to deliver a Brief to a Junior Counsel to assist in the prosecution of the case, which was granted.

That on the seventh day of April, one thousand eight hundred and fifty-six, an information was filed against your Petitioner, charging your Petitioner, in the first count, with administering belladonna with intent to procure abortion; and in the second count, with administering poison with intent to kill and murder the said Phillis Brown; and the trial of your Petitioner, on such information, commenced on the ninth day of

April, one thousand eight hundred and fifty-six, and was continued during the tenth, eleventh, and twelfth of the same month, before His Honor Mr. Justice Therry and a jury of twelve persons. The prosecution was conducted by Arthur Todd Holroyd, Esquire, a Counsel for the Australian Mutual Provident Society; and your Petitioner has since discovered that the presiding Judge, the said Arthur Todd Holroyd, and several of the jury were members of the said Australian Mutual Provident Society prosecuting your Petitioner.

That your Petitioner only obtained a copy of the depositions on the sixth day of April, one thousand eight hundred and fifty-six, although previously and frequently applied for; and feeling conscious in his innocence of the charge on which he had been committed, did not employ Counsel to defend him; and it was only on his trial, on hearing the information read, he was the first time informed that a capital charge was laid against him.

That your Petitioner's diary for the year one thousand eight hundred and fifty-five, containing entries of attendances, operations, and medicines for Phillis Brown, was in custody of the police, at the Central Police Office, and at the suggestion of Mr. Singleton, was not locked up with your Petitioner in his cell; but on the following morning, the sixth of March, the said diary was not given up to your Petitioner, and your Petitioner has not seen it since.

That during the first day of your Petitioner's trial the presiding Judge offered your Petitioner the assistance of Counsel, which your Petitioner declined; but in the evening of that day—your Petitioner being again urged by the Judge—asked that Mr. Darvall or Mr. Broadhurst might be assigned as his Counsel. Your Petitioner had cross-examined Mrs. Phillis Brown, and upon being interrupted by the Judge in his cross-examination, had stated his ability to prove the witness had been diseased, and was swearing falsely.

That on the second day of your Petitioner's trial Mr. Blake was assigned his Counsel; but your Petitioner never instructed him, or had any conference with him in any manner.

That on the evening of the third day your Petitioner insisted upon calling further evidence, when Mr. Blake left the Court; Mr. John Cornelius Horner, formerly an assistant of your Petitioner, was giving evidence in your Petitioner's favour, and was about referring to your Petitioner's ledger, Mrs. Brown's account being kept by him, to prove that suppositories similar to those prescribed on the tenth of February, one thousand eight hundred and fifty-six, had been taken by Mrs. Phillis Brown on the twenty-fourth of April, one thousand eight hundred and fifty-five, the nature and quantities of belladonna, dressings, Dzondi pills, and other medicines prescribed for, and taken by, Mrs. Brown, under your Petitioner's professional treatment, and the identity of the accounts in the ledger with the receipted accounts produced by Mrs. Brown, already in evidence on the trial,—when His Honor stated it was impossible to finish the case that night, and adjourned the Court to the following day.

That upon the opening of the Court on the fourth day your Petitioner's ledger could not be produced. Your Petitioner asked for leave to continue the examination of witnesses for the defence—to recall John Cornelius Horner, and to allow him to call Dr. Willmott, then in Court—when His Honor refused to allow your Petitioner to call any other witnesses, stating—"Your Counsel closed your case yesterday; besides, your trial has already lasted four days."

That your Petitioner had subpoenaed the following witnesses:—Dr. Salter, J. C. Horner, Mrs. Nesbitt, Mr. Seath, Thomas Dent, J. Rim, Mr. and Mrs. Russell, Mr. Robinson, Mrs. Hickey, Mr. Hargraves, Mr. Dean, Mr. Reynolds, and Ann Ray, and they were in attendance to give evidence in your Petitioner's favour. Your Petitioner's Counsel had not closed the case, inasmuch as Mr. J. C. Horner was being examined when Mr. Blake left the Court, and your Petitioner, by the refusal of the Judge, was prevented from proving, not only his perfect innocence, but that Mrs. Phillis Brown was altogether unworthy of credit.

That the prosecution of your Petitioner was entrusted to a private company, and was most unfairly conducted by Mr. Holroyd, who adduced evidence of effects said to have immediately followed the introduction of the suppositories, and of appearances the result of belladonna which he, a medical man, well knew to be false, and which appearances could not exist until after death; and also in the production of evidence immaterial to the issue, and not in support of the information, which could only have the effect of inflaming the minds of the jury, and prejudiced them against your Petitioner.

That your Petitioner was found guilty upon the perjured testimony of Phillis Brown and Michael George Brown, and the evidence of medical men, of the deadly effects of belladonna, who had had no experience in its application, and who did not attend the said Phillis Brown professionally, or examine her before giving such evidence; as your Petitioner submits, as honorable men, they were bound to do.

That the said Phillis Brown was stated by Mr. Holroyd to be in a good state of health, and upon this false statement the medical testimony was based, although Mr. Pritchard's evidence, given at the Police Office, informed him that Dr. O'Brien had reported unfavourably of her state of health, and that no life could be accepted when it was known that cancer had ever existed—when, in fact, the said Phillis Brown was, at the time of the administering of your Petitioner, suffering from *Rokitansky's* stricture in the rectum, the result of venereal disease, much excited and inflamed by cold and exposure, and threatenings of miscarriage.

That the suppositories prescribed by your Petitioner had the effect of preventing the miscarriage of the said Phillis Brown, and during your Petitioner's trial she was nursing the child with which she was pregnant on the tenth of February.

That

That your Petitioner received a sentence of ten years' imprisonment and hard labor; and was removed to Cockatoo Island, where your Petitioner was placed under old convict overseers, and for a period of four years was subject to the extreme hard labor of that penal establishment.

That during that period your Petitioner, by good conduct and extra labor, became entitled to a ticket-of-leave eighteen months sooner than the time prescribed by the regulations, and received a ticket-of-leave on the twenty-first of April, one thousand eight hundred and sixty, and left Cockatoo Island.

That in the month of September, one thousand eight hundred and fifty-seven, your Petitioner, through his brother, Francis Beer, laid all the facts before the first medical authority in England—namely, Sir Benjamin Collins Brodie, Baronet, Physician to Her Most Gracious Majesty the Queen, with a view to obtain his opinion thereon.

That your Petitioner obtained the written opinion of Sir Benjamin Collins Brodie on the case, containing the following passages:—"I cannot have the smallest hesitation in saying that both the charge and the verdict are utterly absurd. I can understand that Dr. Beer might have prescribed the use of belladonna to Mrs. Brown, with a view to prevent premature labour, but I cannot suppose that he or anyone else would dream of prescribing it for the purpose of procuring abortion";—thus showing that the practice and prescription of your Petitioner in Mrs. Brown's case was correct.

That on the tenth day of June, one thousand eight hundred and fifty eight, your Petitioner obtained an interview with His Honor Mr. Justice Therry, whilst on a visit to Cockatoo Island. The opinion of Sir B. C. Brodie having been shown to him, when His Honor recommended your Petitioner to present a petition to the Executive Council, and said "That by the verdict of the jury the case was taken out of his hands, but that the opinion of Sir Benjamin Collins Brodie threw a new feature on the whole case; that the petition would be referred to him, and he would report favourably on it, and on that account it would not be necessary for your Petitioner to prove the disease of the bowels of Mrs. Brown, of the existence of which His Honor had since an opportunity to convince himself by the evidence of other medical men who had professionally attended her.

In obedience to the suggestion of Mr. Justice Therry, your Petitioner applied to Samuel North, the Visiting Magistrate at Cockatoo Island, on the twentieth day of the said month of June, for permission to present a petition to the Executive Council, when your Petitioner was informed that he would not be allowed to present such petition.

That on the seventh day of May, one thousand eight hundred and sixty, your Petitioner presented a petition to His Excellency Sir William Denison, praying for a remission of the remainder of your Petitioner's sentence; but without success.

That on the twenty-fourth day of April, one thousand eight hundred and sixty-one, a petition was presented to the Honorable the Legislative Assembly at Sydney, signed by one thousand five hundred and sixty-four inhabitants of the District of Braidwood, stating that, from circumstances which had transpired since your Petitioner's conviction, they had good reason to believe that your Petitioner was not guilty of the offence for which he was so convicted, and that evidence which was not forthcoming at the trial of your Petitioner, and which could not then have been obtained, would prove that he was not guilty of such offence, and that he was, therefore, wrongfully convicted.

That the Honorable the Legislative Assembly appointed a Select Committee to take this petition into consideration, with power to send for persons and papers, and that such Committee sat on the first, twentieth, twenty-second, twenty-sixth, and twenty-eighth days of November, one thousand eight hundred and sixty-one; third, sixth, tenth, sixteenth, and eighteenth days of December, one thousand eight hundred and sixty-one, taking evidence thereon; and by their report to the Legislative Assembly, dated the sixteenth day of January, one thousand eight hundred and sixty-two, they found it was established incontrovertibly, that many persons, whose evidence most probably would have seriously affected the decision of the trial, were either in Court, or waiting to be examined, whom your Petitioner was not permitted to produce, and that evidence had since been procured which would further tend to exculpate him from the crime for which he was convicted—viz., that of Sir Benjamin Brodie, and the evidence of other witnesses examined by the Select Committee.

That the evidence of Dr. Salter, Dr. Alloway, Dr. Berncastle, Dr. Brown, Dr. Eichler, Mr. W. J. Anderson, Mr. M. Egan, Dr. Cox, and Dr. Boyd, proves incontrovertably,—

- (1.) That abortion could not have resulted from the use of belladonna, as administered; on the contrary, that its effects would be to prevent abortion.
- (2.) That it could not have caused the death of the child, except through the maternal system.
- (3.) That, as it was administered to the mother, none of the effects stated to have immediately followed the introduction of the suppository could result from its use, as a very considerable period must elapse before it could be dissolved and absorbed.
- (4.) That, as a rule, the quantity could not in any way be dangerous.

And Mr. Dent's evidence proved,—

- (5.) That your Petitioner had been constantly in the habit of prescribing this drug for other patients, in larger doses than those used in this case, therefore there was nothing unusual in its application there.

That

That it must not be lost sight of, that whereas your Petitioner was convicted of administering half a drachm of belladonna, not more than five grains, or one-sixth of that quantity, was ever taken in one day, and the directions for its administration were, to persist in its use only according to its effects, which, if injurious, would have very gradually developed themselves.

Without in any way impugning the decision arrived at by the jury who tried the case, who, on the evidence before them, could perhaps have arrived at no other conclusion, the said Committee had no hesitation in reporting, from the evidence laid before them, that the use of belladonna, in the way prescribed, could not have procured abortion, and, on that ground, they absolve Dr. Beer altogether from the charge on which he was found guilty.

The said Select Committee was of opinion that your Petitioner ought to have had an opportunity afforded him of placing his case before the Executive Council, and that the Visiting Magistrate was not warranted in refusing your Petitioner permission to forward a petition to the Executive, as suggested by Mr. Justice Therry, as it was clear that the letter of Sir Benjamin Brodie was precisely within the category prescribed by the regulation quoted by the Visiting Magistrate in justification of his refusal.

That in the year one thousand eight hundred and sixty-two your Petitioner presented a petition for a free pardon to His Excellency the Governor; but His Excellency did not see fit to authorise a compliance with the prayer of his petition.

That on the twenty-fifth day of May, one thousand eight hundred and sixty-four, your Petitioner applied to His Excellency the Governor for a reconsideration of his case; and in reply your Petitioner was informed, that there did not appear to be any grounds for authorising a compliance with his application.

That on the thirteenth of April, one thousand eight hundred and sixty-six, your Petitioner, having served out the whole sentence of ten years, left Braidwood for Sydney, and on the twentieth of the same month left Sydney for Shanghai, by way of India.

That your Petitioner commenced the practice of his profession at Shanghai aforesaid, and for four months was very successful, having been chosen as medical attendant to the Customs there—when your Petitioner's trial and sentence in this Colony was spoken of by rival practitioners, and your Petitioner at once lost position and practice, and was compelled to leave Shanghai.

That on the second of June, one thousand eight hundred and sixty-seven, your Petitioner arrived in Calcutta, and there commenced the practice of his profession with very great success, and was appointed medical attendant to the families of twelve of the Baboos, at a salary of one hundred pounds per annum each, and having gained the esteem of the professors of the University, and some members of the Senate, and had a professorship in pathology promised your Petitioner; but after nine weeks' residence, your Petitioner's trial and conviction being spoken of, your Petitioner was compelled to leave Calcutta.

That your Petitioner returned to Sydney on the thirteenth of September, one thousand eight hundred and sixty-seven, for the purpose of clearing himself from the foul stain which his conviction had cast upon him, and soon after prosecuted Michael George Brown for perjury; and although your Petitioner proved, by the evidence of many witnesses, the perjury on six different assignments, the case was dismissed by the Police Magistrate.

That your Petitioner, by his Solicitor, endeavoured to obtain the direction of the late Attorney General for the prosecution of the said Michael George Brown for perjury, but without success.

That the said Phillis Brown died in Sydney aforesaid in the month of June last, and after death was examined by W. J. Anderson, Esquire, Fellow of the Royal College of Surgeons, and J. C. Gilhooley, Esquire, and on the same day your Petitioner received from Mr. Anderson the following certificate:—

"We hereby certify, that on the 23rd June, 1868, we made a digital examination of the rectum of the body of Phillis Adolphia Brown, in the Lord High Admiral Inn, Botany-street, Surry Hills, and found, about an inch from the external orifice, a narrow annular stricture, and about an inch above this another stricture, also annular, but broad, thick, and evidently of long standing.—W. J. Anderson, F.R.C.S., 12, South Head Road."

On the twenty-seventh of August, one thousand eight hundred and sixty, your Petitioner obtained an affidavit from John Redhead, Surgeon, as follows:—

"I am a duly qualified medical practitioner, and was so on or before the month of September, one thousand eight hundred and fifty-seven.

"In the last-mentioned month and year, I attended Mrs. Phillis Brown professionally; she then resided in Cumberland-street, in the City of Sydney, in the Colony aforesaid. On examining her I found she was suffering from an organic stricture of the rectum, in the form of a ring, about an inch from the sphincter ani. I found that the disease was one of long standing, and that she had been previously treated for its reduction, but without success. She was, when I was called in, in a state of continued irritation. The Phillis Brown above mentioned is the same person who, in the month of April, one thousand eight hundred and fifty-six, appeared as a witness and gave evidence at the Criminal Court, in Sydney, against Dr. F. Beer, on his trial for the administration of belladonna to the said Phillis Brown."

That from the fourth day of March, one thousand eight hundred and fifty-six, to the twenty-sixth of April, one thousand eight hundred and sixty, your Petitioner was imprisoned



imprisoned at Darlinghurst and on Cockatoo Island, and that during such period the whole of the effects of your Petitioner were taken away and disposed of, to the great pecuniary loss of your Petitioner.

That your Petitioner has already expended upwards of one thousand pounds in procuring evidence for the Select Committee of the Legislative Assembly, and in the prosecution of his case, and against Michael George Brown, besides seven hundred pounds expended by your Petitioner's brother, on your Petitioner's behalf, in going to England and obtaining the opinion of Sir B. C. Brodie.

Your Petitioner submits to your Honorable House that the prosecution of your Petitioner was, in fact, a persecution from first to last. That the arrest of your Petitioner before any information was signed, and consequently without warrant, was an illegal act.

That the trial of your Petitioner without a finding, was illegal. That the said trial was but a semblance of justice.

That no members of the prosecuting society should have been permitted to join in judging, prosecuting, condemning, or sentencing of your Petitioner. That the trial of your Petitioner was an unfair and illegal proceeding, and that the sentence, degradation, misery, and hardship, during his ten years' sentence, and subsequent degradation, were not only illegal, but a false imprisonment of, and undeserved punishment to, your Petitioner.

Your Petitioner, therefore, humbly prays your Honorable House to take the premises into your consideration, and by the resolution of your Honorable House, recommend your Petitioner to the favourable consideration of Her Most Gracious Majesty for a special pardon, in order that the honorable position in society held and enjoyed by your Petitioner before his said prosecution and sentence, may be restored to him; and that your Honorable House may grant to your Petitioner such redress as may seem just to your Honorable House.

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

FREDERICK BEER M.D., C.D., O.D.



1868-9.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

MRS. MARY FOGG.  
(PETITION OF.)

---

*Ordered by the Legislative Assembly to be Printed, 9 March, 1869.*

---

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

The humble Petition of Mary Fogg, of Fish River, Reid Flat,—

RESPECTFULLY SHEWETH:—

That at the Court of Quarter Sessions held at Yass in the month of October in the year one thousand eight hundred and sixty-four, your Petitioner's husband, William Fogg, was convicted of stealing one cow, and sentenced to one year's imprisonment which he fully served.

That at the time of his conviction a person named Jamieson was indebted to him in the sum of seventeen hundred pounds, the price of a station and stock of which your Petitioner's husband was the owner for many years.

That proceedings were instituted by the Crown, and your Petitioner's husband's property declared to be forfeited, in consequence of which Jamieson's representatives paid over the debt due by them to the Crown.

That the confiscation of this sum has been ruin to your Petitioner and her large family.

That, as your Petitioner believes, confiscation under such circumstances is not now resorted to in the Colony.

Your Petitioner humbly prays that your Honorable House will direct an inquiry into the circumstances, when your Petitioner will be prepared to prove that the property in the run and stock sold to Jamieson was realized by the hard industry of herself and family, and in no degree the fruit of crime; and upon such being made to appear, your Petitioner begs that your Honorable House will cause such steps to be taken in the premises as to your Honorable House may seem fit.

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

MARY FOGG.

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON THE

CLAIM OF THE REV. D. H. M'GUINN

LATE ROMAN CATHOLIC CLERGYMAN AT CARCOAR;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

MINUTES OF EVIDENCE,

AND

APPENDIX.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

11 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price*, 6*d.*]

251—

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 35. TUESDAY, 9 FEBRUARY, 1869.

9. Rev. Denis M'Guinn, late R.C.C. at Carcoar :—Mr. Roberts moved, pursuant to Notice No. 1,—
- (1.) "That" this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimates for the present year a sum of money equivalent to the amount of salary due to the Rev. D. H. M'Guinn, late Roman Catholic Minister at Carcoar.
- (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor.
- Debate ensued.
- Mr. Mate moved, That the Question be amended by the omission of all the words after the first word "That," with a view to insert the following words, viz. :—
- "the claim of the Rev. D. H. M'Guinn to a stipend be referred to a Select Committee for consideration and report.
- "(2.) That such Committee consist of the following Members, viz. :—Mr. Egan, Mr. W. Suttor, Mr. Robertson, Mr. Roberts, Mr. Bell, Mr. S. Brown, Mr. Burns, Mr. Hart, Mr. J. Campbell, and the Mover."
- Debate continued.
- Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
- Question,—That the words proposed to be inserted be so inserted,—put and passed.
- Whereupon Question,—That the claim of the Rev. D. H. M'Guinn to a stipend be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of the following Members, viz. :—Mr. Egan, Mr. W. Suttor, Mr. Robertson, Mr. Roberts, Mr. Bell, Mr. S. Brown, Mr. Burns, Mr. Hart, Mr. J. Campbell, and the Mover,—put and passed.

VOTES, No. 36. WEDNESDAY, 10 FEBRUARY, 1869.

2. Rev. Denis M'Guinn, late R.C.C. at Carcoar :—Mr. Mate moved (*with the concurrence of the House*) without Notice, That the Select Committee appointed on 9th February, 1869, to consider and report upon the claim of "Rev. Denis M'Guinn, late R.C.C. at Carcoar," have power to send for persons and papers.
- Question put and passed.

VOTES, No. 53. THURSDAY, 11 MARCH, 1869.

3. Rev. Denis M'Guinn, late R.C.C. at Carcoar :—Mr. Mate, 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 matter was referred, on 9th February, 1869, together with Appendix.
- Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Report ... ..	3
Proceedings of the Committee ... ..	4
List of Witnesses... ..	4
List of Appendix... ..	4
Minutes of Evidence ... ..	5
Appendix ... ..	8

1868-9.

---

 CLAIM OF THE REV. D. H. M'GUINN.
 

---



---

 REPORT.
 

---

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 9th February last, "*to consider and report upon the claim of the Rev. D. H. M'Guinn to a stipend,*"—"with power to send for persons and papers,"—have agreed to the following Report:—

Having examined the Rev. Denis M'Guinn and Mr. Halloran, and the papers produced by them, your Committee are of opinion that sufficient evidence has been adduced to shew that the reverend gentleman was an officiating Roman Catholic Clergyman, in receipt of an annual stipend of £150 from the Government, for ten years prior to the passing of the future State Aid Prohibition Act; and that, on the 5th November, 1861—after the Bill had passed your Honorable House—the Rev. D. M'Guinn was transferred from the district where he was officiating, by the authority of his ecclesiastical superiors; and, from that date, his name was removed from the list of Clergymen entitled to State Aid under Schedule C of the Constitution Act. Your Committee also find, that the Rev. D. M'Guinn has continued, and still is, an officiating Roman Catholic Clergyman under lawful authority within the Colony; and, as no evidence has been adduced to justify the discontinuance of his stipend, your Committee believe that an injustice has been done to him, and therefore recommend his case to the favourable consideration of the Government.

THOMAS H. MATE,  
Chairman.

No. 3 Committee Room,  
Sydney, 10 March, 1869.

---



## PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 12 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Mate,		Mr. Burns,
Mr. Bell,		Mr. Hart.

Mr. Mate called to the Chair.

Committee deliberated as to their course of proceedings, and decided to examine Henry Halloran, Esq., Principal Under Secretary, the Very Rev. S. J. A. Sheehy, Vicar General, and the Rev. D. M'Guinn, at next meeting.

[Adjourned to Wednesday next, at 10-30 o'clock.]

WEDNESDAY, 17 FEBRUARY, 1869.

MEMBERS PRESENT :—

Mr. Mate in the Chair.

Mr. Burns,		Mr. Roberts,
Mr. J. Campbell,		Mr. Bell.

Rev. Denis M'Guinn called in and examined.

Witness withdrew.

Henry Halloran, Esq. (*Principal Under Secretary*), called in and examined.

Witness handed in copy of Return to Order, "Correspondence relative to the stipend of the Rev. Denis M'Guinn," ordered to be printed 4 October, 1866.

Witness withdrew.

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

[Adjourned.]

FRIDAY, 5 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Mate in the Chair.

Mr. Burns,		Mr. Roberts,
Mr. W. Suttor,		Mr. J. Campbell,
		Mr. Hart.

Committee deliberated.

Clerk directed to summon the Very Rev. S. J. A. Sheehy, Vicar General, and the Rev. Denis M'Guinn, for examination next meeting.

[Adjourned to Wednesday next, at 11 o'clock.]

WEDNESDAY, 10 MARCH, 1869.

MEMBERS PRESENT :—

Mr. Mate in the Chair.

Mr. Burns,		Mr. W. Suttor,
Mr. Hart,		Mr. Roberts,
Mr. J. Campbell,		Mr. Bell.

Clerk brought under the notice of the Chairman, letter from Mr. T. Makinson, stating that the Very Rev. S. J. A. Sheehy could not attend and be examined,—which he read to the Committee.

Rev. Denis M'Guinn called in and again examined.

Witness withdrew.

Committee deliberated.

*Ordered*,—That the Return of Stipends and Allowances from Schedule C to Roman Catholic Ministers of Religion, ordered by the Legislative Assembly to be printed, 30 July, 1862, be appended. (*Vide Appendix*.)

Chairman submitted and read Draft Report.

Several verbal amendments made in same.

Motion made (*Mr. Burns*), and *Question*,—"That the Draft Report, as amended, be the Report of this Committee,"—*agreed to*.

Chairman to report to the House.

## LIST OF WITNESSES.

	PAGE.
Halloran, Henry, Esq. ....	6
M'Guinn, Rev. D. H. ....	5, 7

## APPENDIX.

	PAGE.
Return of Stipends and Allowances from Schedule C, to Roman Catholic Ministers of Religion .....	8

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

CLAIM OF THE REV. D. H. M'GUINN.

WEDNESDAY, 17 FEBRUARY, 1869.

Present:—

MR. BURNS,  
MR. ROBERTS,

MR. J. CAMPBELL,  
MR. BELL.

THOMAS HODGES MATE, ESQ., IN THE CHAIR.

The Rev. Denis M'Guinn called in and examined:—

1. *Chairman.*] You are a Roman Catholic clergyman? Yes.
2. Are you the gentleman whose case was brought before Parliament by Mr. Roberts? Yes. The Rev.  
D. M'Guinn.
3. You presented a petition, I believe? No. 17 Feb., 1869.
4. *Mr. Burns.*] Did you not present a petition to the House last Session? No.
5. No petition containing a statement of your case was presented? No, not to the House.
6. *Chairman.*] Do you allege that an injustice has been done to you in consequence of some action of the Government? I do consider so.
7. Will you be good enough to state to the Committee in what way you consider injustice has been done to you? The State Aid Abolition Act secured, or was intended to secure, their salaries to all clergymen who were, at the time of its passing, in receipt of a salary. I was in the receipt of a salary at the time the Bill was introduced, and for four or five months after it passed the Assembly, and after it passed the Upper House.
8. At the time the Bill was passed, where were you stationed? At Wellington.
9. And you received a stipend after the passing of it? No, just at the same time. I received salary for the month of October, and the Bill was passed on the 31st October. I received the last payment of salary on the 25th November, and the Bill passed the Upper House on the 31st October.
10. *Mr. Burns.*] In what year? 1862.
11. *Chairman.*] Did you apply as usual for your salary after the passing of the Act? No, I did not think it necessary. I had left my signature at the Treasury, as was usual, when I began first to receive salary, and the money used to be deposited every month to my credit in the bank which I named.
12. Did you continue in the same place, parish, or district, officiating under lawful authority, after the passing of the Act? No, I was removed.
13. By whose directions were you removed from Wellington? The Archbishop's.
14. Is it within the province of the Archbishop, or the head of your Church, to remove clergymen wherever he thinks proper? Yes.
15. He has the power of appointing and removing ministers? He has.
16. Who succeeded you at Wellington? The Reverend Mr. Woolfrey. He had a salary of his own at the time he replaced me.

The Rev.  
D. M'Guinn.

17 Feb., 1869.

17. Are you aware whether your stipend fell in at that time, or was continued to any one else? I do not know what became of it. I know the clergyman who succeeded me had a salary from the State, at the time, and had had it for years before.
18. For how many years were you in receipt of a stipend from the Government? Since the year 1851 or 1852.
19. *Mr. Burns.*] Were you living at Wellington in all 1862? No, I was removed in November or December, and the Act passed the Upper House on 31st October.
20. Up to that time you were living at Wellington? I was, and for some weeks after.
21. Do you know whether the heads of the various denominations receiving State aid sent in to the Government, or to the House, a schedule containing the names of the clergymen that were receiving State aid at the time the Bill was under consideration? I do not know. Mr. Cowper told me, when he introduced the Bill into Parliament, that he wrote to the heads of the different Churches, requesting them to send in the names of those clergymen who were in receipt of salaries.
22. Do you know whether your name was contained amongst them? It must have been.
23. When was it first notified to you that your stipend was discontinued? I did not know it till I sent my pass-book to the bank, two or three months after.
24. No reason was given? No.
25. Where had Father Woolfrey been stationed before he succeeded you? At Brisbane Water.
26. And he was in receipt of a stipend also? Yes. If I might make the remark, it was said in Parliament, by some of the Members, that I was removed in order to place a younger man in my place; but the fact is, that Father Woolfrey is a much older man than I am.
27. Then that remark was not true? No.
28. *Mr. Roberts.*] Do you, of your own knowledge, know that Father Woolfrey was in receipt of a stipend previous to his succeeding you? Yes, I am sure of it; but that can be seen at the Treasury.
29. Are you aware of any other clergyman belonging to your Church being placed in a similar position to yourself? No, I do not think there is one; in fact, I am sure there is not.
30. You say you had received a stipend from the Government for ten years previous to the passing of this Act? Yes, since I came to the Colony, at the end of 1851, or beginning of 1852.
31. *Mr. Campbell.*] It was at Carcoar I think you were stationed? No, at Wellington.
32. Were you stationed at Wellington when you received this stipend? Yes.
33. And you were not removed for some time after the passing of the State Aid Abolition Act? Not for some weeks afterwards.
34. Are you aware whether those gentlemen who were then receiving stipends receive them now in the same way as heretofore—the stipends being paid to the individuals themselves, or handed over to the heads of the Church? The money was paid to the individuals themselves—it always was.
35. That you believe to be still the practice? Yes.
36. So that, in that case, the money is not received by the heads of the Church, and distributed as they like? No.
37. *Mr. Burns.*] When your salary was discontinued, did you communicate with the head of your denomination about it? Yes, verbally.
38. Was he able to give you any explanation as to the way it was done? No, I did not ask him for any.
39. Do you know whether any communication was made to the Government on the subject? I am not aware.
40. *Chairman.*] Did you take any action in the matter yourself? Yes, I spoke to Mr. Cowper about it, and he seemed to think there was an injustice done to me, and said he would see into it and remedy it.
41. *Mr. Burns.*] I suppose the steps you have taken to obtain redress have been taken in conjunction with the heads of your denomination? No, I did not consult them about it—I did not think it necessary.
42. *Chairman.*] Did you not request some Member to bring the case before Parliament? I spoke to several Members about it.
43. You did not petition at all? No; I explained the matter to Mr. Cowper, and to Mr. Martin also.
44. *Mr. Burns.*] Did you not submit your case to Mr. Martin last session? Yes.
45. Did Mr. Martin have the case investigated? He told me he did not think it necessary, because he thought I had a just claim; and he promised that he would not lose sight of it, but would put it on the Supplementary Estimates. Mr. Butler, the barrister, also spoke to him about it, and he made the same statement to him.
46. *Chairman.*] Since your removal from Wellington, have you continued to officiate at other places, under the authority of the Archbishop? Yes; Forbes and Carcoar, and at Berrima for the last eighteen months.

Henry Halloran, Esq., Under Secretary, called in and examined:—

H. Halloran,  
Esq.

17 Feb., 1869.

47. *Chairman.*] Are there any papers, in the Colonial Secretary's Office, relating to the application of the Rev. D. M'Guinn for the restoration of his stipend as a State-paid clergyman? I have the originals in my hand (*produced*), and I will hand in a printed copy of the papers, as they were laid before Parliament in 1866, and ordered to be printed. These are the whole of the letters. (*The witness handed in the same.*)

48. Are you aware whether the several heads of the Churches have the power of appointing and removing clergymen in the various districts, without the sanction of the Government? That question I cannot answer positively unless I refer. I should think they have that power, otherwise the discipline of the Church could hardly be maintained. H. Halloran,  
Esq.  
17 Feb., 1869.
49. Can you inform the Committee whether the salaries clergymen were in receipt of, at the passing of the State Aid Abolition Act, were allotted to the districts, or to the clergymen individually? As regards the Church of England, I am quite certain it was to the individual—not to the district.

WEDNESDAY, 10 MARCH, 1869.

Present:—

MR. BURNS,	MR. HART,
MR. CAMPBELL,	MR. ROBERTS,
MR. W. SUTTOR.	

THOMAS HODGES MATE, Esq., IN THE CHAIR.

The Rev. Denis M'Guinn further examined:—

50. *Mr. Burns.*] At the time the Bill to prohibit future grants in aid of public worship was under the consideration of the Assembly, you were at Wellington? I was at Wellington. The Rev.  
D. M'Guinn.  
10 Mar., 1869.
51. And from there you were transferred to Forbes? To Forbes.
52. You were transferred under the authority of the Archbishop? Of course, by his direction.
53. Have you all along since then continued to officiate as a clergyman of your Church under his authority as the head? Ever since. I have never left the Colony, and I have been officiating ever since.
54. Do you not, besides your other offices, hold the office of Gaol Chaplain, as a clergyman of your Church? Yes.
55. How came you to hold the office of Gaol Chaplain—Was it through the nomination of the head of your Church? Yes.
56. So that, all along you have been officiating under the authority of the Archbishop? Yes, from the time I came to the Colony up to the present time.
57. How long a period elapsed from the discontinuance of your stipend until you applied to have it restored to you? I had several interviews with Mr. Cowper, and he promised to rectify the mistake; but before he could do so, he left office.
58. Had you conversations with Mr. Cowper before you wrote to him complaining of the stoppage of your stipend? I spoke personally to him.
59. You first wrote to him in November, 1865? I forget the date.
60. Did you communicate with the Vicar General, or with the Archbishop, about your stipend? No, I knew it would be no good to apply to them.
61. Can you account for the long time that elapsed between the discontinuance of your stipend and the first time you wrote to the Government complaining of its discontinuance? I did not think there was any remedy for it.
62. Were you aware that your name was in the list of clergymen laid upon the Table of the House when the Bill for the abolition of State-aid was under consideration? Of course; otherwise I should not have been in receipt of a salary.
63. You are aware that, when that Bill was under consideration, Mr. Cowper, who introduced it, laid upon the Table of the House a list of clergymen entitled to receive a stipend? Yes.
64. You were never aware of your omission from any schedule entitling you to receive State-aid until your stipend was stopped? No, I got no intimation at all.
65. No intimation either from the head of your Church or from the Government? No; in fact, I did not know that payment was stopped until three months after, when I sent my pass book to the bank to be made up.
66. The first time you became apprised of the fact was, when you received your pass book, and found that you were not credited with the payments from the Government? Yes.
67. *Chairman.*] The money was always paid to your credit by the Government? By the Government, ever since I began to receive a salary.
68. *Mr. Sutor.*] Had you any intimation from the head of your Church, before the Act passed, that your salary would be transferred to any other? I had no intimation.
69. *Chairman.*] Did your interviews with Mr. Cowper, respecting your case, take place before this official letter to him of November, 1865? Yes. I had a personal interview with him, and saw him at this office.
70. How long after you saw from your bank book that your stipend was stopped, was it before you spoke to Mr. Cowper? I think it was twelve months.
71. Do you recollect in what month it was you first discovered your stipend was stopped? I think it was in February, as well as I recollect, I sent my pass book to the bank, and found there was no money received from the Treasury.
72. Up to that time you believed you were still receiving your stipend? Yes.

## CLAIM OF THE REV. D. H. M'GUINN.

## APPENDIX.

RETURN of Stipends and Allowances from Schedule C, to Roman Catholic Ministers of Religion.

(Extracted from Return laid on Table of the House, 30 July, 1862.)

Station.	Name.	Annual Salary and Allowance; Schedule C.	Bishophorpe Estate.	Church and School Estates.
		£ s. d.	£ s. d.	£ s. d.
ROMAN CATHOLIC CHURCH.				
Archbishop .....	John Bede Polding .....	800 0 0	.....	.....
Vicar General .....	Very Rev. J. A. Sheehy .....	300 0 0	.....	.....
St. Mary's, Sydney .....	Rev. Joseph C. Sumner .....	200 0 0	.....	.....
St. Patrick's, Sydney .....	" John M'Encroe .....	200 0 0	.....	.....
St. Benedict's, Sydney .....	" Michael Corish .....	200 0 0	.....	.....
Surry Hills .....	" John Sheridan .....	200 0 0	.....	.....
Penrith .....	" Michael Brennan .....	200 0 0	.....	.....
Kelso .....	" Peter O'Farrell .....	200 0 0	.....	.....
Carcoar .....	" Bernard Murphy .....	200 0 0	.....	.....
Appin .....	" Patrick Macgennis .....	200 0 0	.....	.....
East Maitland .....	" D. V. M. O'Connell .....	200 0 0	.....	.....
West Maitland .....	" John J. Lynch .....	200 0 0	.....	.....
Singleton .....	" Patrick Dun .....	200 0 0	.....	.....
Windsor .....	" Patrick Hallinan .....	200 0 0	.....	.....
Bathurst .....	" John Grant .....	200 0 0	.....	.....
Liverpool .....	" Peter Young .....	200 0 0	.....	.....
Campbelltown .....	" J. P. Roche .....	200 0 0	.....	.....
Goulburn .....	" Michael M'Alroy .....	200 0 0	.....	.....
Queanbeyan .....	" Austin Forde .....	200 0 0	.....	.....
Yass .....	" James Hanly .....	200 0 0	.....	.....
Wollongong .....	" Wm. K. Johnson .....	200 0 0	.....	.....
Parramatta .....	" Patrick Kenyon .....	200 0 0	.....	.....
Ryde .....	" C. M. Joly .....	150 0 0	.....	.....
Hartley .....	" James Phelan .....	150 0 0	.....	.....
Kiama .....	" Michael Flannaghan .....	150 0 0	.....	.....
Brisbane Water .....	" Henry Woolfrey .....	150 0 0	.....	.....
Newcastle .....	" C. V. Dowling .....	150 0 0	.....	.....
Armidale .....	" Timothy M'Carthy .....	150 0 0	.....	.....
St. Leonards .....	" Peter Powell .....	150 0 0	.....	.....
Albury .....	" Cornelius Twomey .....	150 0 0	.....	.....
Petersham .....	" James M'Girr .....	150 0 0	.....	.....
Raymond Terrace .....	" Eugene Luckie .....	150 0 0	.....	.....
Balmain .....	" J. J. Therry .....	150 0 0	.....	.....
Mudgee .....	" Calaghan M'Carthy .....	150 0 0	.....	.....
Berrima .....	" William Lanigan .....	150 0 0	.....	.....
M'Donald River .....	" John Maher .....	150 0 0	.....	.....
Millendary .....	" Patrick Birch .....	150 0 0	.....	.....
Braidwood .....	" Edward O'Brien .....	150 0 0	.....	.....
Camden .....	" John Rigney .....	150 0 0	.....	.....
Bungonia .....	" Patrick White .....	150 0 0	.....	.....
Wellington .....	" Denis M'Guinn .....	150 0 0	.....	.....
Cooma .....	" Patrick Newman .....	150 0 0	.....	.....
Total, Roman Catholic Church.....		8,100 0 0	.....	.....
Distributed yearly to various Clergymen, under the authority of the Executive Council, as travelling allowances .....		200 0 0	.....	.....
Unappropriated balance .....		640 7 2	.....	.....
		8,940 7 2	.....	.....

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## WATER RESERVE, TOWNSHIP OF RYDAL.

(PETITION—CERTAIN FREEHOLDERS AND RESIDENTS OF RYDAL, RESPECTING.)

---

*Ordered by the Legislative Assembly to be Printed, 5 March, 1869.*

---

To the Honorable the Legislative Assembly, in Parliament assembled.

The humble Petition of the undersigned freeholders, householders, and residents of the township of Rydal,—

RESPECTFULLY SHEWETH:—

That Petitioners, having purchased from the Government allotments of land in the township of Rydal at high prices, and made improvements thereon, on the understanding and faith of a permanent water reserve being laid out and held for them and for their use on Solitary Creek—said Creek running through the township, said water reserve being then marked on the plan from which the allotments were sold.

That Petitioners enjoyed this privilege up to a late period, when the Government took up the reserve for railway purposes.

That Petitioners expected when the wants of the railway would be supplied that the remainder should revert to Petitioners for their use as a water reserve.

That Petitioners complain that the Honorable the Secretary for Works has let the most important portion of said water reserve to private parties, to wit, to Messrs. M. Asher & Co., for the purpose of carrying on the business of wine, spirit, and general storekeepers; that said private parties have erected stores, dwelling, and offices on the banks of the creek, thereby debarring and hindering the free access thereto and materially affecting the interests of said Petitioners.

Your Petitioners would therefore humbly pray, that your Honorable House will take into your favourable consideration the great grievances under which they labour, and grant them such relief and redress as you may deem meet.

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

Rydal, 23rd February, 1869.

[Here follow 45 Signatures.]

---





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

MR. RICHARD HENRY WRIGHT.

(PETITION OF.)

---

*Ordered by the Legislative Assembly to be Printed, 4 February, 1869.*

---

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

The humble Petition of Richard Henry Wright, late Line Inspector in the Telegraph Department of Tenterfield,—

HUMBLY SHEWETH:—

That your Petitioner was under suspension from his public duties, from the 9th January to the 29th March, 1866, owing to the charges made against him, by the new Telegraph Station Master of Tenterfield, of "insubordination and neglect of duty."

That your Petitioner applied to the Honorable the Secretary for Public Works for an investigation into the charges preferred against him; but it appears, by a reply to his application, from the Under Secretary of this Department, that this indulgence will not be granted; and your Petitioner has been injured in his good name by the accusations made against him, and absolutely dismissed the Public Service, without defence heard; and your Petitioner has thereby suffered great wrong and injury.

Your Petitioner, therefore, humbly prays your Honorable House to cause full inquiry to be made into the circumstances of his alleged misconduct, and dismissal, and cause such steps to be taken in the matter as to your Honorable House may seem meet. And your Petitioner, as in duty bound, will ever pray.

R. H. WRIGHT.

1/2/69.

---



1868.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

REPORT OF THE COMMISSION

APPOINTED TO INQUIRE INTO THE METHOD OF

TESTING MARINE STEAM-BOILERS IN USE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
14 *October*, 1868.

---



SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1868.

\* 3—a

[*Price*, 2s. 6d.]



### Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland,  
Queen, Defender of the Faith, and so forth,—

To our trusty and well-beloved—

JAMES CARLISLE, Esquire, R.N. ;  
EDWARD ORPEN MORIARTY, Esquire ;  
MORRIS BIRKBECK PELL, Esquire, B.A. ;  
JOHN RUSSELL, Esquire ; and  
JAMES HENRY THOMAS, Esquire ;

Greeting :

WHEREAS complaint has been made to us that the practice, which now prevails in this our Colony of New South Wales, of testing marine steam-boilers in use, by an hydraulic pressure, double that of the extreme working pressure required when under steam, is most destructive to the boilers which may be subjected to it, and, in its after-consequences, exposes, to most serious risks, human life and property : Know ye, that we, reposing great trust and confidence in your zeal, industry, discretion, and integrity, do, by these presents, authorize and appoint you, or any three or more of you, as hereinafter mentioned, to make a diligent and full inquiry into the validity of the objections raised against this practice, and to report thereon as to the advisability of any alteration being made in the method, which now obtains, of testing marine boilers : We do, by these presents, give and grant to you, or any three or more of you, at any meeting or meetings to which all of you shall have been duly summoned, full power and authority to call before you all such persons as you shall judge necessary, by whom you may better be informed of the truth in the premises : And our further will and pleasure is that you, or any three or more of you, after due examination of the premises, do, and shall, within the space of one month after the date of this our Commission, or sooner if the same can be reasonably certified to us, in the Office of our Colonial Treasurer, under your or any three of your hands and seals, certify what you shall find touching the premises : And we hereby command all Government Officers, and other persons whomsoever, within the said Colony, that they be assistant to you, and each of you, in the execution of these presents : And we appoint you, Morris Birkbeck Pell, to be President of this Commission, and do give you power, at your discretion, to procure such clerical or other assistance as may be absolutely necessary for enabling you duly to execute this Commission.

In testimony whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Colony to be hereunto affixed.

Witness our right trusty, and well-beloved Cousin and Councillor,  
SOMERSET RICHARD, EARL OF BELMORE, Governor and Commander-in-Chief of our Colony of New South Wales, and  
(L.S.) Vice-Admiral of the same, at Government House, Sydney, this ninth day of June, in the year of our Lord one thousand eight hundred and sixty-eight, and in the thirty-first year of our reign.

BELMORE.

By His Excellency's Command,

GEOFFREY EAGAR.



The Honorable Geoffrey Eagar, Esq., M.P.,  
Minister for Finance & Trade,  
&c., &c.

Sydney, 18 May, 1868.

Sir,

We beg most respectfully to bring under your notice a practice which now prevails of testing Marine Steam-boilers by an hydraulic pressure, double that of the extreme pressure to which they are to be subjected, under steam, when working.

This practice, for which there appears to be no authority under the Board of Trade Regulations, is, we would respectfully represent, most destructive to the boilers which are subjected to it, and in its after-consequences, exposes to most serious risks, human life, and property.

Under these circumstances, we beg leave to submit, that if the Government entertain any doubt that this system should at once be discontinued, the question might be submitted to the determination of a Commission of properly qualified men.

We have, &c.,

JOHN BREWSTER,  
Chairman, A.S.N. Co.

M. METCALFE,  
Director, I.S.N. Co.

C. WISEMAN,  
Manager, C. & N.E.S.N. Co.

BENJAMIN LEE, JUNR.,  
Chairman, H.R.N.S.N. Co.

FRANCIS MITCHELL,  
Chairman, C. & R.R. Steam Navigation Co.

WM. THAW,  
Suptg. Engr., P. & O.S.N. Co.

J. SHOOBERT,  
Secty. and Agent, Bulli Coal Mg. Co.

---





1868.

## TESTING MARINE STEAM-BOILERS IN USE.

# REPORT.

To His Excellency SOMERSET RICHARD, Earl of Belmore, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,

We, the Commissioners appointed to inquire into and report upon the validity of the objections raised against the practice, which now prevails in this Colony, of testing Marine Steam-boilers in use, by an hydraulic pressure double that of the extreme working pressure required when under steam, have the honor to report as follows :—

A Memorial having been submitted to us, signed by a number of gentlemen connected with several Steam Companies in this port, and addressed to the Honorable the Treasurer, complaining that Marine Boilers in use have been liable to much injury from the method of testing adopted by the Government Engineer-surveyor, we caused a letter to be written to Mr. John Brewster, whose name stands first among the signatures to the Memorial, informing him, and the gentlemen associated with him, that we were prepared to receive any evidence which they might have to offer in support of their allegations. In answer to this letter, we were informed by the Secretary to the Australasian Steam Navigation Company, that the gentlemen signing the Memorial referred to desired us to take the evidence of Mr. John Struth, Mr. Edward Evans, Mr. Francis Napier, Mr. Thomas Jaffrey, Mr. John Fyfe, and Mr. Wilson, Government Engineer-surveyor at Melbourne. We have examined all these gentlemen excepting Mr. Wilson, whom we did not consider it necessary to summon from so great a distance, as his practice in testing boilers might be otherwise ascertained, and nothing further could be learned from his evidence but his individual opinion on the subject in question. In order to learn what Mr. Wilson's practice is, and at the instance of the same gentlemen, we took the evidence of Mr. Thomas Cromack, Chief Engineer of the steam-ship "City of Melbourne," in which vessel he frequently visits the port of Melbourne. We also examined Mr. Thaw, Superintending Engineer to the Peninsular and Oriental Steam Navigation Company, whose name is attached to the Memorial referred to.

We do not consider that it is proved by the evidence of these witnesses, nor by that of the many others whom we have called, that there is any case in which it can be asserted confidently that a boiler has been injured through the application of the hydraulic test by the Engineer-surveyor in this port. The method has been in use for some time, and only five or six cases, at most, are adduced, in which there appear to have been grounds for suspecting that injurious results followed from its use. Twice, it is said, slight accidents happened to the boilers of the "Wonga Wonga," shortly after testing. Something of the same kind occurred to the "Balclutha," and the steam-chest of the "Collaroy" gave way on the first trip after the testing of her boilers. It is stated, also, that the boilers of one or two of the Parramatta River steamers, immediately after testing,

testing, have shown leaks under steam, which did not exist, or were not observed, at the time when the hydraulic pressure was applied. It is alleged, also, that the recent accident to the steam-ship "Clarence" was caused by the severe test to which her boilers had been subjected three months previously. This is the only case in which we have been able to obtain sufficiently detailed information to enable us to form an opinion of the justice of the complaint made; and upon this case, therefore, we consider it desirable to report somewhat minutely.

The boiler of the steamship "Clarence," to which the accident happened, is an ordinary marine tubular boiler. At the back of the bridge behind the furnace, is an open space commonly called the "hollow-back." The flat surface of the boiler, beneath this space, was secured by means of stays, at intervals of about 12 inches each way. The stays were of an inch and a quarter section, and screwed through the plate, and cold riveted over. The accident occurred through the plate drawing away from four of the stays, thus allowing the water from the boiler to escape into the furnace. It is urged by the witnesses who attribute the accident to the strain exerted upon the boiler three months before, that under that pressure the plates at this part of the boiler must have bulged out between the stays, causing the stay-holes to open a little on the inside, thus weakening the hold of the stays upon the plates, and at the same time admitting the water slightly into the thread of the screw; that, in consequence of this leakage, corrosion of the threads took place; and that, in the course of the intervening three months, the hold of the stays became so much weakened, that they gave way altogether under steam pressure. It is the opinion, also, of the same witnesses, that this distortion of the plates, and consequent injury to the stays, may have taken place under the hydraulic pressure, without its being observed at the time. On the other hand, there is evidence that this part of the boiler was stripped at the time of the application of the test, and was examined whilst under pressure; and some of the witnesses maintain, that if anything of the kind had taken place, it must have been noticed. It is the opinion, also, of a number of skilled and experienced engineers, in no way concerned or interested in the matter, that if the Engineer-surveyor did his duty, and was properly assisted by the engineers belonging to the vessel, in watching for any indications of weakness in any part of the boiler, whilst under pressure, any such distortion of the plates as would injure the hold of the stays must have been observed. And upon this point we must remark, that nearly all the witnesses who have ever been present at the testing of a boiler by the Engineer-surveyor, including those who object most strongly to his method of testing, agree that he is most careful and attentive in its application.

After the occurrence of the accident, the other boiler of the "Clarence," which is of precisely the same construction as the one injured, as above described, was subjected to the same hydraulic pressure; but the evidence, as to whether the plate in the corresponding part of that boiler did or did not bulge out in any sensible degree on that occasion, is so conflicting that we do not feel justified in drawing any conclusions from it.

It is the opinion of the Engineer-surveyor, and of some other witnesses, that during the interval of three months between the testing of the boiler and the occurrence of the accident, the part of the boiler which gave way may have been injured by heating, in consequence of the practice, which prevailed on board the "Clarence," of blowing the water out of the boilers immediately after entering port, and before the ashes and other refuse, which may have accumulated behind the bridge, had time to cool. We agree, however, with several other witnesses, who consider it extremely improbable that heating to any dangerous degree could have occurred in this way.

The hold of the stays of the boiler in question may have been injured by the hydraulic pressure, in the manner supposed; but we consider that the accident could be fully and clearly accounted for, even if no such test had ever been applied. Whether any such injury was produced or not, it is quite certain that it could not have resulted from the double pressure, if this part of the boiler had been properly stayed. If the plates bulged so much under that pressure as to injure the hold of the stays, it was a sure indication that the stays were not near enough together; and it is the opinion of the

the great majority of the witnesses, and we consider it as beyond doubt, that if the stays, such as they were, had been fixed by means of nuts on the outside, instead of being, as they were, merely screwed through and riveted over, according to a common but most objectionable practice, the accident could not have happened. On this important point, we beg to refer to the evidence of the following gentlemen:—Mr. Bailey, 384—390; Mr. Napier, 431—441, 451—457, 468, 469, 479; Mr. Fyfe, 656—659; Mr. Struth, 726—729, 754—758, 762—765; Mr. Rorison, 999—1003; Mr. Tracey, 1112—1115; Mr. Snell, 1298, 1322—1331; and Mr. Lang, 1607, 1614, 1615.

We have carefully examined the heads of the four stays which gave way in the accident under consideration. None of them appear to have had a good hold of the plate. The worst, and the one which probably gave way first, was holding by three threads at the most, and those fitting badly. There is no appearance of their ever having been riveted over. The bats, if ever there were any, are gone. It is proved by the evidence of Mr. Tracey, Foreman Boiler-maker at the Australasian Steam Navigation Company's Works, that there was no appearance, after the accident, of the bats having been broken off on that occasion. There is no appearance of their ever having been broken off. They were probably worn away by gradual corrosion. We are of opinion that the faulty condition of these stays is of long standing, and affords a striking illustration of the extent to which the hold of stays, fitted in this way, may either be originally defective, or become weakened by corrosion, without the defect being detected upon examination, or exhibited under hydraulic pressure. On this point we beg to refer to the evidence of Mr. Snell, Chief Engineer of H.M.S. "Blanche," who inspected the heads of the stays in our presence.

Having thus considered the only case which we have been able to investigate fully, and it appearing to us that the complaints so far fail in establishing the validity of their objections, we will now proceed to consider the *a priori* arguments advanced against the existing practice.

The Engineer-surveyor, very frequently, before granting the usual certificate to a steamer, tests the boilers by a pressure under water, equal to twice the pressure allowed under steam. It is maintained by some of the witnesses that although a boiler may be perfectly capable of withstanding the authorized pressure under steam, it is liable to injury by being subjected to double that pressure under water—that such injury may not be noticed at the time of testing, but may lead to subsequent accident. It is particularly insisted upon, that the frequent repetition of this testing pressure is most injurious. On these points we have taken the evidence of a number of Engineers of undoubted professional ability, and of long experience in this Colony, as well as in other countries. Their evidence, on the whole, seems to show, that a boiler fully equal to the pressure allowed under steam would not probably be injured by double that pressure under water; and that if every part of the boiler could be carefully examined during the operation or testing, and any symptoms of weakness noted, and the proper remedy applied, no injurious results would follow. But there are some parts of a boiler, fixed in a vessel, which are usually beyond observation; and moreover, a full examination can scarcely be made by the Engineer-surveyor alone, unless assisted by the hearty co-operation of the engineers of the vessel, which cannot be always depended upon.

Though several Engineers, whose long experience and known abilities entitle their opinions to great weight, consider that the present system is perfectly sound, and that if a boiler is not safe from injury under double pressure, its working pressure should be reduced, yet the bulk of the evidence shows, and we are of opinion, that all the legitimate objects of the water test could be attained, and the safety of the public amply secured, if the test pressure were in general confined to fifty per cent. above the working load. The object of the test is not to ascertain whether the boiler will burst, which a competent person could probably determine by examination alone, but to detect with more certainty the existence of weak points and leaks. These objects, we think, could be attained without any appreciable risk of injury to the boiler, by limiting the test pressure as above suggested. At the same time, a new boiler, or one which has been removed from the vessel and thoroughly repaired, and is in a position where every part may be carefully observed, should, in all cases, be subjected to double pressure, to test the efficiency of the new work.

It is the opinion of many of the witnesses, and perhaps they are right, that a perfectly competent and careful person can ascertain, by examination alone, any defects which may exist in a boiler, and that, under the inspection of such a person, the safety of the public could be amply secured, without any test at all. This may be so; but, nevertheless, we do not feel inclined to recommend that reliance should be placed entirely upon the skill and vigilance of any person, however competent and trustworthy, but would rather that he should be assisted by the unfailing indications of the water test, carefully and moderately applied. We insist, however, that the hydraulic test should not be considered as in any degree a substitute for examination. Without a careful examination of the boiler before, during, and after pressure, the test may be regarded as worse than useless. A Surveyor who puts on the pressure, and is satisfied if the boiler does not burst, is worse perhaps than no Surveyor at all.

We find that the Engineer-surveyors to the Board of Trade have the power of subjecting marine boilers in use to a test pressure equal to twice the working load; but it must be a power seldom, if ever, exercised; for, although we have examined several Engineers of large experience at Home, we have not heard of a single instance in which such a test, or any test pressure, has been applied to a boiler in use. We concur, however, in the opinion of a number of the witnesses, that, in this respect, the practice here is preferable to that in England.

The Engineers on some lines of railway in England object altogether to the hydraulic test; on other lines, the boilers are tested, about once a year, to 50 per cent. above the working pressure; and the same practice prevails in Belgium, and in this Colony. Somewhat the same system should, in our opinion, be adopted with respect to marine boilers.

We think it probable, although no specific case has been proved, that boilers may have been injured by the double pressure applied to them in testing. The Engineer-surveyor is of opinion, and he is undoubtedly right, that it would be extremely dangerous (62) to test a boiler up to a pressure equal to two-thirds of its ultimate strength; but there seems no doubt that he must have done so unwittingly in some cases. He certainly entertains an exaggerated idea of the strength of the boilers under his inspection. He is of opinion that a considerable number of them would bear six times their working pressure without bursting (39—43), and that all of them would bear four times, excepting a few which are on their last legs. Now, according to the evidence of Mr. Evans—formerly Engineer-surveyor, of Mr. Napier—an Engineer of great experience, who has occasionally acted in the same capacity, and of the Superintending Engineers of several Steam Companies, who may be presumed to be minutely acquainted with the capabilities of the boilers under their care, and to be unlikely to exaggerate their defects, none of these boilers would bear six times the working load, very few of them four times, and the majority would probably burst under a pressure of steam equal to three times the load on the safety-valve. The testimony is so uniform as to leave no doubt whatever that the Engineer-surveyor is wrong in his judgment on this point, and that he must, in many cases, have tested boilers to an extent which, in his own opinion, is extremely dangerous. We must repeat, however, that if the boilers in use were stayed as they ought to be, no such extreme danger would arise from the application of the double pressure.

During late years, the working pressure applied to marine boilers has been gradually increased; but, as appears in the evidence, there has not been a corresponding increase in the strength of the boilers. The number of stays has been increased, but not sufficiently; and the practice has been somewhat recently introduced of fixing these stays by screwing through the plate and cold riveting over—a practice which we most entirely and emphatically condemn. It is quite true that where the workmanship is good, and the material sound and undecayed, a stay so fixed is capable of withstanding a pressure much greater than it is ever likely to experience; but there is always a liability to slight leakage, and consequent corrosion of the thread, a process which may go on unobserved, and at an increased pace as the plate becomes thinner by wear and tear, and thus lead eventually to serious accident, as happened in the case of the "Clarence." The witnesses are generally of opinion that the stays should be fixed with

nuts

nuts on the outside; and, upon a matter of such plain common sense, it is surprising that any difference of opinion should exist. The thread in the nut is not liable to corrosion, nor to injury by bulging of the plates, and could still hold, although the thread within the plate might be entirely destroyed in consequence of leakage. Some Engineers object to nuts in the fire-place; and, if such objections be valid, which is doubtful, the stays in such positions may be otherwise securely fixed (190, 440). We have dwelt thus minutely on this point, which may appear to be a matter of detail interesting only to engineers, partly because some of the witnesses exhibit, what appears to us to be, an unreasonable prejudice against the use of nuts in fixing stays, and partly from the importance which this apparently trifling matter assumes, from the consideration that there are a number of marine boilers with their stays fixed in the same manner as those of the "Clarence," and that no one can say that many of them may not be in the same defective condition as those which gave way on board that vessel, and thus liable at any moment to lead to similar disastrous results.

Upon a review of the whole of the evidence, we are of opinion that the marine boilers in use are not generally sufficiently strengthened. The number of stays should be increased, and, in many cases, they should be more securely fitted. As the pressure upon marine boilers is raised, not only is the liability to accident increased, but, when accidents do occur, they become much more serious. The strength of the boilers, therefore, should be increased more, if anything, than in proportion to the higher pressure applied to them. What the boilers want, generally, is more efficient staying, which could be effected without any considerable outlay, and would conduce not only to the safety of the public, but to the ultimate benefit of steam-boat proprietors (1076—1079).

In condemning what appears to be a common method of fixing stays, and by our remarks generally respecting the defective staying of boilers, we do not intend to cast especial blame upon any particular Company or its responsible officers, who cannot be considered justly liable to censure for sanctioning or adopting a common practice; nor do we intend any censure upon the Engineer-surveyor, who could not certainly be expected, on his single authority, to condemn methods in common use.

Our opinion as to what should be the practice in surveying marine boilers in use is, we think, sufficiently indicated in the foregoing remarks: and although we think, of course, that it would be desirable that the attention of the Engineer-surveyor should be drawn to what we here record as our deliberate and unanimous opinion, formed after mature consideration, and after listening to his own evidence, and to that of the most competent authorities known to us in the Colony, yet we cannot recommend that his authority should be weakened, or his responsibility diminished, by any additional regulations restraining him from applying the double pressure in cases where he considers it necessary, or otherwise affecting his freedom of action in performing the very arduous duties of his office.

M. B. PELL, President.	(L.S.)
E. O. MORIARTY.	(L.S.)
JAMES CARLISLE.	(L.S.)
JAS. HY. THOMAS.	(L.S.)
JOHN RUSSELL.	(L.S.)

Sydney, 9 July, 1868.





# MINUTES OF EVIDENCE

TAKEN BEFORE

## THE COMMISSION

ON

## TESTING MARINE STEAM-BOILERS IN USE.

WEDNESDAY, 17 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,  
MR. CARLISLE, R.N.,

MR. THOMAS,  
MR. RUSSELL.

Mr. Daniel Cameron Dalglish, Engineer-surveyor to the Steam Navigation Board, called in and examined:—

1. *President.*] Since what date have you held your present office? Since February, 1866.
2. You are aware that complaints have been made as to your mode of testing marine boilers? I am not officially aware of it.
3. Will you describe to the Commissioners what is your method of testing steam-boilers? It varies with the circumstances; I have no uniform method.
4. Do you not apply the hydraulic test in all cases? Not in all cases.
5. In cases in which you do use it, how do you apply it? In the first instance I have the boiler filled thoroughly up with water; I then put on a test-valve—a valve measuring a quarter of a square inch—properly weighted, and apply the ordinary force-pump in use in the ship, until such time as the pressure is attained which I consider to be sufficient for the purposes of safety, in cases where a doubt exists.
6. Is this a hand-pump? The common hand-pump which is used, generally speaking, for pumping up the boilers to the ordinary level for getting up steam. The ordinary pressure-gauges are in use, but in some cases they are cut off by the stop-valves being shut. I put on a valve which I have had made, on application to the Steam Navigation Board. They furnished me with a valve at my request, as I found the indicators of the steam-gauges to vary so much as to cause very great errors in testing by them.
7. Do you consider that any particular care or caution is necessary in applying the hydraulic test? I do. In every instance I pay particular attention to the form of the boiler. I go through the boiler myself, to see if any indication of weakness exists; if so, I make a note of it, and cause it to be strengthened. I have found out many serious defects in that way, which it would be totally impossible to discover in any other mode.
8. Do you find that the pressure gets up at all suddenly? No; there is rather a difficulty in getting up the pressure, because, even in good boilers there is a certain amount of leakage. It more frequently gets up quicker in small boilers, where they are tighter.
9. How long is it since you have made use of this method? From the first time I have had the position of Engineer-surveyor, in every case where I considered a doubt existed. When I was first placed in this position, I found the boilers in such a dreadful state that I had to make a uniform practice of it without any discrimination at all, in order to get the system into vogue.
10. Had this system not existed before your time? I was told it had not, but I believe it did to some extent.
11. Did you adopt it under any special authority? No, the Board leave their Surveyors to their own resources.
12. Have complaints ever been made to you of this method? None. I have never heard of any complaint being made. I have asked persons who have made vague objections, to state any instance in which any boiler belonging to them has been injured by me, or by the system in vogue, but could get no definite answer.
13. Are you aware whether the same system of testing boilers in use is in operation in England? I can only prove it negatively—not by anything positive. I made application to the Steam Navigation Board for instructions, if there were any; and the only answer I got was a copy of the Instructions to Surveyors under the English Act, which I found in some instances not to be applicable to our law here—in fact, in many instances. In the *Engineer* of the 11th July, 1862, you will find an editorial article on an accident that had occurred

Mr. D. C.  
Dalglish.

17 June, 1868.

Mr. D. C.  
Dalgleish.

17 June, 1868.

occurred on the Great Northern Railway, and Captain Tyler, in giving his evidence in that case—But perhaps I had better furnish the Commission with these references on some other occasion, if they would allow me to do so, when I can do so more connectedly. In pursuance of the request of the Board, I have prepared a return of the steam-ships sailing out of this port, shewing the register tonnage, the horse power, the number of boilers, the test pressure at last survey, and the working pressure upon the safety-valve allowed by the certificate—which I beg to hand in. (*Vide Appendix No. 1.*) The other particulars mentioned in the letter I have not been able to supply. I have no sketches of the boilers, nor am I in a position to state their age, or to give you the time when the last general repair was made. You will find that a fair percentage of the boilers have not been tested at all.

14. Not tested at all? Except by internal and external examination.

15. What rules are you guided by as to whether you apply this test or not? In cases where I find the boiler cannot be examined, and deterioration or oxidation has gone on, where rutting has gone on in the plate—grooving, as it is commonly called—where the stays are eaten away where they can be seen, and where there are a number of places in a boiler that can neither be seen nor felt, I consider in these cases it is my imperative duty to find out, by some test, whether there are not some places weaker than the rest which I cannot find out by examination. It is in such cases that I apply the hydraulic test. In cases where old boilers are taken out and new boilers put in their stead, I consider it useless to apply the test until I find cause existing for it.

16. You think that by this test you can ascertain whether a boiler is defective, even though it should not go to the point of bursting? Yes; I have never had occasion to alter that opinion; I have found many instances of it.

17. Suppose a new steamer comes under your inspection, what is the first step you take towards giving her a certificate? I go through the boilers internally and examine them, take a note of the stay area, the area left unstayed, the mode in which the boiler is constructed generally, whether it is well strengthened with angle irons, the dimensions of the angle irons, take out the safety-valve, ascertain the working load on the valve, and whether the load is too high or not, in proportion to the strength of the boiler.

18. Do you do that without applying the test? I do that in every case; but in the case of a new ship, there may be a defective plate or a seam of rivets sprung, and to find that out I can apply the hydraulic test to such a pressure as, in my opinion, is not calculated to injure the boiler.

19. Your practice is to apply the test to double the working pressure? No; my practice is to reduce the working pressure, if I imagine it is in any way too great. I do not use the test as a means of finding out the strength of the boiler, but as a means of finding out defects which cannot be discovered otherwise. I use it as a blind agent.

20. What rule are you guided by? My rule is, to reduce the working pressure if the boiler is imperfectly stayed for the load it has to carry.

21. What pressure would you apply by the hydraulic test? Two and a half tons to the square inch is considered to be the working load; five tons is the Board of Trade regulation.

22. Is it not your practice to test them up to double the working pressure? I do not know of any absolute rule for working pressure. The working pressure is determined by myself, or by the maker of the boiler. If I find that the maker has determined it in such a manner as to leave no doubt, I do not interfere with it.

23. Do you test up to that? On the first occasion, certainly.

24. Would you allow any more than double the test to be put on? Not under any circumstances.

25. What proportion do you consider the working pressure should bear to the full pressure the boiler is capable of sustaining? One-eighth is a rule arrived at by many makers, one-sixth by others.

26. Do you consider one-sixth a fair allowance of strength? I find no fault if I can find that strength in the boiler.

27. Then an hydraulic test of double the working pressure would be one-third of that? Yes.

28. In the case of the accident to the boiler of the "Clarence," did you examine the stays afterwards? I did.

29. Would there be any difficulty in making those stays so as not to be liable to such an accident? None, in my opinion. I think a great deal of misapprehension exists as to these stays and the whole affair generally. At the inquest I was thoroughly gagged; I was not allowed to explain my meaning. When I wished to explain what I thought to be the cause of the accident, I was told that was no place to go into a dissertation on boiler-making. When I mentioned the other boiler of the "Clarence" I was told not to do so. I was obliged to tell the Coroner that I must decline to answer a question which he insisted on my answering in a particular way.

30. Perhaps you will explain to us what you consider to have been the cause of the accident? The "Clarence's" boilers are fitted with what are called hollow backs, upon which the bridge is built and the furnace bar rests. In my opinion—although it is merely matter of opinion—this hollow back becomes a receptacle for soot and ashes, which accumulate to a certain extent during the time the vessel is running. After the vessel returns from a voyage of (we will say) forty hours duration, the probabilities are that this is red-hot. Since the accident, and since the inquest, I have been informed that it was the practice of the engineer to blow his boilers thoroughly down—entirely down. Under these circumstances, provided that one boiler was blown down a little in advance of the other, two minutes would suffice to make that plate red-hot, and by making it red-hot expand it so much

Mr. D. C.  
Dalgleish.

17 June, 1868.

much as to cripple it. Now, seeing that this accident did not take place till three months after my survey had been made, and that this system of blowing down could have been going on every voyage, on an average once in ten days, the boilers being also blown down at the other end, I think the probabilities are that the boilers have been overheated and injured in that way.

31. By blowing down, you mean blowing the water out? Blowing all the water out. (*Witness explained the construction of the boilers of the "Clarence" by a pencil sketch.*)

32. Did you examine the bottom plate of the back combustion chamber of the "Clarence's" boiler? I did.

33. Could you form an opinion whether that had been red-hot, from the appearance of it? I think it had been heated at some time since the survey.

34. And that you think injured the hold of the stay? The expansion consequent on its getting red-hot would of necessity injure the hold of the stay. One of the holes in particular had never been a good thread, in fact none of the tap holes had been full thread, in my opinion. The stay bolts are in existence at the Coroner's Office, and it would be a great advantage to the Board if they would send for them; the best evidence would be the bolts themselves.

35. Would it be possible to fit a stay of that kind in such a way as to render such an accident almost impossible, by a nut on the outside, or more thorough riveting? No doubt nuts are very advantageous under certain circumstances, but there are many disadvantages attending their use as well. Mr. William Fairbairn has given, as the result of his experience, the additional advantage of a rivet at fourteen per cent. more than the screw, that it is only fourteen per cent. stronger with the rivet; and that the plate has sufficient hold of the stay without being riveted, if it is a good fit.

36. Did you ever hear of a stay breaking under such circumstances? I have seen broken stays in boilers in many cases.

37. Broken by pressure? I know of no other way of breaking them.

38. Was that stay in the "Clarence's" boiler fitted in the usual way? It was fitted in the usual way, except that it was a bad fit.

39. *Mr. Moriarty.*] Do you think there is any boiler running out of this port that would stand from eight to six times the ordinary working pressure? Yes.

40. Will you mark off in this list those that would stand six times the working pressure? (*The witness did so with a pencil.*)

41. Are they high or low pressure? Both.

42. The others you think would not stand six times the working pressure? A considerable time has elapsed since they were surveyed, and very probably they may be reduced in pressure.

43. Do you think that, at the date of the last survey, the boilers you have not ticked off would not have stood six times the working pressure? No, I do not think they would. I do not think there are any that would not stand four times the working pressure, with the exception of some that were on their last legs, and that have been condemned and taken out since.

44. *President.*] At the time of the last survey were they fit to stand six times the working pressure? No; some had only a month or two months' certificates.

45. Do you think it was necessary then to reduce the working pressure? No; but testing the boilers under these circumstances would bring out the weak places, if they existed, without injuring the boiler in a material way.

46. Would you not consider the mere fact that it would not stand six times the working pressure, sufficient reason for reducing the working pressure? No, not in all cases.

47. *Mr. Moriarty.*] Then, at the date of the last survey, you think the boilers you have not ticked off might be supposed capable of carrying four times the working pressure? Yes.

48. *President.*] Would you test those boilers to double the working pressure? You will find, from the list I have handed in, that I do not in all cases apply double the working pressure. If I wish to see that everything is tight, I use a moderate test; if I have any doubt whatever, and if no objection is taken by the parties owning the boiler—there never have been any, as a matter of fact—I apply the full test, especially if the boiler has been a long time from under my care, as was the case with the "Clarence," which had been away for upwards of two years.

49. Do you not think applying the hydraulic test equal to one half what the boiler would bear, would injure it? I never have applied a test equal to one half what the boiler would bear. You will find, from the list, that I do not use the double test except in rare instances. I use my own discretion in applying it; I have no distinct or definite rule. I depend more upon my own personal inspection—internal and external inspection—than upon anything else. I go in and out of every portion that can be got at; I sound every place to ascertain its thickness; and if I think it requires it, I have it strengthened. There is hardly a boiler out of this port that I have not had to have additional stays put in.

50. *Mr. Moriarty.*] Did you ever find any boiler give way under the hydraulic test? I have, and I have pointed out where they would give way before they did so, and requested that they might be strengthened; and the testing was then used to convince the parties owning the boilers that they were wrong.

51. The test develops the points that will not stand the test? It does.

52. Might it not be possible that another part might be just strong enough to resist the test, and yet not three times as strong? That is possible, of course. There is nothing perfect that I know of, and even a test is not a perfect measure of safety, but it approaches to it. I use the test to discover weakness where it cannot be otherwise discovered.

53. What I want to arrive at is this,—whether having applied a test to a boiler under which some parts have sprung, and which have consequently been repaired, but other parts have not

Mr. D. C. Dalglish.  
17 June, 1868.

not sprung, and so far have stood the test, whether you consider these other parts could be pronounced to be equal to withstanding three times the pressure brought to bear on them by the test? No, I could not use the test as a means of ascertaining that. I think the test should never be used for the purpose of ascertaining the ultimate strength of a boiler.

54. You do not understand me. Would you consider the parts that did not give way, safe up to three times the pressure? I am not altogether clear that I understand the question yet.

55. A certain hydraulic pressure has been put on a boiler, some parts have given way under that, and have clearly shewn that they could not stand the pressure—other parts have not given way quite; but in the infinite gradations of strength in a boiler, may it not be that they were just on the point of giving, and yet did not? That possibility exists, no doubt.

56. Is it not a probability? The weaknesses I find developed in boilers are generally those that can be measured in some way; for instance, it may be a general thinning of the plate or it may be only a groove at the landing, or in some instances it is a groove at the angle iron that is put in for the purpose of strengthening the boiler. Under these circumstances, if that particular portion is worn so thin as to cause apprehension of giving way, by its being properly mended the boiler can be made as strong as it was at first. I therefore think that if I cause the weak places in a boiler to be repaired, then the boiler is equal to three times the strength that has been put upon it.

57. You spoke of a general thinning of the plate—May it not be that that general thinning of the plate, which has arrived at one part at such a stage as not to stand the test, may at another part have arrived at such a stage as will just stand the test and no more? That condition might occur; but as I have said before, I do not use the test for that purpose.

58. Assuming the possibility of such a state of things, would you pronounce all boilers which stood the test to be three times as strong as the test indicated? I could not pronounce authoritatively, but I might form my own opinion.

59. Referring back to your original statement that a boiler should be equal to six times its working pressure—? I understand that to be the case when the boiler is new. I intended merely to speak of the rule in vogue with boiler-makers—that one standard is as high as eight times, and another as low as six times. I know of none that is lower than six times.

60. *President.*] What I wanted to arrive at was this,—What proportion should the working pressure bear to the actual strength of the boiler—the existing strength? I think it never ought to be above one-third; the working strength ought never to exceed one-third the ultimate strength of the boiler. If the boiler is in that state, it is dangerous.

61. In that case, double the working pressure would be two-thirds of the ultimate strength? Yes.

62. If a boiler could just stand 60 pounds of pressure without bursting, and no more, do you think putting 40 pounds on it would injure it? I do; I think it would be extremely dangerous. Such a thing is altogether unknown in practice.

63. Should you say such a boiler might work up to 20 pounds? Yes.

64. Double that would be 40 pounds. Yes.

65. Is not that what you apply? No; the working pressure is not determined from the testing pressure. I do not determine the working pressure from the test load at all. As I have said before, I use the test simply as a means of ascertaining weaknesses I cannot discover otherwise—for the purpose of finding defects if they exist. For instance, the test load on the bottom plate of the "Clarence" was such as would not have caused a rupture of the plate itself without a single stay.

66. Take the case of the "Lord Ashley"—I see the working pressure is 20 pounds—do you think those boilers would burst at 60 pounds? No.

67. I see you put 40 pounds on them? I did, without the slightest defect being observed. I did that because a very dangerous flaw was discovered in a seam of rivets on the top of the boiler; that was found out before a pressure of 5 pounds was attained. The boiler was considered to have been thoroughly repaired, and on going to test it this defect was discovered; and when that was repaired, considering that it had had a general overhaul, and was supposed by me to be sufficient to bear the pressure, I tested it to double the working load.

68. *Mr. Moriarty.*] Would that boiler have stood six times the working pressure? I believe it would.

69. When you give boilers a short term to run, which I believe is a practice, do you, as a rule, test those boilers? As a rule, I do.

70. Supposing you give a boiler only three months to run, being doubtful of its strength, do you make it a practice to test it? In answering that question I shall be obliged to explain. For instance, the "Illalong"; when I first visited that boiler officially, I found it loaded to 18 pounds the square inch on the safety-valve. On making my inspection I considered it to be loaded dangerously, and I reduced the load (I think) to 12 pounds. I considered that a load the boiler was capable of bearing for a certain time—three months, I think. I tested the boiler then to double the load I had fixed upon—twice twelve; and I found the boiler stand well under that pressure, without any sign of weakness at the weak places that had caused me to take the precaution. The weakness was so general that it would not have paid the proprietors to repair it, and they agreed to reduce the working load. We then tried it, to see if any of the places could be got to exhibit further weakness; and finding that that was not the case, I gave a short certificate.

71. *President.*] I see her working power is up to sixteen pounds now? She has new boilers.

72. They have been tested? The only reason they were tested was that there were some bad

bad plates in the boilers—laminated plates, which had become blistered. I have sometimes given short certificates, not from any danger that existed from weakness, but where the boilers have been dirty, and the accumulating dirt would have caused a danger.

Mr. D. C.  
Dalgleish.

17 June, 1868.

73. *Mr. Moriarty.*] We are speaking now of the strength of the boilers. When do you consider it necessary to limit the certificate to three months—or have you limited it to less time? Yes, I have given certificates for (I believe) a fortnight, for the purpose of allowing a vessel to continue running until such time as the strengthening remedies I considered necessary could be done. A boiler may be safe for a fortnight that would not be safe for six months; and it might derange a Steam Company's trade to have her laid up just at the moment. I may, therefore, in such a case, give a certificate for a fortnight, so that the voyage may be performed, and the necessary strengthening done on her return.
74. You have limited your certificates to periods less than six months, because you thought the boilers, with ordinary fair wear and tear, would not run six months? Certainly.
75. In such a case as that, would you say what has been your practice, or have you adopted any uniform practice, with regard to the pressure you have applied to such boilers? The practice is not uniform. No two boilers agree in circumstances, nor do any two boilers wear alike. For instance, the "Wonga Wonga," at her last certificate, the test pressure was seventeen pounds, and the working load fifteen pounds. The test was applied simply for the purpose of ascertaining if there were any sprung joints.
76. Is there any case in which you have limited the certificate of a steamer, by reason of the weakness of the boilers, to a less period than six months? Yes.
77. Have you in any such instances proved them to double the working pressure? Yes. The "Emu" is a case in point. Her boiler is taken out now. The owners requested me on several occasions to apply the double pressure; but the boiler was in such a state that I would not do anything to it; I condemned it.
78. Would that boiler on that occasion have stood six times the working pressure? No, it would not.
79. Could it have stood three times, if the test had been applied? No, I do not think it could, without developing sores. But in that case I had other things to take into consideration. The working pressure was six pounds to the square inch.
80. What do you think would have been the bursting pressure of that boiler? I believe the boiler would have stood twenty pounds without shewing any burst.
81. What was it proved to? To twelve pounds.
82. More than half its ultimate strength as it was? I think that is hardly a fair way to put it, because if any weakness had been developed, it could have been seen; it would have been in places where oxidation had taken place, principally caused by leakage from the deck. I had had the decks taken up on a previous survey, and had it made, as I thought, perfectly safe, in which I was warranted by the fact, but I would not allow it to be repaired again—that is to say, to vouch for it in any way—and I did not do it.
83. You say the boiler of the "Emu" was proved up to twelve pounds, and you do not think it would have stood twenty pounds without giving way? I said it would.
84. What would have been its ultimate strength—what pressure of steam would be likely to rend that boiler? I certainly think twenty pounds would not be likely to rend it. The principal defect was in the bottom of the boiler, where I could not get at it, to see it at all.
85. What pressure do you think would have rent it? That is a matter I could hardly form an opinion on now.
86. When you limit a boat's certificate, do you consider that the boiler of the vessel to which that applies is capable of carrying six times the working pressure until the expiration of the certificate? No; six times is the rule for new work; not in all cases for old work.
87. What do you consider to be the rule for old boilers? I consider four times to be an ample margin, and even less under certain circumstances.
88. How much less? I never anticipate it should be less than three.
89. Then if you prove a boiler up to double its working pressure, you prove it to half its ultimate strength? I do not think I ever do. In the case of boats which work at a very low pressure, and where the general strength of the boiler is not impaired, excepting at particular places, I do not think twice the load would develop anything serious.
90. Do you not think these developments might be sufficient to produce danger—Supposing a boiler were to rend along the bottom and steam to escape, might it not lead to the destruction of the engineers? It might.
91. Have there not been cases where the whole of the engineer's crew have been destroyed by the rip of the landing? There may have been such cases, but I have never found any record of anything of the kind, and I do not believe, as a matter of record, such a thing has ever taken place. All the great boiler explosions have taken place in boilers that have never been tested.
92. With reference to the boilers of the "Clarence," was there anything unusual in the formation of the boiler that gave way? No.
93. You said something about its combustion chamber? That was simply an arrangement for decreasing the space behind and carrying the bridge, and was used instead of a mass of brick-work.
94. Was there anything unusual in the formation of the boiler where the stays gave way? No.
95. *President.*] Was there anything unusual in the formation of the fire-places? No.
96. *Mr. Moriarty.*] To all intents and purposes it was an ordinary boiler? Yes; there are other boilers exactly the same.
97. Is this back plate, that goes from the bridge up to the back end of the smoke-box, a solid



Mr. D. C.  
Dalglish.

17 June, 1868.

solid plate, or open work? A solid plate of cast iron, but there are openings in it; there are bricks built on the top of that again, to protect the iron from the flame.

98. How could the ashes you spoke of have got down there? In the course of three months these bricks get burned, and there are spaces in them; and then the cast iron plate is open—it has holes in it.

99. If it were full, would the ashes at the bottom be hot? I think it possible they might be very hot after a forty hours run. They would be more apt to be hot from soot than from ashes.

100. Would there be any soot in a place like that, where there is such a tremendous draught? It is protected from the draught.

101. Do you think it possible there could be much soot there? Yes, I think it very possible. It was all cleared away after the accident before I saw it—the bars and bricks were out, and everything swept out—although I was on board the same night.

102. Was that done in both boilers? Yes.

103. Is there any evidence to show there was soot there? No.

104. And there might not have been any? There might not have been any.

105. *President.*] You say that other boilers are arranged in the same way, and that a practice prevails of blowing the boiler off immediately? The practice does not prevail; it is a very injurious one; the water ought never to be blown down to the bitter end of a boiler in that way under pressure. As a rule, engineers do not blow their boilers off in that way.

106. *Mr. Moriarty.*] Is it necessary to blow the boiler off before the fires are drawn? The fires should be drawn before the boilers are blown off.

107. And then the furnaces, crowns, tubes, and tube plates would be of the same temperature as the water and steam by which they were surrounded? Yes.

108. Could they then ever become red-hot? Where bricks are built against the back and they get red-hot, when the water is blown off they make the plates next to them red-hot also. In the same way, if the water is blown from the bottom of a boiler, the temperature of the red-hot ashes, or other refuse that may be below, will communicate itself to the three-eighth plate, which would then become red-hot in a couple of minutes.

109. Do you think, allowing for the bad manner in which heat is conducted downwards, ashes, with the small vitality it has for retaining heat, would be able to heat a plate below it? Yes, I think under the circumstances the plate might become red-hot. I cannot account in any other way for the accident. It simply could not have occurred from the pressure stated; it is as impossible that that plate could have been torn up by steam as that I can fly.

110. Is it not the case that when fresh water is taken into a boiler it causes leaks to develop which would not show with salt water in the boiler? It would not show any leak that did not exist, and that could not be found out by inspection with salt water.

111. Is it not the case that a salt scale will form, with a deposit of salt upon it, which will peel off when fresh water is put in? No, I do not think the scale will ever peel off, but when the leak is simply closed by salt, the salt may be washed out, and the leak developed.

112. Is it not the fact that you can work a boiler with salt water, which, if you take in fresh water becomes so leaky that it will not hold water? I never heard of a case of the kind. I have heard of boilers that would not hold salt water without the addition of horse-dung and bran.

113. You never heard of a boiler that would hold salt water, but would not hold fresh water? No, except after a sufficient time had elapsed to allow of the formation of the scale.

114. Do you think fresh water might not act as a solvent on the incrustation of salt about a stay head, for example? I do not think it would. I think you might boil an incrustation of salt—that is, what is commonly called salt; it is pure lime, as a rule; if salt exists at all, it is as a mere impregnation, hardly perceptible to the taste. You might boil the scale that forms from salt water for ever in fresh water, and not dissolve it. A letter has just reached me from the Steam Navigation Office, that may be of interest to the Commission. It is a request that I might survey the steamer "Herald," which has been subjected to some repairs where found defective, and states that the pressure in use at present is forty pounds to the square inch, and for perfect satisfaction the hydraulic test has been applied to the extent of sixty-five pounds. The "Herald" has been surveyed by me, and I have refused to give a certificate. The pressure of sixty-five pounds was attained. The survey was not satisfactory, and the leak was so excessive that I could not possibly get another pound by the pump. I therefore got into one of the spaces behind the frames—by this time the pressure had gone down to twenty-five pounds—and with a single blow of the hammer it went through the boiler.

115. Then the hammer test was the proper test there? I believe in the hammer test in every case where it can be applied.

116. With regard to sounding boilers, do you think you can really detect any very material difference in the thickness of a plate by sounding? Yes, I am certain of it; I can detect a difference of the sixteenth of an inch by the sound and the blow together, by the different degree of elasticity from the same stroke.

117. Has not that something to do with the place struck? That has all to be taken into consideration.

118. Do you not think it requires a very sensitive ear? I do not take it by the ear altogether. In all these things there is a mode of acquiring knowledge which you cannot impart to another.

119. *President.*] Do you ever apply the hammer to a boiler when it is under this pressure? No; I may sometimes use the hammer to tap some particular place where I think there is

is weakness; for instance, in the case of the "Herald," I did so when there was twenty-five pounds of pressure on it; but I am convinced that if twice that pressure had been got on that boiler it would have opened it out.

Mr. D. C.  
Dalglish.

120. *Mr. Carlisle.*] In all cases, where boilers are two or three years old, would you apply the hydraulic test? No; there are cases where the boilers are two years old where I do not apply the test. 17 June, 1868.

121. Where they are three years old? In some instances. A great deal depends on circumstances. For instance, the "Blackbird" has not had the test applied this time, and I think her boilers are more than five years old.

122. The working pressure you would put on would be half the hydraulic test? Not always.

123. Do you consider a boiler would be safe to work that would not stand double the working pressure? No; I think every boiler ought to stand double the working pressure.

124. Then why not put double the working pressure on? I do not think it is necessary in all cases. I only use the test to discover defects that cannot be found out otherwise. For instance, a crack in an angle iron might be developed, or rather would be seen; or supposing a steam leak existed in the flues, it could not be seen when the fires were lighted, though it might perhaps be heard; but when the boiler was filled with cold water under pressure it would be detected. At the last survey of the "City of Newcastle," a defect was discovered in the frill, by hydraulic pressure, in one of the boilers, when the pressure was only fifteen pounds per square inch—less than the working pressure. That had certainly been developed from the time of the last survey. It had to be remedied, and afterwards the test was applied to nearly double the working pressure, and the boiler stood the test; but notwithstanding, I had the boiler sheeted in certain places where it had stood the test satisfactorily, because it was due then to have stood for six months. I put the hammer very near through in one part of the up-take at a single blow—an ordinary light hand hammer.

125. In all cases where you have a doubt, you test to double the working pressure? Yes, but I do not take that as the only guide I have in coming to a conclusion.

126. But still you would not grant a certificate to a boiler —? I would not grant a certificate to any boiler that would not stand double the working pressure.

127. This hydraulic pressure would be about one-third of its ultimate strength? As a rule, it ought not to exceed that.

128. If a boiler were three years old, would you put the same pressure on it as if it were new? No; it would depend on circumstances. If after inspection I found nothing deteriorated, I would see no reason for taking the pressure off the boilers. For instance, the "Susannah Cuthbert" has very old boilers in her. I believe about her first trip a flaw was developed in one of the back plates; that was mended, and some other things were done; the principal thing that was wrong was that no provision was made for cleaning them, and I had to get doors cut to allow of that. I believe those boilers are now running at the original pressure, and she was tested at the last survey to sixty pounds to the square inch most satisfactorily.

129. *Mr. Thomas.*] Do you not consider it probable that the application of a pressure of 100 per cent. over that which the boiler has to withstand does permanently affect its ultimate powers of resistance; that is, does not the iron itself or the tenacity of the joints suffer to such an extent that it would explode with a much less force than the pressure it has been subjected to? That question, if I were to answer it in the way in which it is put, would lead to misapprehension of what I should say. At least, I think one hundred per cent. more than it ought to carry would never injure a boiler, but one hundred per cent. more than some people would ask a boiler to carry, would be only fifty per cent. under its ultimate bursting strength.

130. Do you not think it probable that the mere fact of putting on that force would permanently affect its ultimate powers of resistance? I do not. I find, from a recent number of the *Engineer*, that Howard's boilers have been tested to twelve hundred pounds per square inch, without showing a sign of leakage.

131. Have you ever heard of a boiler having been made of perfectly new plates, tested, and examined, and yet it has exploded? I know of no such case, except the case of Stewart and Company, where they were in the habit of testing boilers by steam to a little over the working load, and a most disastrous explosion took place. All the authorities agree that in that case, if the boiler had been subjected to hydraulic pressure, the defect would have been developed, and the accident would have been saved. I would like any one that has anything to object to the hydraulic test to double the working pressure being used, to give some tangible reason against it. The only reason I can get any one to give is, that they do not like it. That is a reason I cannot understand.

132. *Mr. Russell.*] With reference to the sketch you made of the "Clarence's" boiler, when you granted a certificate for this boiler, did you examine the stay or the plate? I did; I went right through the boiler. The boat had been away for two years, and I had only surveyed the boiler once prior to her going to the north. I think it was the first month I was in office. At that time the boilers were carefully surveyed, and the vessel was then sent north for about two years. When she came back again she was laid up for survey; everything was swept quite clean, and I went all round her and examined the boilers and applied the pressure. That is about four months ago now. An impression exists that I had been in the habit of testing this boiler every six months; and I believe that impression has arisen from the fact that the same test is used by the Surveyor in the north.

133. We are to understand it as your opinion that no injury was done to this boiler by the test of double the working pressure applied three months before the accident? Most decidedly.



Mr. D. C. Dalgleish. 134. Do you think it was possible? I think it perfectly impossible. I am asked to believe that these stays gave way under a pressure of nine pounds to the square inch; it is perfectly impossible.

17 June, 1868. 135. Might there not have been something wrong with the safety-valve? The safety-valve was examined by me and was in perfect order, but it was loaded to eighteen pounds. The Government regulation allows of a test of five tons per square inch in section of stays; but taking that any way you like, you cannot make the test applied more than six thousand pounds per square inch.

136. After considerable repairs have been done, is it usual to test to double the working pressure? To double the pressure I allow it to work at, but not double the original working pressure.

137. After certain repairs had been done you would prove the boiler to thirty-six pounds, supposing the working pressure to be eighteen? I should do so, provided that in my opinion the boiler was capable of withstanding that pressure.

138. It is usual to examine boilers inside and out, so far as you can? I do it on every occasion.

139. Do you think it possible some parts of the boiler may give way under the hydraulic test, not in such a way that you could find it out or see it; for instance, a stay might give way? In every instance where stays have given way I think I have heard them, and on examination have found them and caused them to be replaced. The greatest encomium on the hydraulic test is, that stays do give way. For instance, a vessel that had just come from Melbourne was for survey here, and was carrying a pressure of twenty-four pounds per square inch. When tested, previous to repair, one of the stays gave way at twenty-nine pounds per square inch—a margin of safety of five pounds above the working pressure. This was discovered by the Superintending Engineer of the Company the ship belonged to. Whenever I can persuade the parties that have charge of the work, I always endeavour to get them to test the boilers before the repairs are done, so that weaknesses may be found out and the repairs go on regularly; but of course I have no control over how they do their work. They generally do what repairs they consider necessary, and then call me in to see if anything further has to be done. The New Zealand Company do not do so; they test the boilers before repairing; and if I do not test the boilers, they do it themselves. The Hunter River Company also test before repair; and the consequence is, they discover places that are defective, and the repairs go on regularly.

140. What was the name of the vessel you referred to in your last answer? The "Rangitoto."

141. In your opinion, would it not be better for the safety of the public, that a shorter certificate than six months should be granted, and the test reduced? I do not know that giving a shorter certificate would be any safeguard, because we have the power of giving certificates for any length of time we like; there is no restriction in the Act as to the term, except that no certificate can be given for a longer term than six months. It may be for a term as much shorter as the judgment of the surveyor may lead him to think the boilers or machinery will be safe for. Before boilers have been finally condemned, they have had very short certificates indeed.

142. In the case you referred to, of finding out a defect in one of the New Zealand steamers, when a plate gave way at a pressure of five pounds above the working pressure, what certificate had that ship? Her New South Wales certificate had expired, she having been in the Melbourne trade. I did not say it gave way; it was a defect underneath the funnel; and as the funnel had not been taken down, it was not seen. In that position a steam leak would not have been discovered, because the steam would have gone away up the funnel, and the defect might have gone on increasing until it became dangerous.

143. With reference to new boilers manufactured in the Colony, what pressure would you consider sufficient as a test? I prefer to take the opinions of other and more eminent men than myself in these matters. Macquorn Rankine says that the "moderate" test of two and a half times the working load should be used; Bourne states that it should be from two to three times the working load; the law of France is that it should be twice; and the law of Louisiana, in America, three times the working load.

144. The question I want to ask is this—If any of these Companies had a new boiler built, what test would you require that boiler to be subjected to in your presence, before giving it a certificate? Twice its working load, but the working load would have to be determined from the build of the boiler and its stay power. I have every reason to believe the boilers built in the Colony are equal to the boilers built in any part of the world.

145. *President.*] You said you have tested the other boiler of the "Clarence"? I have.

146. Did you find anything in it corresponding to what you suspected in the case of the one that gave way? No, there was no leak except from the ends of some of the tubes.

147. No evidence of its heating in the way you describe? There was no evidence of heating at all, and it withstood the pressure.

148. What pressure did you put on? Thirty-nine pounds.

149. And it stood that well? It stood that pressure. I am given to understand there was a slight spring in the plate at that, but it must have been very slight. Mr. Bailey and Mr. Jaffrey were both present, and they were in the boiler taking notes; I was on the top, watching the increase of the pressure on the test-valve; they sent for me, I went down, but by that time the pressure was two pounds less, and I could detect no spring in the plates.

150. Did Mr. Jaffrey seem apprehensive you had injured the boiler? I never heard one word of that until after the fatal termination of the accident.

151. This testing was since the accident? Yes, but prior to the death of the man.

152. *Mr. Moriarty.*] Under the pressure you have named, the boiler is said to have sprung? The

The boiler sprung very slightly. In all flat surfaces there may be a slight springing which is not injurious, provided it goes back again, and is not permanent; just as there is a deflection in all bridges when they are tested, but they are not supposed to be injured on that account.

Mr. D. C.  
Dalglish.

17 June, 1868.

153. Still it was said that pressure had caused these plates to spring? Yes.

154. But you did not see it yourself? When I went down there was no spring on the plate visible. Both the plates in the boiler that burst are now secured in what may be called their normal state; that is to say, the plate that had been raised is secured in the place to which it was raised by the accident.

155. There has been no attempt made to draw it back? No. Both boilers have been strengthened in a similar way—the same number of additional stays have been put in the interior of both. The stay-head was simply pulled through the plate, which had risen from the stay-head about an inch and three-quarters. What caused the death of the man was the sudden jet of water injected into the fire, which caused it to blow out steam and ashes upon him.

156. Not the steam from the boiler? No. I had no opportunity of seeing the actual state of things immediately after the accident; before I got on board everything had been cleared away; the whole of the furnace bars and bridges had been taken out of both boilers.

157. *Mr. Thomas.* You say that in testing these boilers it does sometimes occur that stays break. Now, a stay being, I imagine, made up of a number of fibres like a rope, supposing you strain or break a certain proportion of these—say there are a hundred, and you destroy fifty—you weaken that stay a hundred per cent., do you not? It all depends upon the number of fibres that are broken. If fifty out of a hundred are broken, I presume the iron is weakened a hundred per cent., or rather, fifty per cent. I may mention that in cases where I have found it necessary to condemn boilers I have never tested them. For instance, the “Rangatira” was running with a certificate which allowed her to carry eighteen pounds to the square inch. The first time I went on board to examine her I condemned her, although her certificate had only begun; and I condemned her for general decay. A portion of the combustion chamber is in the Steam Navigation Office now. That combustion chamber was longer and six inches wider than the “Clarence’s,” and of the same description, and it had not a stay in it from end to end; yet it was loaded to eighteen pounds. It was bulged four inches. And those that had taken tickets to go to Melbourne in that vessel had nearly taken tickets to go to some place else, where they give no return tickets. The first time I surveyed the “Wonga Wonga,” I found the same state of things—as long a combustion chamber, six inches wider, and not a stay in it from end to end. When the cake of ashes and soot, which I insisted upon having out, was taken out from the bottom of the furnace, I could put the handle of the hammer right through from end to end.

158. *Mr. Moriarty.* What was the thickness of the plate in the “Clarence”? Three-eighths.

159. Is it full three-eighths now? A quarter and one-sixteenth, perhaps. The bottom of the “Rangatira’s” boiler that was in this condition was little more than one-sixteenth of an inch uniformly; and that boiler had a certificate to carry eighteen pounds.

160. Do you believe the Clarence’s boiler had only a pressure of nine pounds when the accident happened? I do not believe anything of the kind; if there was not a stay in it, it would not have given under that pressure. I may mention that a square tank was experimented upon at Waterview Bay within the last week; it was three feet ten inches in length by two feet two and a half inches wide from centre to centre of the rivets, and it stood a pressure of thirty pounds per square inch, springing at the centre in its length five-eighths of an inch, and in the centre of its width three-eighths of an inch, without a stay in it.

161. Did it assume a permanent set at that? No; when the pressure went off, it assumed its normal state—went flat back.

#### APPENDIX 1.

Name of Ship.	Register Tonnage.	Horse-power.	Number of Boilers.	Test-pressure last Survey.	Working Pressure on Safety-valve.
Rangitoto ... ..	448	140	2	42	24
Kaikoura ... ..	1,067	350	4	46	25
Otago ... ..	457	140	2	42	22
Egmont ... ..	308	80	1	40	24
Albion ... ..	457	140	2	48	24
Matoura ... ..	1,114	450	4	45	25
City of Newcastle ... ..	248	150	2	34	18
Illalong ... ..	182	120	2	20	16
James Paterson ... ..	290	60	1	24	18
Tarrarana ... ..	522	150	2	35	21
Adelaide ... ..	81	35	1	40	20
Lady Young ... ..	421	140	2	42	21
Airdale ... ..	286	60	1	40	20
Clarence ... ..	222	120	2	40	18

Mr. D. C.  
Dalglish.

17 June, 1868.

## APPENDIX 1—continued.

Name of Ship.	Register Tonnage.	Horse-power.	Number of Boilers.	Test-pressure last Survey.	Working Pressure on Safety-valve.
Culloden ... ..	81	60	1	36	18
Barwon ... ..	311	60	1	40	24
Wonga Wonga ... ..	444	180	2	17	15
Lord Ashley ... ..	296	70	1	40	20
Collaroy ... ..	242	140	2	20	18
Pelican ... ..	42	35	1	20	10
You Yangs ... ..	474	90	1	30	15
Lady Bowen ... ..	425	140	2	42	21
Ruahine ... ..	1,018	300	2	45	25
Queensland ... ..	286	120	2	36	18
Beautiful Star ... ..	126	30	1	50	25
Hero ... ..	764	140	1	33	20
Sir John Burgoyne ... ..	65	35	1	40	20
Samson ... ..	111	60	2	48	25
Tasmania ... ..	285	80	1	30	18
Emu ... ..	44	30	1	12	6
Nautilus ... ..	21	20	1	42	21
Telegraph (wrecked) ... ..	367	220	2	38	19
Comerang ... ..	152	70	2	...	20
Yarra Yarra ... ..	350	200	2	...	18
Brothers ... ..	16	18	1	60	30
Ballina ... ..	190	80	2	200	100
Diamantina ... ..	239	64	1	...	40
Coonanbara ... ..	567	240	2	60	30
Rakaia ... ..	937	350	2	70	35
Auckland ... ..	533	140	2	33	27
Sir John Young ... ..	20	35	2	130	65
Great Victoria ... ..	1,807	150	2	65	40
Leichhardt ... ..	272	85	2	70	35
Fairy ... ..	6	12	1	140	70
Susannah Cuthbert ... ..	161	40	2	60	30
Peri ... ..	11	13	1	100	50
Alma ... ..	25	20	1	100	50
Premier ... ..	22	24	1	100	50
Courier ... ..	18	18	1	100	50
Kirribilli ... ..	6	6	1	90	45
Phantom ... ..	39	35	2	...	60
Gipsy Queen ... ..	6	6	1	100	50
Galatea ... ..	14	14	1	100	50
Transit ... ..	51	25	1	80	40
Yamba ... ..	75	20	1	100	50
Alexandra ... ..	12	10	1	80	40
Ferry Queen ... ..	6	6	1	80	40
Platypus ... ..	20	12	1	100	50
Atalanta ... ..	10	15	1	100	50
Herald ... ..	22	20	2	80	40
Cammeray ... ..	9	12	1	80	40
Pymont ... ..	6	8	1	100	50
Perseverance ... ..	25	12	1	100	50
Titua ... ..	805	340	2	40	20
Cygnat ... ..	16	28	2	120	60
Ysabel ... ..	9	12	1	100	50
Gomera ... ..	9	14	1	100	50
Waratah ... ..	12	10	1	80	40
Waterman ... ..	10	8	1	100	50
Black Swan (wrecked) ... ..	48	35	1	...	10
Boomerang ... ..	445	106	2	...	13
Phoebe ... ..	417	120	2	...	18
Morpeth ... ..	359	185	2	...	20
Kiama ... ..	104	60	1	...	13
Grafton ... ..	212	100	2	...	18
Florence Irving ... ..	383	140	2	...	22
Dandenong ... ..	575	90	1	...	20
Claud Hamilton ... ..	530	90	3	...	19
City of Brisbane ... ..	503	180	2	...	25
Kembla ... ..	205	165	2	...	20
Paterson ... ..	219	120	2	...	15
Balclutha ... ..	272	100	2	...	20
Fire King ... ..	171	60	2	...	22
Blackbird ... ..	531	80	1	...	21
Helen M'Gregor ... ..	115	40	1	...	22
Hunter ... ..	203	120	2	...	25
Rangitira ... ..	460	130	2	...	25
City of Adelaide ... ..	615	200	4	...	23
City of Hobart ... ..	362	100	1	...	20
Tinonee ... ..	265	40	1	...	25
Saxonia ... ..	243	80	1	...	12
City of Melbourne ... ..	615	220	4	...	22
Agnes Irving ... ..	333	140	2	...	18
Vesta ... ..	68	40	1	...	15
Breadalbane ... ..	101	80	1	...	17
Williams ... ..	219	120	2	...	15
Eagle ... ..	146	30	1	...	10
Alexandra ... ..	424	140	2	...	20

## APPENDIX 2.

D. C. Dalgleish, Esq., to M. B. Pell, Esq., President of Commission on testing Boilers.

Steam Navigation Board Office,  
Sydney, 24 June, 1868.Mr. D. C.  
Dalgleish.

17 June, 1868.

Sir,

I have the honor to comply with your request, by sending you a list of articles published in the *Engineer*, bearing on the question of testing boilers by hydraulic pressure :—

The 11th July, 1862, page 35, also pages 27 and 322 of same year.

The 20th January, 1865.

8th September, Board of Trade Test.

6th October, on Board of Trade Test for boilers, pages 213, 221, 235, 254.

I also enclose an account of a trial before the Coroner for Central Middlesex, with portions of the evidence of Captain Tyler, Government Railway Inspector, underlined by me for the purpose of calling your attention to important portions of the evidence of that gentleman.

I beg also to call your attention to a number of the *Artisan*, which I enclose, for November 1st, 1863, page 261, place underlined.

I enclose a copy of *Engineer* for June 10th, 1864, page 357, in which will be found a leading article on testing Locomotive Boilers.

I beg also to call your attention to three volumes of Engineering "Facts and Figures," for the years 1864, 1865, and 1866 :—

The volume 1864, on testing boilers by hydraulic pressure, pages 67 to 71.

The same volume, pages 103 to 107, but more especially to page 105, where lined.

Volume 1865, pages 77 to 80.

Volume 1866, pages 97 and 99.

I beg also to enclose the book quoted by the *Sydney Morning Herald* as a standard work. The leader mentioned is founded on the four paragraphs on page 23 of this book. There is not another word in it on the subject.

I have also the honor to enclose a few written extracts from articles in the *Engineer*.

I have, &c.,

D. C. DALGLEISH.

## THE LATE EXPLOSION ON THE NORTH LONDON RAILWAY.

YESTERDAY, at noon, Dr. Lankester, Coroner for Central Middlesex, and the jury empanelled on the 18th ultimo, to investigate the death of William Davis, the stoker of No. 4 engine, which exploded on the line of the North London Railway, on the morning of the 16th of August, resumed their investigation into the causes attending that occurrence, at the St. Martin's Tavern, Pratt-street, Camden Town.

Prior to assembling in the inquest room, the Coroner and jury proceeded by train from Camden-road Station to the locomotive shed of the North London Railway at Bow, and made a minute inspection of the exploded engine, and on their return to Camden Town the evidence was resumed.

Captain Tyler, Government Railway Inspector, was present. Mr. Sleigh watched the case on behalf of the Directors of the North London Railway Company; and a number of railway engineers and scientific gentlemen were present. The proceedings excited great interest.

Mr. Sleigh said he attended on behalf of the Directors of the North London Railway Company, to afford the Coroner and jury every facility in the conduct of the inquiry. For that purpose, two scientific gentlemen who were thoroughly acquainted with the construction of locomotive engines, Mr. Craig and Mr. Mitson, who had carefully examined this engine, were in attendance for the purpose of giving evidence.

Captain Tyler, the Government Inspector of Railways, was first sworn, and said he had examined the engine No. 4, and had made himself master of all the circumstances connected with its explosion. He had made a report on the subject for the Board of Trade, and which he then read to the jury, and by means of diagrams he explained the various points of rupture in the fire-box, and the general effect of the explosion on various parts of the engine. His report was to the following effect :—The passenger train from Kew and Chalk-farm met at the Camden-road Station, and proceeded together to Bow and Fenchurch-street. The 9.0 a.m. train from Kew reached Camden-road at 9.39 (according to the guard), five minutes late, on the day in question, the 16th August, consisting of an engine and six carriages, including a break carriage. The Kew engine ran round to the back of its carriages and pushed them forward against five other carriages which had previously arrived from Chalk Farm. A porter had coupled the two sets of carriages together, the Kew guard stood whistle in hand about thirty feet from the Chalk-farm engine, which was in front of the combined train, looking out for the station-master's signal to enable him to start that train, and the engine-driver was waiting for the guard's whistle before opening his regulator, when a loud report was heard. The station and platform were at once enveloped in steam, and it was found, after the steam had cleared away, that the engine was no longer on the viaduct on which it had been standing, but had fallen upon its wheels into the road twenty feet below. It had turned over, however, in the course of its fall, so that its funnel, which was fronting towards the east before the explosion, was afterwards turned towards the west. The engine-driver had acted in that capacity for two years and a half, and has been in the Company's service altogether four years and a half. He came on duty at 5.45 on the morning in question, and left Bow at 6.15 with the engine No. 4. After doing some shunting at Camden Road he started for Kew with a passenger train at 7.40, reached that station at 8.10, and started again at 8.30 with another train, reaching Camden Road at 9.4. After shunting the train there he proceeded to Chalk Farm, and leaving that station at 9.32 with the express he reached Camden Road at 9.34, a few minutes before the explosion occurred as already described. He states that his engine was blowing off steam moderately from both safety-valves at a pressure of 120 lbs. to the square inch, and that he had about  $4\frac{1}{2}$  inches in his gauge-glass, and therefore 8 or  $8\frac{1}{2}$  inches over the top of the fire-box, before the explosion occurred, as well as that his fire-box was tight, and there was no leakage whatever about his engine, which appeared to be in all respects in good working order. He was standing on the left of the foot plate, and was blown away several yards, falling on the platform. The fireman, who was standing on the right of the foot plate, was blown in the opposite direction, and fell in the intermediate space between the two lines of rails. He survived his injuries twelve hours. Fortunately none of the passengers suffered any injury. No. 4 is a tank engine, with leading wheels, 3 feet 6 inches, and middle and trailing wheels, 5 feet 3 inches in diameter, and coupled together; the wheel box measures 6 feet from driving to leading, and 7 feet 6 inches from driving to trailing wheels. It weighs about 9 tons in the leading, 11 tons on the driving, and 10 tons on the trailing wheels. The cylinders are 15 inches in diameter, with a stroke of 22 inches. They are provided with two safety-valves, one on the dome and the other on the fire-box, each  $3\frac{1}{2}$  inches in diameter, and with a Bourdon's pressure-gauge, which worked correctly up to 150 lbs. to the square inch, when tested with another, in my presence, after the explosion. The internal heating surface of the fire-box is 7 feet 4 inches, and that of 148 tubes, each 10 feet 5 inches long and  $1\frac{3}{4}$  inch in diameter, is 705 feet 3 inches, making a total of 3,776 feet 7 inches. This engine was supplied to the company by Messrs. Stotherd, Haughton, and Co., of Bristol, in 1854, and has therefore been working on the

Mr. D. C.  
Dalglish.  
17 June, 1868.

the railway for about ten years. It has run during that time 291,508 miles, and of these, 60,359 miles have been performed since its last thorough repair in 1862. The explosion occurred in the fire-box, and evidently commenced at the angle formed by the upper and rear sides of the left-hand copper plate. That plate was torn off irregularly, along its upper, lower, and rear sides, was blown inwards, and was partially bent back against the tube plate, its front side being unbroken. One of the roof stays also that was on the left of the roof plate, and near the junction of the roof plate with the left-side plate, was turned round and bent downwards, with the portion of the roof plate under it. The violent escape of steam which occurred on the left of the fire-box caused the engine to turn over partially on its left side, and to strike against the parapet of the viaduct. The engine met with less damage than might have been expected from such a fall as it had over the parapet. The funnel was knocked off, the top plate of the right railing spring was broken, and the left leading spring was damaged, but the axles and wheels and leading parts of the engine uninjured. The fire-box measured 3 feet 8 inches long by 3 feet 6 inches wide, and 4 feet 1 inch high. The copper plate of which it was composed was but little reduced at the part which first gave way, from its original thickness of  $\frac{3}{4}$  inch. At the level of the fire-box the thinnest part was rather less than  $\frac{3}{16}$ , except at one point, where it had evidently been bent and attenuated by the force of the explosion, and where the thickness was  $\frac{1}{4}$  inch. The copper plate of the fire-box and the iron plate of the outer shell were secured in their proper positions (about  $2\frac{1}{2}$  inches apart) by ninety-four copper stays  $\frac{1}{2}$  inch in diameter and  $4\frac{1}{2}$  inches apart from centre to centre. Of these stays nineteen remained in the copper plate, and the remaining seventy-five in the iron plates after the explosion. These seventy-five stays, which depended mainly upon the screws for their attachment to the copper plate (after the rivet heads inside the fire-box had been more or less burnt away) were pulled out of that plate, while the nineteen which were detached from the iron plate must have been, and evidently were, very defective. Their ends remained in the iron plate; they were fractured close to it, and they appear, many of them, to have been broken through before the explosion occurred; and, indeed, other stays which still remained in the iron plate, and had been pulled out of the copper plate, proved upon fracture and examination to have more or less failed in a similar manner. The gradual failure of these stays near the inner surface of the iron plates, arises no doubt from the movements of the iron and copper plates, due to their different rates of expansion ( $18\frac{1}{4}$  inches copper to 12 inches iron) at an equal increase of temperature, and to the higher temperature to which the copper plate is exposed. Of the nineteen stays which were thus fractured, eleven were situated, as will be seen by the enclosed diagram (Captain Tyler here handed in the diagram), at the angle of the copper plate above referred to as having first given way, and four more were in continuation along the upper side of that plate; one stay only remained on that side in the iron plate. The other four fractured stays were situated in the front side, and one near the angle formed by the lower and rear side of the plate. The Locomotive Superintendent of the Company was good enough, at my request, to cause a portion of the opposite copper plate to be cut away on the right side of the firebox, and I thus discovered that six stays were broken on the right side in the angle corresponding to that at which the explosion had commenced on the left side. The copper stays that thus failed had been in the firebox during the whole existence of the engine, and no weakness appears to have been previously observed in the firebox. The engine came in for its last thorough repair in December, 1861, and lay idle till April, 1862. It was thoroughly repaired during May, June, and July, 1862. Besides numerous other repairs and renewals, a patch was put at that time upon the rear side of the firebox, under the fire-door, which still remains in its place. Some iron stays, which are visible in the side plate of the firebox, appear to have been inserted some five or six years ago. The boiler was tested in July, 1860, when it was stripped up, to 180 lbs. by water and 140 lbs. by steam, but has not been tested since that time, and it does not appear that there has been any leakage since reported in the firebox except from tubes. This engine has exploded, then, in consequence of the failure of certain copper stays on the left of the firebox, and these stays have been gradually broken through during the ten years that the engine has been at work. *The engine has been working for some time in a critical condition, and for a considerable period with a less margin of strength than ought to be preserved between working pressure and bursting pressure; and it would have gone on working but for the explosion, unless symptoms of leakage or bulging had been observable in the interior of the firebox.* It becomes important to consider, under these circumstances, whether this locomotive boiler should not have been subjected to more frequent tests by hydraulic pressure. The Locomotive Superintendent of the North London Railway does more than the officers of most of the great Railway Companies in this respect, in testing his boilers whenever they are stripped or brought in for a thorough repair. *But still more is evidently required.* This explosion shows that many of the copper stays required renewal within a shorter period, and that it is not safe to wait for leakage or perceptible bulging under the firebox before renewing them in an old boiler. There is great difficulty in ascertaining the condition of these stays without taking the boiler to pieces. The space between the firebox and the outer shell is closed for a number of years, but a weakness is exhibited by the stays, nor can any defects in them be detected by the sound of the hammer until they have been actually fractured, while there may be a great many of them partially fractured, as has happened in this case, without its being known that they are in that condition. One remedy to which I would refer, as being practicable and like to prove efficient, is that of using hollow stays, which has been done, I believe, for many years by Mr. Beattie, on the London and South Western Railway. Each stay would then break and show its weakness when it was partially broken. *The only other remedies that I am aware of, are more frequent tests by the water pressure and earlier renewal of the stays.* The strain upon each stay at 120 lbs. to the square inch in the boiler would in this case have been 2,430 lbs.; and its ultimate strength, when new, would have been about six times that amount, taking the tenacity of the copper at 36,000 lbs. to the square inch. The total strain upon the side of the firebox to be resisted by the 96 stays which supported it would have amounted to upwards of 100 tons. I may add, in conclusion, though it had nothing to do with the explosion, that I observed extensive symptoms of channelling in the iron plate at the back of the angle at which the explosion commenced; and that there were no hanging stays in this boiler for connecting the outer shell to the roof stays of the firebox, such as there ought to be, in my opinion, for additional security, in every locomotive boiler.

Captain Tyler, in answer to a variety of questions from the jury, expressed his conviction that the explosion of the firebox had not resulted from undue pressure, but from undue weakness, which was not discoverable by mere ordinary inspection. *He said that the Locomotive Engineer of the Company took more than the ordinary precaution in testing the strength of the boilers by hydraulic pressure, and it was his opinion that such tests should be more frequently applied.*

Mr. Adams, the Locomotive Superintendent, was recalled, and examined as to whether the large amount of fuel consumed by the running of the engine sixteen hours per day for ten years would not have a serious effect on the calculated strength of the firebox. He denied that the engine had been running sixteen hours per day for ten years, having been a great portion of the time in the shed, but admitted that the consumption necessary to work an engine for such a time would naturally affect the strength of the firebox.

Mr. Sleight again tendered the evidence of Mr. Craig and Mr. Kitson, but the jury having heard Captain Tyler's evidence, and judging from their own inspection, deemed the examination of those gentlemen unnecessary.

The Coroner then summed up.

The jury retired to consider their verdict, and after an absence of half an hour they came again into Court, and it appeared that there was a strong difference of opinion as to whether the death of the deceased was accidental or otherwise; but being informed if they believed that any one was responsible it would be a verdict of manslaughter, the jury accordingly agreed to concur in a verdict of death by misadventure, and



and appended the following remarks thereto:—"The jury empanelled on the 18th August and 1st September, to inquire into the cause of the death of William Davis, having returned a verdict of death by misadventure, are of opinion that the fire-box of the locomotive engine that exploded and killed the said William Davis ought to have been more thoroughly examined; and, considering the age of the engine, and the appearance of the rivet heads, the said jury also recommend to the North London Railway Company, for the future, to make a strict examination of the fire-boxes, especially as the rivet heads of the stays of the fire-box which exploded show such evident signs of weakness."

The inquiry then closed.

Mr. D. C.  
Dalgleish.

17 June, 1868.

*Engineer, September 8th, 1865.—Editorial.*

"The position of Engineer Surveyor to the Board of Trade is, in fact, one of much responsibility and anxiety, &c. He makes a six months certificate that all the Board of Trade requirements have been fulfilled. He may then be said to be the person answerable as to the trustworthiness of the document.

"But the mere fact that the safety of the vessel depends so much on her boilers has naturally led to the greatest care being given to this part of the ship's gear. The Surveyor can require the boiler to be tested to twice the working pressure, and as the result of his examination, he can put the option before the shipowners of either lowering the working pressure or of renewing the boiler."

*Engineer, October 6th, 1865.—Editorial.*

"As is well known, every boiler of a steam-vessel carrying passengers can be required to be tested to twice its working pressure.

"An Engineer-surveyor has to give his written declaration that the boilers are good for six months fair wear and tear. He does not, as one would suppose by the questions, in all cases apply the test as a preliminary to passing a boiler. All new boilers are indeed tried by water pressure as a test of workmanship, but in the case of old boilers it is rather employed by the Surveyor as a means of practical demonstration to the owner that an old rickety boiler is really unsafe, and must either be removed or worked under a lower pressure."

*The National Boiler Insurance Co. Abstract of Report of Engineer. (Engineer, 26th Jan., 1866.)*

"The judicious application of the hydraulic test would probably have led to the detection of weakness in some of the boilers which have failed.

"It was also recommended to apply the hydraulic test after the alterations had been completed. Unfortunately the tube was not strengthened as advised, and on the test being applied the tube collapsed almost along its entire length when the pressure had reached about 83 pounds per square inch; thus proving the value of the hydraulic test, as, had the boiler been set to work, the flue would in all probability have failed, with fearful results.

"If the boilers will stand out for a month, and if they will only just stand double pressure of cold water, and without reference to stay power, that may be enough for a man who wants to sell an old vessel, but it would not be enough for a man who would work a boiler on his own responsibility, and it is not enough for the safety of the public, and yet some owners think themselves sorely ill treated if a Statutory Declaration and a Passenger Certificate were not granted under the circumstances."

FRIDAY, 19 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,  
MR. CARLISLE, R.N.,

MR. THOMAS,  
MR. RUSSELL.

Mr. William Thaw, Superintending Engineer, Peninsular and Oriental Steam Navigation Company, called in and examined:—

162. *President.*] You are aware of the method in common use here of testing marine boilers? No, I have never had any tested here. Mr. W. Thaw.

163. You know the Engineer-surveyor makes use of hydraulic pressure? I have been told so. 19 June, 1868.

164. You know that he commonly, though not always, applies pressure by means of the hydraulic pump, up to double the working pressure? Yes, and sometimes over it, I have been informed. I only know anything of it from what I have been told.

165. Have you any reason to suppose that applying double the fair working pressure by this means would be likely at all to injure a boiler? Yes, I have reason to suppose it was so in the case of the "Clarence."

166. Speaking generally? No, I could not say so; I have never known any case; I have never seen it done.

167. You have never seen such a pressure applied? No, never.

168. What reason have you to suppose the boilers of the "Clarence" were injured by this test? I was called to look at them, and from what I heard of the pressure that was on the boilers at the time, I did not think it possible they could have given way with that pressure; I thought the flaw had been caused previously by pressure applied in some way or another; and that was the most likely thing to do it, that I could think of.

169. You are aware the working pressure on the safety-valve was eighteen pounds? Yes.

170. You think that was not sufficient to produce the accident? I think not.

171. Did you examine the boiler after the accident? I did not see it immediately after the accident—not until the man died, three or four days afterwards.

172. Are you aware that several persons have given an opinion that the accident arose from the defective construction of the stay originally—that it was a bad fit? The first stay that gave way was not so well riveted as the rest, that is to say, the mark on the plate was not so broad; but the plate had had a tap put through it, and I would scarcely be able to say that that one was worse than the rest. I thought it was worse because it had given way first; the plate was not so much bulged, and I judged from that that it had given way first.

173.

- Mr. W. Thaw. 173. If one defective stay gave way, it would increase the likelihood of others giving way? Yes, certainly. Two of the others were quite good.
- 19 June, 1868. 174. Do you think it possible that a test of forty pounds applied to these boilers three months beforehand should have injured this stay so much that it gave way under eight or nine pounds of steam? That was the only reason I could think of, unless the boilers may have been heated before.
175. You think that may have been the reason, merely because you could not think of anything else? Yes. It is quite possible the boiler may have been heated before.
176. Might it not have suffered some deterioration in the meantime that might account for it? In the course of only three months—I think not.
177. Have you any other reason for supposing this test was injurious? No.
178. Do you think a boiler that could not stand forty pounds pressure without injury would be safe to work ordinarily up to twenty pounds? I think so. It might not give way at forty pounds, but you might damage parts of it.
179. I do not think you understand me. If a boiler was not capable of standing a pressure of forty pounds without injury, would such a boiler be fit to work up to twenty pounds under steam? I should say it would. I know it has been done in very many cases.
180. Are you aware in what way boilers in use are tested in England and other countries? Just with the hammer—a man going in and examining them with a hammer; there is no other way that I have ever seen, and I have had boilers tried in two or three different ports.
181. They are examined in fact—not tested? Yes.
182. Do you object to this mode of testing, then? No, I do not; but I think it was overdone in this case.
183. Supposing the working pressure on a boiler to be twenty pounds, how far would you carry the hydraulic test? I should say one and a half; fifty per cent. above the working pressure would be safe enough.
184. You are aware that new boilers in England are tested? I know a number of them are. The best makers test them.
185. Do you know by what rule they are guided? I do not think there is any rule; none that I know of.
186. Are they not tested by authority? No. I have known them tested in France by authority, but never in England. They may have been, without my knowing it; but I have never seen any stamps on boilers, and I have been connected with them a number of years now.
187. You think if they were tested to the extent of fifty per cent. of the working pressure, instead of one hundred per cent., there would be no objection? I think not. I think when they put so much on it they do not look to the boiler sufficiently. In this case that my attention has been called to, I do not know yet whether the bottom of this part that gave way was seen or not; but from seeing it afterwards I should rather think it was not. When they tried the other boiler, I was told it sprang very considerably under forty pounds pressure.
188. Was the stay riveted? Yes.
189. There are other ways of fixing stays? Yes, it could have been put in without a rivet, or put in with a nut.
190. Is there not some other way? It could be riveted without a screw, with a thimble inside as a stay for it. I think the best on the whole are riveted stays, but I never see them now-a-days. Those that have given me least trouble have been without threads and riveted, but I have not seen them in steamers for many years.
191. I think you said you examined the boilers of the "Clarence"? I examined the defective part.
192. This (*showing witness a pencil sketch*) is, roughly speaking, a section of the boiler. Do you think it is possible that, after this vessel had been working for three months, ashes, soot, and other refuse, might have collected here and nearly filled up this space, and that after running under steam for many hours, thirty-six or forty-eight hours, this mass might have got red-hot? It is possible, but very unlikely.
193. Then, supposing it to have been the practice to blow the boilers out immediately after drawing the fires, and before anything had had time to cool, do you think it possible the stay might have been injured by this hot mass remaining there after the water had been drawn below that level? I do not think it would; I do not think it would get hot in any way to injure it—although there was a mystery attending it. All this was cleaned out when I saw it. Everything appeared to me to be very sound. I cannot account for it giving way with the pressure it did.
194. You saw no particular occasion to find fault with the construction or fitting of this stay? No, I cannot say I did; I thought it a very fair job as the boiler stood. If it had not been for the accident, I should never have dreamt there was anything wrong with the other. I considered it a very fair specimen of boiler work.
195. Taking it merely as a general question, do you think a boiler that would stand forty pounds pressure would, without any deterioration, afterwards give way under a pressure of eight and a half or nine pounds? I am under the impression that it was the forty pounds pressure that hurt this stay, though it was not noticed at the time. That is the only theory I can account for it on—the pressure had drawn it partly up, and that a little more pressure would have burst it out. I have no doubt that if she had got forty pounds on her the next day, it would have given way altogether.
196. Supposing that the stay had been just able to bear thirty pounds, and that the test you propose—fifty per cent. in advance of the working pressure, which would have been thirty pounds—had been applied, would not the same thing have happened? Yes, I do not say it would not. You must have a limit somewhere.



197. Wherever you fix the test, might it not happen that you would just hit the point where the boiler would bear the test and no more. Whatever the limit of pressure you might put on, would you not always be liable to that kind of thing? Yes, without looking at it very narrowly. Mr. W. Thaw.  
19 June, 1868.
198. There would always be a possibility of that kind of imperfection? Yes, you never could make it actually safe.
199. In such a position as that described, I suppose it would not have been possible to have examined this part of the boiler? Yes, it was quite easy; you could walk over it. I do not mean to say that it was the case, but I imagine the stay might have been started.
200. You say none of your boilers were tested in this way? Never in this port, or any other that I know of.
201. Have you ever heard any complaints amongst engineers, as to the mode of testing? I have heard engineers talking of the trouble of getting safety-valves fixed, and so on. My acquaintance here is very limited, I must mention.
202. How long have you been in this port? About nineteen months.
203. *Mr. Moriarty.*] You say you have never known it to be the practice to test boilers in this way? No.
204. And your experience has been, how long? Since 1847.
205. Have you had much experience in English ports, with regard to the survey of boilers? I have had boilers tried three or four times in Liverpool, and twice in Southampton, in ships I was in.
206. By hydraulic pressure? No, a man just came in with me and tried them with a hammer. I have had them tried in Bombay also.
207. Do they prove them there by hydraulic pressure? No, I never heard it hinted at at all.
208. Do you think, from your knowledge of steam boilers generally, that any marine steam-boiler you have ever seen would stand six times the ordinary working pressure? No, I do not think so—none that I have ever seen—none that ever I have worked, any way.
209. *President.*] Not a new one? No, I do not think it.
210. *Mr. Moriarty.*] There is a certain proportion of strength to the ordinary strains likely to be put upon it, in all parts of a marine engine as well as in the boilers. Is there any part of a steam-engine that is not at least three times as strong as any strain likely to be brought on it? I think not; I think all the parts are always three times as strong as they are likely to be strained to.
211. Do you think there is any reason why the boiler should differ from any other part of a steam-engine, in not being three times as strong as any strain that may be brought on it? No, I cannot give you the reason, but I know it is not the case.
212. Should you say three times the greatest strain likely to be brought on it would be an unreasonable strain? I think every boiler ought to stand that; but I think it would spring with it.
213. What is the strain that would injure it? If a boiler is made new that cannot stand three times the pressure that is going to be put on it, it is going to be pressed too much.
214. Then a boiler ought to be three times as strong as any strain likely to come on it. Would you say then, to prove that to two-thirds of its ultimate strength—that is, twice the ordinary pressure of steam likely to be brought upon it—would injure it? When it was new I do not think it would; that is to say, if you are going to run it at ten pounds, I am understood to say thirty pounds should not hurt it, when it is new. Twenty should not hurt it at all.
215. If a boiler is just strong enough to carry thirty pounds, and at about that pressure give way, do you think it would be judicious to work that boiler at a pressure over ten pounds? I dare say it would.
216. How much more? I could not give the exact limit; I should have no hesitation in working it to fifteen pounds.
217. If it would burst at thirty? No, if thirty would injure it.
218. I mean such injury as might lead to its ruin and the death of those about it; for instance, thirty pounds of steam might produce such a serious rent as to destroy the boiler and everybody about it. Should you say it could be safely strained within half, when no other part is ever strained above one-third its ultimate strength? If it would burst at thirty pounds, I should say I would not put more than ten pounds on it as a working load, if you mean it that way. I do not think it would be safe to put on more than ten pounds, if it would burst at thirty pounds.
219. Would you consider that under these circumstances it would be safe to strain it by hydraulic pressure up to fifteen pounds—just half its ultimate strength? Yes, I think it would.
220. That would be fifty per cent. above the ordinary working pressure? Yes, that is just the pressure I have given you as a kind of limit; that is the nearest I could guess it at.
221. You would not go up to twenty pounds? I would not, after seeing what I have seen here.
222. *President.*] Speaking of new boilers—Supposing a boiler were constructed to work up to twenty pounds, what pressure do you suppose would burst it—do you think it would burst under six or four times the working pressure? I dare say it would at four times—the best of the boilers you can get. There is a great difference in the makers of boilers. Something would give way at four times—you would see that some parts were defective.
223. You think that about the ordinary proportion? I am scarcely an authority on such a point. I have seen very few boilers tried that way.
224. *Mr. Moriarty.*] You have calculated the strength of boilers, I suppose? Yes, I have occasionally; but if I were making a boiler, I would prefer seeing what had been done, to making fresh calculations for myself.

- Mr. W. Thaw. 225. You were saying you thought the stay of the "Clarence" had probably been injured by the hydraulic test to which it had been subjected? Yes, I think it probable it was injured by some pressure previous to what was on it when it gave way.
- 19 June, 1868. 226. You have seen a sketch of the smoke-box and the space behind the bridge? I have seen the boiler itself.
227. Do you think it at all possible, supposing that boiler to have been running some time, that the ashes had dropped down and been banked up there—Do you think it at all possible these ashes could have got red-hot from the surface? No; but the coals used here need a good width of fire-grate, and if there were any possibility of a few getting in below, it would be possible to heat it; but I do not think it likely.
228. Supposing that that stay had had some of its threads strained and injured by the hydraulic test, that that produced a slight leak, and that the ashes were allowed to remain in the box, which we have had described to us, about that leak, do you think that would tend to produce corrosion about the head of the stay? It is possible it might.
229. Has not any leakage about a stay head or rivet head that tendency? Yes.
230. Supposing that stay to have been injured by the hydraulic test, and that a leak had taken place, would not the fact of the ashes lying about it accelerate the corrosion? Yes, it might do that. If it were dried up very often, of course it would corrode sooner.
231. Supposing then, some three months afterwards, this vessel takes fresh water into her boilers, might not that loosen the scale of lime and salt about the rivet head, and still further accelerate the evil? Yes, it is quite possible.
232. Under those circumstances then, that rivet head being gradually eaten away during the course of three months, do you not think it likely it would give way at some time or other? I think not. I saw the rivet, and all the eating away that I saw was very little. The bolt was drawn through; it was quite a tight fit. If you have a thread of the sixteenth of an inch pitch, and you draw the half of that, one thread begins to ride upon another.
233. It opens inside? Yes. That was the state of that rivet.
234. Do you think the evil was likely to be accelerated or increased by the fact of subjecting the boiler to double the strain of the ordinary working pressure? I am under the impression that that was done. Something more than the pressure when the accident happened had been put on it. I thought at once this was what injured it; but it may have been injured in other ways that I know nothing about. I inquired if anything had happened, and was told the hydraulic test had been applied.
235. After the accident, I think you said, you saw the other boiler tested? No, I did not see it tested; I heard it was tested.
236. How many times the ordinary working pressure do you think the boilers, speaking generally, of the P. and O. Company's steamers would stand? I could not give an opinion; we have never tried them; they are tried in the factories, I understand, up to twice. I am speaking only from hearsay; I have never seen any tried myself.
237. Do you not think there may be a difference in trying boilers when new, to see whether they are properly stayed, and subsequently at every half-yearly survey? If I were making a boiler I would try it.
238. But not try it afterwards? Yes, I might try it, but not to double the working pressure, though I do not think any boiler should give way at that.
239. You would do the same after any serious repair? Yes, especially if I could not get about it to see it.
240. *President.*] You say it is highly probable the stay was injured by the hydraulic pressure—Supposing that injury did take place, and that the boiler when under pressure was examined, would it have been apparent? If it had been narrowly watched it might. It was covered, probably, with soot, and might have escaped notice.
241. *Mr. Carlisle.*] If a boiler came under your notice that had been running for about three years (say) at twenty pounds, that you had not seen it before, and you had to give an opinion whether it was safe to continue it at twenty pounds, would you think it safe to apply any test? I do not think I would.
242. You would be satisfied with drilling plates? I am little afraid of plates that will not give way with the hammer.
243. You would be satisfied then without applying any test at all? As I tell you, I have never been in the habit of seeing that done. I should be quite satisfied to go round with the hammer myself. Of course that is merely an opinion I am giving you.
244. *Mr. Thomas.*] If you were asked to put an hydraulic test on such a boiler as mentioned by Mr. Carlisle, what pressure would you put on it? I must just give you the answer I gave to the Chairman—fifty per cent. above the working pressure. Previous to coming here I did not think of any pressure exactly; I am just answering you on the spur of the moment.
245. You would consider that the extreme? I would not like to put more. I would depend a great deal more on examining it carefully with the hammer, than I would upon putting on twice the working pressure and thinking it would do because it would stand that.
246. Then your opinion with regard to testing boilers comes to this—that you would examine them with a hammer, and if you thought there was some place you could not see very well that might be defective, you would put hydraulic pressure on it, but to a very limited extent? Yes, say fifty per cent. I would rather put less than more, and try it with a hammer.
247. *Mr. Russell.*] If boilers are proved under hydraulic pressure by means of a pump, do you think it would give the boilers a better chance of standing the pressure—that it would be less likely to do damage to the boilers—if the water were heated slightly? Yes, I think so.

248. If you were called upon to survey the boiler on board a steamer, after proving it to *Mr. W. Thaw.* your satisfaction by hydraulic or any other pressure, for what time do you think it would be safe to let it run? That would depend a great deal upon the age of the boiler. *19 June, 1868.*
249. Supposing the boiler had been in use for two years? I think there is a very good rule here in Sydney—that the certificate should not exceed six months.
250. Supposing the boiler to have been running for two years, that all necessary repairs had been done, and that you had satisfied yourself as to its condition, to what time would you limit the running of that boiler? It has been my business lately to write concerning a boiler six years old, and that question was asked me; I have said that the boiler was good for eighteen months, getting the usual overhaul when it comes into port.
251. We have a practice here that certificates are granted for six months, after certain repairs have been done; and I understand some owners of steamers are under the impression that, after they have got a certificate from the Government Engineer that a boiler has been proved, and that she is good for six months, she does not require anything done for that time? I do not think any man can give a certificate that a boiler will not need any repair for six months; but I think the practice here of re-opening the question every six months is a very good one—it is a very good time to allow. If you cannot give a certificate for six months, the boiler ought to be put under repair; she ought to be made to last for six months.
252. Your steamers get a thorough overhaul every three months? Every time they come into port everything is examined, ship and boilers.
253. *Mr. Moriarty.* You do not approve of the practice of giving certificates for three months? No. If I were examining a vessel, and thought she would only be able to go for that time, I should say she ought to get something done to her. I think it is all nonsense saying you will allow a boiler to run for a month, and not for two. No man can tell how long a boiler will run; it may give way the minute after the vessel goes to sea, or it may run for six months.
254. *Mr. Russell.* You do not approve of the hydraulic test to boilers except when they are new? When they are new I do not object to it; but I object to the way in which this boiler was tried. That was the likeliest thing I could think of to lead to the accident. I had to write a short report about this, and the way I put it was, that I thought the boiler had been over-pressed at some previous time, and that the pressure she had on at the time of the accident had not been the original cause of it.
255. *Mr. Thomas.* You think, if the hydraulic test is employed, it would be better to have the boiler heated in some way? Yes; it is quite possible that may take the shock off to some extent, for it is quite likely the pump may give a shock to the boiler the same as a blow of the hammer.
256. Is it not the case that iron, when heated, has greater tenacity than when cold? I believe it has, when moderately heated.
257. *President.* Would not heating the water make it inconvenient, or impossible, to examine the boiler? No, a moderate heat only need be applied.
258. Suppose you should learn that the boilers of the "Clarence" had only been tested up to thirty pounds instead of forty, would you still have the same opinion that the boiler had been injured by the test? I would scarcely like to say that; for it is quite possible that this open space may have been very dirty below, and that it may have got red-hot. There is a possibility of it, although I saw nothing of the kind to justify me in saying even so much. Everybody who has been inside a boiler knows they do very frequently get very dirty in these out-of-the-way places.

---

MONDAY, 22 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,  
MR. CARLISLE, R.N.,

MR. THOMAS,  
MR. RUSSELL.

Mr. Benjamin Bailey called in and examined:—

259. *President.* You are Superintending Engineer to the Panama Steam Company? *Mr. B. Bailey.* Yes.
260. You are aware of the method in use here, of testing marine boilers by hydraulic pressure? I am. *22 June, 1868.*
261. Have you any reason to be dissatisfied with it? No.
262. Are you aware that it is a common, though not a universal, practice with the Government Engineer to test up to a pressure equal to double that on the safety-valve? I am.
263. Have you any reason to think that that might in any case be injurious to a boiler? If it proved to be injurious, the injury ought to be made good.
264. Do you think that, in any case, a boiler competent to stand a pressure on the safety-valve of (say) twenty pounds, might receive some injury, so as to diminish its value, by being subjected to hydraulic pressure up to forty pounds? Of course, if it were only fit to stand twenty pounds, testing it to forty would do it an injury.

- Mr. B. Bailey. 265. I mean if, according to the common practice, it was well able to work up to twenty? In that case it ought to be able to stand the test to forty pounds without injury.
- 22 June, 1868. 266. Have you ever witnessed the testing of boilers by the Government Engineer? Many times.
267. Have you ever heard any complaints on the subject? I have never seen him test any except those that I have had to do with, except on one occasion.
268. Have you ever heard any of the officers of the different Companies complain? I cannot say I have. I should take no notice of any talk out of doors.
269. You have seen the boilers of your own Company's steamers tested? Yes.
270. Have you any reason to complain of the manner in which it was done? None whatever.
271. Would you recommend that the practice be continued as it is? With the same care that Mr. Dalglish uses, I would. He is certainly one of the most careful Inspectors I have ever met with.
272. Do you know what the practice, as to testing boilers, is in England or other countries? They examine them, that is all; but I believe they have the power of testing them by hydraulic pressure to double the working strain if they choose.
273. The Government Inspectors have? Yes, if they think a boiler is unsafe, they give notice that it must either be subjected to double pressure, or that the pressure then on must be reduced. Of course the option lies with the owner whether he will submit to it or not. At least they could do that when I left; I have been away from England about a year and nine months, but I have not heard of any alteration since.
274. Do you think it possible that, by testing to double the working pressure, injury might be occasioned which would not be perceived at the time—injury that might escape notice at the time, and yet lead to accident afterwards? No, I think not; if any injury were done, there would be a proof of some bulging.
275. You think something would be observed? Certainly, if care is taken to observe it.
276. Do you know anything of the particulars of the accident to the boilers of the "Clarence"? Yes, I know some little.
277. You know one of the stays gave way? Four stays gave way.
278. Was it not supposed that one gave way first, and the others afterwards? When I saw it, four had given way.
279. Do you know sufficient of the circumstances to give us any opinion as to the cause of the accident? I have given an opinion already on that.
280. Were you examined as a witness before the Coroner? Yes.
281. What, in your opinion, was the cause of it? Being asked if there had been defective workmanship, I said yes, in the first place, but that there had been leaks there, and that the stays had been caulked to make them tight, and been shook undoubtedly by the caulking.
282. Do you think it possible that the fact of this boiler having, three months before, been subjected to hydraulic pressure, might have caused the accident? No, I do not think the hydraulic test had anything to do with the accident.
283. Do you think it possible that, when the test was applied, a slight leak might have been developed? If there had been a careful examination, it would have been seen at the time. I was asked by the jury how I accounted for the accident, assuming the engineer's statement to be correct, as given on oath, that there was only nine pounds of steam on, and bearing in mind that, some three months before, the hydraulic test had been applied by the Government Engineer. My answer was, that I could not reconcile the statement that there was only nine pounds pressure on the boiler when the accident took place, with the facts of the case, as I had observed them.
284. And you cannot reconcile them now? Certainly, I do not think nine pounds pressure did that. I was not asked any more about it; and I think I was only justified, when before a jury, in answering the questions put to me, and speaking of what I could see. I do not think it right to assume things to be the case and then give an opinion, or perhaps I could assume very nearly the truth as to the cause of the accident.
285. Did you examine the boiler after the accident? I did.
286. In what way did the stay seem to have given way? The stays had drawn through the plate. I believe these stays had never fitted the holes properly; the rivet had come clean through in one case without affecting the thread.
287. You do not think it possible the hydraulic test applied three months before could have been the cause of that? Certainly not.
288. How was it these stays were able to bear that pressure of forty pounds on that occasion, and still, a few months afterwards, give way under a much smaller pressure—only nine pounds? That is the pressure we are told, but I say I cannot assume that to be correct.
289. You do not suppose there were more than eighteen pounds upon the safety-valve? I cannot say.
290. It is not likely? It is impossible for me to say. It is very difficult to give an opinion on the cause of an accident, unless you see the surrounding circumstances.
291. Do you see any reason to suppose there had been any tampering with the safety-valve? No. It is a question whether pressure had anything to do with it at all perhaps. That I cannot say.
292. Might not the stays have been injured in some way during the three months by heating or rusting? If there had been a leak, they would have been impaired more or less.
293. Did you examine the boiler before anything had been done to it? No, I was asked to go over, by Mr. Dalglish, to see him note the pressure on the sound boiler—to prove that the Government valve then worked at the pressure said to be on the boiler, eighteen pounds.

294. Had anything been done to the boiler before you saw it? No, no work as to repair, Mr. B. Bailey. but the place had been cleaned out; the ashpit and all the backs had been cleaned out.
295. Have you any reason to suppose that part of the boiler had been unduly heated at 22 June, 1868. any time? It is quite possible it may have been.
296. Did you see anything to lead you to suppose that it had? No, I did not examine as to that.
297. *Mr. Moriarty.*] Can you tell us what the practice in London is with regard to boilers—if it is the practice to prove them by hydraulic pressure or not? Not by the Board of Trade; they can do it, but they do not do it—at least, I have never seen them do it—and I have had a good deal to do with them both in Liverpool and London. The only testing I have known of has always been with new boilers; and that, I think, is an invariable rule.
298. There would be more reason for testing a new boiler, would there not, than for testing an old one, in order to shew where it was necessary to put in stays, and so on? No, I think there is quite as much reason for testing old ones, to ascertain the extent of deterioration. Corrosion goes on more rapidly in some boilers than in others. Some iron is better than other iron. I think if the test stands good in the one case, it stands good in the other.
299. Is it not essential, in the case of a new boiler, to prove its strength by some plain and obvious test, in order to shew where additional strength is necessary? Yes, I think it would be the height of madness to attempt to get steam in a new boiler unless it had been proved.
300. Do you think there is any boiler in this port, or, as a rule, any marine boiler in any port in Great Britain, that could stand six times the ordinary working pressure? I should be sorry to say there are not many that would not give way at double the pressure. Still, I do not say they are safe. We all know how very anxious owners are to keep their machinery running. We know the great difficulty those who have to guard the public safety have to contend with is, to convince people their money is being laid out well—in fact, to guard them against accidents, and satisfy them there is a necessity for it.
301. If the practice of proving all the boilers in Great Britain to double the working pressure were adopted, you think the chances are it would burst most of them? No, I should not say most of them; I should be very sorry make such a sweeping assertion.
302. Could you fix upon any proportion? No.
303. Do you think your own boats here would stand six times the working pressure before something would give way? Something might give way that could be easily remedied, but I believe they would stand perhaps from four to five times the working pressure; at the same time I should expect to see the boiler totally ruined, after they have been at work so long.
304. Do you think boilers differ in any essential particular from all other engineering structures and pieces of machinery, in that there should not be a safe ordinary limit of strength above the greatest strain likely to be brought on them. Take, for instance, the crank pin—do you think it would be safe to work with a crank-pin that was not at least four times as strong as any strain likely to be brought on it? I think the lowest practice is with the piston-rod, and with that you generally allow a factor of six,\* and in many cases ten. I think you should allow a larger factor with a boiler than with a piston-rod.
305. Generally it is much less? Yes, I believe many boilers are running within an ace of ruin, and people do not know it. Such a state of things should not exist though.
306. What would you consider a fair factor of strength with regard to a new boiler? Maudsley's factor of strength with their boilers used to be, some five or six years ago, ten times; and theirs are the best constructed boilers that I know of.
307. Marine boilers? Yes.
308. Does that apply to the stayed part or to the shell, where the form is circular? I am speaking of what may be considered its weakest part, because that must be considered in substance its strongest. You see how gradually we are coming on. Fifteen years ago, or little more than that, we were thought to be doing a great deal by working marine boilers up to twelve pounds; they are not a bit better stayed now, and they go up to twenty-five pounds.
309. They are not increasing the strength as they are increasing the pressure? No.
310. Then, in point of fact, you think that although the factor of strength in boilers ought to be ten times —? I do not say so.
311. Six times you think? Yes —.
312. In point of fact, in most cases it is not anything like that? I did not say in this Colony. I have no doubt there are boilers that will do that.
313. *President.*] Do you think if this present mode of testing was abolished, we should soon have some that would not stand the pressure? I think it very likely they would soon increase the pressure to get a little more speed on the ship, and never mind the risk.
314. *Mr. Moriarty.*] Do you think any piece of machinery should be loaded or strained to half its ultimate strength? Our best authorities tell us not to strain iron to half, although there is one that goes up much higher than that. You will see a table of his in Fairbairn, where he proves that iron has not been hurt by going up to three-fourths of its strength.
315. As I understand you, you would not consider it safe that a boiler, or any other part of an engine should be strained to half its ultimate strength? I consider you ought really to have a larger margin of safety with your boilers than with your engine.
316. If you consider you ought to have a factor of safety of six times the working pressure, would you consider it safe to strain a boiler so constructed to half its ultimate strength? No, I should not like to do that. But if I was straining that boiler, I should have indexes about the boiler to see what I was really doing, and whether I was producing any effect by straining it.
- 317.

\* NOTE (on revision):—Lowest factor, five or six.



Mr. B. Bailey. 317. When you have your boiler under pressure—unless you happen to have the eyes of Argus, you cannot see every place at once—do you not think it possible that some part might be springing when you are carefully examining another part? With myself, I put the boiler-maker and the engineers about the boiler with straight edges, to observe any bulging in any part, and I note the gauges myself, and particularly examine every part I consider the weakest. Of course I go inside the boiler and examine it carefully first; I would not think of testing it without doing so. I test our boilers sometimes before repairs up to their working pressure, or perhaps a little beyond it. I find out in that way flaws and leaks that I could not look for when steam was up, especially in the steam-chest and back of the furnaces.

22 June, 1868.

318. You do not make it a practice then of going much beyond that limit? No, I leave that for the Government Surveyor to do; but I am there when he does it. There is another thing,—I would not have a boiler tested by the gauges that are on. I have very seldom seen a steam-gauge correct yet. I believe some boilers have been tested without getting rid of the air in the boiler, and I believe that has a very bad effect; in fact, you will see a steam-gauge fixed with it.

319. *President.*] The gauge would not act? No.

320. That seems strange? It does. I cannot account for it, and I have asked others to account for it, but they could not do it.

321. *Mr. Moriarty.*] That is a thing which occurs in some gauges and not in others? I would not attempt to test a boiler without I knew I had a vent on the top for the air.

322. Do you think a Salter's gauge —? It is best to have a small valve with a lever and weight, and that cannot go wrong.

323. Supposing a boiler was strained by undue hydraulic pressure, would it not have the effect of slackening the stay in the hole. Supposing the stays are drawn through the plate and riveted over, and the plate subjected to an undue strain, whereby it slightly springs in the intermediate part between the stays, would that not have the effect of opening out the inner shoulders of the stay, and slackening it? I look upon a stay, properly screwed and riveted, as almost amalgamated with the iron—as near as possible as it can be. I do not believe you can slacken that stay without injuring the thread, and showing that you have done so.

324. If the plate bulges between the stays, has it not the effect of drawing the plate back from the thread? The plate does not enlarge its aperture—it elongates, if anything. I do not believe that by any stress you can strain the hole larger.

325. When you have the whole boiler under pressure, might not two or three stays in out of the way places, which you were not looking at at the time, be strained and injured, and yet not exhibit the effects of it? They ought to be looked at at the time. The plate would have to bulge to a larger extent before the hole would open out like that (*referring to an explanatory pencil sketch made by Mr. Moriarty*), and I should think any persons that were desirous of doing their duty, and following the thing out to a truthful end, would note and easily know the weakest part of their boiler, and that would be the part they would keep their eye on most.

326. What we really want to arrive at is, what you think about it. Do you believe in proving boilers to the extent of double the working pressure—Would you say it was really for the good of the public and the good of the steam-boat proprietors? It is for the good of the public, undoubtedly.

327. It is, you think? I do; but it is a question whether the boiler's life is quite as long—that is a question for the proprietors; but I do not think for that reason the public should be rendered unsafe.

328. If the boiler's life is not quite so long, does not that mean that it will give way sooner? No, it will be condemned the sooner. In fact some of them would run on, if they could, until they condemned themselves altogether.

329. Do you think, then, that the double pressure is necessary for the public safety? If I was a surveyor I should be very anxious to have it used. Fearing that great blame would come on me if an accident occurred, I should try and render myself as safe as possible.

330. But here is a case where it is asserted broadly that the proof-strain has produced this evil in the case of the "Clarence"—that the hydraulic test injured the boiler? How could it do it! If it did, the boiler was not what it ought to have been. Besides, it was not the weakest part of that boiler that gave way, assuming that the stays were perfect in the holes; so if the testing did it, why did it not show in a weaker part of the boiler? Upon what grounds do they say it was injured? I was there with the Surveyor, and tested the other boiler, to prove that the other safety-valve was floating. It was I who asked for a straight-edge to see if there was any buckling in the plate. Mr. Jaffrey went into the furnace with me at the back, while Mr. Dalgleish was putting the pressure on. There were something like thirty-eight or thirty-nine pounds on, and I fancied the plate was giving, and I said so. I was holding the straight-edge. I said we had better draw Mr. Dalgleish's attention to this before he goes any further.

331. The plate was springing? No, I fancied so. At the same time I said they ought to get a gauge made. You know old plates are not quite flat, and I wanted a couple of pieces of wood made to try underneath the edges of the straight-edge. When we went in, there was a lot of water there, and it was suggested we could feel what we were doing with our fingers. I believe it was only an optical illusion—that as the vessel moved, the water moved. The light went out. I said the plate was giving if anything, and Mr. Dalgleish was brought down, but could see no difference whatever.

332. In spite of all the care you took, you do not now feel satisfied the plate did spring? There was no proof of it afterwards. If it came at all, it was not the sixteenth of an inch, and that in a three foot straight-edge.

333. Supposing it did yield — ? I should not think anything of it. If there is a square foot without any stay, it can bulge the sixteenth of an inch without affecting the stays. Again, I do not think the hydraulic pressure could possibly have injured that boiler, because there have been a number of boilers tested since then under the same pressure, and stayed exactly the same, and they have been running ever since, as well as sometime before; so that I think it quite absurd to say the hydraulic test had anything to do with that accident. Mr. B. Bailey.  
22 June, 1868.
334. *Mr. Carlisle.*] Do you think it possible the boiler could have been so much injured by the double pressure, without shewing signs of it at the time? No; if it injured the boiler, it must have given signs of it.
335. If the boiler did not give signs of weakness under the double pressure, you would consider it perfectly safe to work? Yes. In fact, that is the only safety I feel. No one can say what a boiler will burst at. We know the great difficulty there is in assuming anything, when we know the immense difference there is in the quality of the iron we have to use. We accept as a standard twenty tons to the square inch; but we know that in experiments at home, it has parted at four and a half tons to the square inch. How are you to find out this bad quality of iron? You cannot judge by looking at it—you must prove it by some means.
336. If you had to examine a boiler that had been at work three years, and had not had the pressure reduced at all, and there were no signs of weakness about the boiler, would you put double the working pressure on it to prove it? I should examine it first.
337. If you saw no signs of weakness, would you consider it safe? Yes. Some boilers will run six years; although I think no boiler ought to run more than five or six years.
338. *Mr. Thomas.*] Were you engaged at the testing of this boiler of the "Clarence" in any other way except as a spectator? I was asked by the Surveyor of the port to oblige him by seeing him put the pressure on, and that the Government safety-valve lifted at that pressure. It was supposed to be loaded at eighteen pounds, I think. That was the boiler that was sound. If the testing did an injury to one boiler, how is it it did not do an injury to the other. That boiler has been tested again since the accident.
339. *President.*] A second time since the accident? Once since the accident.
340. *Mr. Thomas.*] You do not think it possible so to injure a stay by pressure that the boiler would burst? Yes, I do think it possible by pressure to do it; but it would depend on the state of the stay at the time.
341. Supposing it is not sound? If it is injured, it ought to shew it.
342. Did you never see a crank-shaft injured so that it was almost impossible to see the crack in it? Yes, I have seen a number of them.
343. You do not think it possible to injure a stay by that pressure? No, not by that pressure, if the stay was previously good. I think it would shew if any injury was done at the time. You would see the signs of injury on the outside.
344. Might it not be injured inside? That I cannot say.
345. Do you not think it possible so to injure a stay inside that it would not be observed, and yet the next time it was tried at a similar pressure it would go? I should not expect a stay to be cracked. If it had any injury at all, supposing it had enough hold of the thread for its strength to be tested, the stay would possibly stretch, or the thread would be injured.
346. *President.*] You mean that there would be very little chance of the stay actually parting? No, because the depth of the plate is not sufficient for it to hold until the stay parted—it would draw the thread.
347. *Mr. Russell.*] I should say, from the position you hold, you must have had considerable experience? I have had some.
348. Do you think it better to have a uniform test for all boilers, or to leave the proving and passing of them to the skill and experience of an officer appointed for the purpose? That is really a delicate question to answer. You must put faith in your officer, and must give him some latitude. At the same time, I cannot hold that you can make fish of one and flesh of another.
349. Do you think accidents would be less likely to happen if it were left to the experience and knowledge of an inspecting officer, or if there were a uniform test? I think certainly there should be a test.
350. What would you limit that to? As I said before, if I were the Surveyor, unless other people would not allow me to do it, I should use the same test adopted here.
351. It is assumed that at the time the boiler of the "Clarence" was tested it received a certain amount of injury, and three months afterwards shewed it by bursting. Happening as it did in this particular part, the hollow back, might not the injury have escaped the notice of the inspecting officer at the time? It was only in the back of the ashpit. If there had been any leak from it, I cannot but think he would have seen it.
352. It might have been strained without leaking? No, I think not. How could it affect one boiler and not the other? Anybody who asserts that that plate moved more than the sixteenth of an inch, asserts what I know to be incorrect.
353. You are speaking of the boiler that did not give? Yes, when it was tested after the accident. There are weaker parts of the boiler than that. If the test did the injury, why did it not do it in the weakest part of the boiler.
354. Then you are of opinion that all boilers, after they come to a certain age, are not liable to injury by proving them to double the working pressure? I am not going to assert that, if they are going to be left in the same state as they were; but all boilers have additions of strength made to them by additional stays, sheathing, and so on, so as to keep them up to the original standard as near as possible.
355. Supposing a steamer's certificate expires at the end of six months, the boiler is three years old, and requires considerable overhaul and repair to get another certificate, would you consider



- Mr. B. Bailey. consider it safe to test that boiler after it had been repaired to double the working pressure? I would apply the same test as when she was considered to be in first-rate working order.
- 22 June, 1868. Say she was allowed to work at twenty pounds six months ago, she has had six months deterioration, and it is accepted she wants repairs; she gets those repairs, and I should think she was put in as efficient a state as she was before.
356. You would make no allowance for depreciation? I should say that is made up.
357. You would not reduce the pressure? I would after a time, when the boiler got too old for it. You know as well as I do, boilers are strange and capricious in many ways. Plenty of boilers look well with five or six years work, while others look as bad with eighteen months or two years work.
358. How many years have you been at your profession? I have been chief engineer since 1852.
359. You have risen step by step? Yes, I have my indentures now.
360. And you have had considerable experience in superintending the construction of boilers, both on shore and on board ship? Yes.
361. That experience has given you sufficient knowledge to enable you to go to what is likely to be the weakest part of a boiler? Yes.
362. What number of years may your experience have extended over? I have been at the trade ever since I was fourteen, and I am now near forty.
363. I apprehend your experience in making boilers has been since you left your apprenticeship? I was under Maudsley's firm when I was twenty-two, and worked with them till I was twenty-four.
364. Do you think an engineer who has been on board a ship as engineer for five, six, or eight years, will have sufficient experience to qualify him to give an opinion about the boilers as well as the engines? That would be making rather a broad assertion. We know all men are not alike. Some men get as much experience in five years as others in twenty.
365. An engineer employed in a steam-boat has a better opportunity of knowing the cause of accident in boilers than an engineer on shore can possibly have? There is no doubt about that, I think.
366. What number of years were you chief engineer of a steam-ship? I think I first came out here with the "Harbinger," which took the first direct mails to Southampton that were ever taken from here. That was in 1853. In 1852 I was first appointed.
367. Do you think there are any steam-boats out of Sydney that are safe to prove to three times the working pressure? That I cannot say. I do not know anything of any other ships than my own.
368. Mr. Thomas.] Would you hesitate to put three times the working pressure on any of yours? Certainly I would.
369. Would you hesitate to put twice? That is done constantly.
370. Mr. Russell.] Before you allowed that pressure to be put on, you would thoroughly satisfy yourself no injury would accrue from it? Certainly. I think it is madness for a person to force water into a boiler without having first examined it thoroughly inside.
371. After that has been done, you have not only been satisfied with the pressure, but you have inspected the boiler afterwards inside and out, to see that no damage has been done? Yes, and have gauges on to indicate any little bulging of the plate.
372. What is your opinion of the practice adopted of proving boilers with the ordinary force-pump—Is it not possible that one stroke of the pump, when there are five or six men on it, may increase the pressure considerably and suddenly? It would, but they are or should be looking out for that, and should take it gently when the pressure is mounting up to the point required. Besides, the stroke of the pump is diffused over the whole boiler. I do not think it causes any more injury than the donkey engine pumping in water when the steam is up.
373. When there is a pressure of twenty pounds of steam, there is something to work against; but supposing with the pump you have to get up the pressure to forty pounds, and it is standing at thirty-nine, one or two strokes of the pump might have the effect of putting it up at once to forty-two or forty-three? I presume those looking after it could caution the men in time, to go very easy. They could very soon increase the pressure if they liked to do it; but it would be very culpable on the part of the Surveyor and those in charge of the property to allow such a thing as you suggest to be done. From what I have seen of the Surveyor here, he is too cautious a man to permit it. Whenever he tests our boilers, he will not have a word spoken, or the sound of a hammer, and puts the pressure on very gently. I think that pressure of importance, because the steam-gauges are corrected by it.
374. Mr. Thomas.] Have you been present when Mr. Dalgleish has tested many boilers other than those of your own Company? No; but he has never tested any of mine unless I was present and carefully watching the effect. I know engineers will sometimes think they have done a very smart thing when they run the pressure up, but they are very liable to commit an error, and the Inspector be blamed for it.
375. Mr. Moriarty.] You look upon it as a rather dangerous experiment unless carefully watched? I think it requires to be in careful hands, and all indications should be noted. No doubt it is a most important object you have before you. Where is there the same risk of life and property as in steam-boilers in ocean-going vessels? I am sure you cannot look upon steam-boilers as anything else than powder barrels. It is possible that some boilers are working just up to the pressure they will bear.
376. You consider that one of the great advantages of the proof test is, that it puts a stop effectually to running boilers to the very margin of their strength? Yes. At the same time, it wants to be in very careful hands, and to be carefully watched.
377. There is danger attending on it unless it is carefully managed? Yes.

378. *Mr. Russell.*] It depends greatly upon the construction of boilers—boilers of different construction will stand with safety more pressure than others? Yes.
379. Supposing there were two steamers to be inspected, with boilers differently constructed, or the one set in a better state than the other, one might stand with safety double the working pressure, while the other would not; therefore, it would require a man of great experience to know what pressure to put on those boilers? It strikes me the thing to do in that case would be, to make the boiler so that it would stand double the working pressure. I presume the Surveyor, before he applies this test, goes into the boiler and satisfies himself it will stand the pressure he intends to put on it; and if he thinks it will not, his bounden duty is to advise those who own it that he is going to put a pressure on it that he thinks it will not stand, and that if they do not like it they must reduce their working pressure, or have the boiler strengthened. I do not think it is the surveyor's duty to put a pressure on without previously cautioning the owners.
380. Supposing a boiler is put on board a steamer, with a working pressure of twenty pounds, and is proved to double that, after four or five years would that boiler be safe to prove at the same pressure, unless in very good order, and after very considerable repair? It is quite possible that in five years that boiler would be used up, and you would want a new one.
381. We have boilers here much older than that? That may be; but, as I have said, it is my opinion that all boilers should be lifted out after five or six years.
382. *Mr. Moriarty.*] Do you not think so severe a trial as double the working pressure necessarily confines boiler-making work to the best hands and the best material and workmanship? Yes, certainly it does.
383. *President.*] What you mean on the whole is this,—that if it is time to diminish the test pressure, it is time to diminish the working pressure, or repair the boiler? Yes.
384. The stays that gave way in the "Clarence's" boiler were fixed by a thread and a little rivet? Yes, they were supposed to be so.
385. Is there any better way of fixing them? I do not hold with that plan, although it is the general plan.
386. With a nut, for instance? I prefer a nut.
387. If this had been fixed with a ferrule inside and a nut outside, do you think the accident would have happened? I do not like ferrules. If you put two nuts on the stay, you can tighten the nut up till you get a fit.
388. If this stay had been fixed in that way, do you think the accident would have happened? I cannot say it would not, but I think it would have been safer.
389. Would it increase the expense to fix stays in that way? About 4s. on each stay perhaps.
390. That would bear a very small proportion to the cost of the boiler? Yes. All this comes on first cost.
391. You say you do not think the part that gave way was the weakest part of the boiler? No, assuming the stays to have been sound.
392. Is it not strange the weakest parts would not have gone? There may have been a cause that could not have been got at.
393. Supposing the safety-valve to have been unduly loaded? Then the weakest part ought to have gone.
394. How do you account then for this, that the weakest part did not go? I think it is quite likely there was an accumulation of scale within that plate so that the water was not able to get to it, and that there was fire on the top of the plate.
395. Was it in such a position that fire could get to it? The fire could get over the bridge, and it is quite possible there was not a free circulation of water under the plate. I do not think that accident came about in five minutes; I believe it had been going on for some little time.
396. *Mr. Carlisle.*] If the boiler had been properly examined before, they would have found it out? Yes. I do not say positively there was fire there\*; it was all cleared away when I saw it. If they blew their boilers right down, it is what I should think a very unwise trick to do with bridges in; and we know if people are not looked after they are not in a hurry to draw their ashpits nice and clear, and it is difficult to get at the back.
397. *President.*] Did you form any opinion as to whether there had been any deposit of scale on this plate? I only saw loose scale inside the boiler and under that plate.
398. Could that have been prevented by proper care? I should think that boiler could never have been sludged out from the time it was last tested, for that amount of loose scale to be there.
399. Supposing that when in this state a lot of fresh water had been put into the boiler from the city mains, would that have produced any effect? If they were like that previously, it might have softened the salt and increased the deterioration.
400. Do you think that if the testing pressure were reduced somewhat, so that instead of being onehundred per cent., it should be fixed at fifty per cent. of the working pressure, do you think the result would be sufficiently satisfactory? No, I could not put that forth as my opinion, against that of our best written authorities at home.
401. *Mr. Moriarty.*] Who are the written authorities that recommend testing to double the working pressure? Macquorn Rankine is one.
402. He is not a practical man? We have to take him as our guide in engineering.
403. As to strengths perhaps—but is he a good guide as to mere matters of practice? He is one of our greatest writers on the subject. There is Fairbairn too; he insists on the strength at any rate. Macquorn Rankine speaks of it in both his works. In his last work—

\* NOTE (on revision) :—The cleaning refers only to the top of the plate.

Mr. B. Bailey. work—of which I do not think there are copies yet out in the Colony—I have almost the first one bound—he speaks of it again.

22 June, 1868. 404. And recommends the test by hydraulic pressure? Yes.

405. *Mr. Thomas.*] Do you know of any other authorities? There is a very practical engineer who examines more boilers perhaps than anybody else; that is, the engineer who examines for the Manchester Association for the Prevention of Accidents by Steam-boiler Explosions. Then again there is the engineer for the Insurance Companies.

Mr. Francis Napier called in and examined:—

Mr. Francis  
Napier.

22 June, 1868.

406. *President.*] You are an engineer by profession? Yes.

407. You are aware of the method of testing marine boilers made use of here? Yes.

408. You know it is customary for the Surveyor to test up to double the working pressure? Yes, I believe so.

409. Do you see anything objectionable in that practice? I think no general rule can be applied to all boilers. Some boilers it would injure, and others it would not. It is a thing that should be left entirely to the discretion of the Surveyor. I would not recommend double pressure being applied. I believe in many instances it would not injure the boilers, but I would not recommend it.

410. You think some boilers may be perfectly fit to work up to twenty pounds, and yet be injured by the hydraulic test up to forty pounds? Yes, according to their construction. If they have flat sides and stays they might be injured.

411. And still be fit to work up to twenty pounds? Yes, if not injured by the test.

412. Do you object to the test generally? I object to any general rule.

413. Would you use the hydraulic test in some cases? Yes, I consider the hydraulic test the best test to a certain extent.

414. But you think it should not be carried so high as that in all cases? Not in all cases; in fact, in few cases is there a necessity for it.

415. You think one boiler might be injured by testing to forty pounds, and another might not be injured, and still they would be equally safe? The one that would be injured would not be so safe, but it would be equally safe if it had not received the injury.

416. Equally safe to work up to twenty pounds, but not equally safe to be tested up to forty pounds? No.

417. Do you know what the practice is in England, as to testing boilers in use? The hydraulic test is used, I believe, in some places.

418. By Government authority? That I cannot say.

419. What would you recommend, if called upon to advise the Government as to the system of testing boilers? I would make no recommendation, only to leave it to the Inspector; he ought to be so thoroughly qualified as to require no directions.

420. Would you tie him down to no general rules? No, decidedly not; I would leave him to his own judgment.

421. You would not fix any rule; for instance, that the pressure should not be more than once and a half the working pressure? No, that should be left entirely to his own judgment.

422. Do you think the safety of the public would be endangered if the hydraulic test were discontinued altogether? I should not recommend its being discontinued altogether. No boiler ought to be injured by mere pressure from thirty to fifty per cent. above its working strength—it ought to be strong enough to withstand that without being injured.

423. If it is not, the pressure ought to be reduced? Yes.

424. Did you make any examination of the boilers of the "Clarence" after the accident? No.

425. Do you know anything to enable you to form an opinion as to the cause of the accident? Had they had nuts on the stays they would not have gone, nor would they have been injured by the hydraulic test.

426. You think nuts ought to be used in all cases? In cases where they are out of the fire; and where the fire is, I would use large rivets put in hot.

427. You think the accident is attributable to there not being nuts? If nuts had been on, it would not have taken place.

428. Is it possible the hydraulic test of forty pounds, three months before, had anything to do with it? It is possible. Frequent applications of pressure—

429. It was not frequent—only applied once? The plate was bulged, I understood, before the explosion, and that shewed it to have been over-pressed. The other plates were stated to be bulged between the stay bolts, and that shews they were too weak.

430. Would you consider the boiler too weak to work up to twenty pounds? Not with nuts.

431. You think if nuts had been there the accident would not have happened? Decidedly I think so. I have seen similar explosions from similar causes, which would have been prevented by nuts being put on.

432. Is there any objection to using nuts? They are objected to in the furnaces, on account of their burning off and the fire-irons striking them.

433. Is there any objection in other places? No, I do not know any objection at all. I have always used them myself, and have had them stand for many years without the slightest trouble.

434. Would they increase the expense? Not perceptibly. In fact, I should say it would be rather less, because you could do with a smaller stay. It is not the stay-bolt that gives way—it is the thread which strips. Mr. Francis Napier.
435. What is the section of this stay? About an inch and a quarter or eighth in diameter. 22 June, 1868.
436. It would not be likely to part with the pressure? No, it would stand fifteen times the ordinary pressure before it would break the iron, if good.
437. Did you ever know a stay to give way where it was fixed by a nut? I have never experienced it.
438. Have you known many such cases where they have been fixed with a thread and rivet? Yes, several.
439. I think we have some evidence that there is some objection to using nuts? I have not found it, except in the furnaces.
440. In the furnaces is there no better way of fixing them than by a thread and rivet, because the hold a stay can have on a thin boiler-plate must be very slight? I always put a large rivet with a ferrule inside so as to have the same effect as a nut. With a screw stay they must rivet cold, and they do not get sufficient surface on the rivet; with a hot stay you can get a sufficient head.
441. Is there no objection to that in practice? Not that I know of.
442. Have you any reason for supposing this part of the boiler had been injured by heating? I did not see it myself, and cannot say.
443. *Mr. Moriarty.*] You have had a good deal of experience with marine engines? Yes—for more than thirty years.
444. And you have built a good many engines and boilers yourself? Yes.
445. And been actively engaged in the profession? Yes.
446. You are also an Associate of the Institute of Engineers? Yes.
447. You have had as good opportunities of forming an opinion on these matters as any man in the Colony? I do not think any man in the Colony could have had the experience I have had in the matter.
448. Do you think any of the boilers running out of this port could stand six times the ordinary working pressure on them? I cannot say, for I have not seen all the boilers, but I should not think so; I should be disposed to think not.
449. You have occasionally done duty as Engineer-surveyor for the Steam Navigation Board? Yes, in the absence of the proper officer.
450. Do you think any of the boilers that came under your inspection then could stand six times the working pressure? No, nor four times.
451. If they were proved up to double the working pressure, do you think that would be a dangerous approach to their limit of ultimate strength? As I said before, that depends upon the shape of the boiler. Where every part is circular it is not injured; but where there are flat sides the whole strength depends on the stays, and if the stays are depending on threads, any pressure, however little, will bulge the plate a little; that makes a larger hole, and does away with the hold of the rivet.
452. *President.*] Would there be the same danger if fixed in the way you described? No, because you do without threads at all then.
453. *Mr. Moriarty.*] The head of a nut covers a much larger area of the plate than the head of a rivet? Yes, especially when the rivet is put in cold, as it is in this case.
454. *President.*] Is there any justification whatever for making use of the present mode of fixing these stays? The reason generally given is that nuts are in the way.
455. In the fire-holes? Yes.
456. You say that can be easily obviated? Yes, in my opinion, by putting in the stay hot in such places, and so getting a larger head to the rivet.
457. Have you ever heard any objection to your mode? No.
458. You think that if all these boilers with flat sides were stayed with stays fixed in the way you describe, there would be no danger in putting on double the working pressure? No, but still I would not advise it. I do not see any occasion for going beyond half more. In all new boilers, of course, I would put double pressure on.
459. *Mr. Moriarty.*] The object in that case is different—it is done in order to ascertain where the boiler wants strengthening? Yes. The stays are reduced perhaps to one-third of their strength in the course of a very short time.
460. Do you think, if a person, possessed of sufficient experience and acquaintance with boilers, makes a thorough examination of a boiler inside and out, it is then necessary, or that it would be attended with beneficial results to that boiler, to prove it to double the working pressure? I would rather not do it. It is putting on a pressure there is no occasion for. It ought to stand it, but there is no occasion to try it to that extent.
461. So that, as a rule, you would prefer not seeing the practice of proving to double the working pressure carried out? Yes. (*Drawings of the boilers of the "Clarence" exhibited to Witness.*)
462. This appears to have been altered after the design was made—Do you think if that boiler had been carried out as originally designed, it would have been so likely to have gone? No, I think not.
463. *President.*] Would it have made much difference to the expense if it had been carried out according to the circular line? No.
464. Do you think leaving this corner square increases the liability to accident? No doubt it does, when the stays have no nuts on.
465. *Mr. Moriarty.*] Is not this part of the boiler—the bottom of the ash-pan—a part which is apt to corrode rapidly? Yes.
466. The plate is apt to get unusually thin there? Yes; if there is any leakage, it is sure to be there.

Mr. Francis  
Napier.

22 June, 1868.

467. So that that is the part of the boiler where the effect of straining is likely to be the greatest? Yes.

468. With reference to the accident to the boiler of the "Clarence"—Supposing that the thread of the stay is not much injured, that the head on the stay is there to the good, and that the plate has been drawn clean over it, would you not rather attribute that to weakness in the plate than to any defect in the stay? It would shew either that there were not sufficient stays, or that the plate was too thin. A thin plate has no hold at all over the thread.

469. *President.*] It would not have been drawn in that way over a nut? No.

470. *Mr. Russell.*] If an old boiler comes for repair, would you prefer putting in new stays in intermediate spaces, or taking out the old ones? That would depend on what state the stays were in. If the stays were good, I would rather put in intermediate stays. An additional number of stays is far better than strengthening one stay.

471. Particularly when the plate gets old and thin? Yes, decidedly.

472. If you found any bulging in the plate? Then the plate is too weak, and wants additional stays.

473. *Mr. Carlisle.*] Do you think it possible to injure a boiler by double pressure, without there being anything visible? No, I think not—not without being able to discover it by examination. A person having sufficient experience could tell whether it had been overstrained or not.

474. *Mr. Russell.*] You think it would be safer to leave the testing of these boilers to a man who has had sufficient experience, rather than fix a principle that all boilers should be tested under certain pressure? Decidedly, because if you fix a principle on him, and anything occurs, he throws it off his own shoulders. He says, you have limited me to this, and I am not responsible. A man ought to have sufficient experience of his own.

475. What number of years' experience as a practical engineer do you think ought to be sufficient to qualify a man for this duty? I should think ten years, and he should have experience not in land work but in marine work.

476. Marine boilers are of a different construction? Yes, quite different, and exposed to different effects altogether. They are two perfectly distinct branches. An engineer accustomed merely to land work would be perfectly at sea with marine work. And it is of no use that he should have experience simply in new work; he must have had experience in repairing old work in every stage of decay.

477. Do you think a boiler that had been running two or three years, that had then undergone thorough repair, and been proved to double the working pressure, could receive, while being proved, an injury which the Inspector could not discover, and which, three months afterwards, might be the cause of its giving way? I think it could be discovered at the time the pressure was on, if it were thoroughly examined, although it might not afterwards.

478. Do you not think it might receive some injury from the test that would gradually deteriorate it, so that it might eventually burst at less than the working pressure? That would depend on the man that had charge of the boiler. Any injury done by the test should have been noticed at the time. There was evidence at the inquest that these rivets had been caulked up afresh, showing that they had leaked.

479. *President.*] None of this could have happened at all if there had been nuts on the stays? No.

480. Have you ever, when proving boilers, new or old, under hydraulic pressure, found that stays have given way or started? Yes, frequently. We very seldom test a new boiler but we find some leakage in some part or other.

481. Have you ever known an instance where a stay has given way without being discovered at the time? No, I cannot say I have.

482. If a stay gives way, it makes a good deal of noise? Yes, it makes a sharp crack.

483. *Mr. Moriarty.*] The way in which this would shew, would be in the leakage? Yes, the rivet-head being so very small.

484. You said some boilers cannot be injured by the hydraulic test to double the working pressure—boilers of round form? Yes, because they cannot open if there is a slight curve in them; they retain their shape whatever the pressure you put on them.

485. That is a condition you cannot very conveniently get in all parts of a boiler? No.

Then I say, where you must have them flat, put nuts on the stays instead of rivets.

486. Where you are obliged to use flat surfaces, a boiler might be injured by double pressure, and therefore, you would think it injurious to apply it? Not to the extent of from thirty to fifty per cent. above the working pressure, according to the judgment of the Inspector. There might be cases where the Inspector knew the boiler well, and would not require to put any pressure on it.

487. Supposing a boiler to be four or five times as strong as the greatest working strain that is likely to be brought upon it —? I should say five times would be quite strong enough.

488. Then what do you think should be the hydraulic test? That would depend upon the construction of the boiler. All boilers should not be tested to the same extent.

489. *Mr. Thomas.*] Do you think the duties of the Inspecting Engineer in this port are too much for one person to perform, seeing that we have an Inspector to each Company? I think it is rather too much for one man, unless well experienced.

490. *Mr. Moriarty.*] Do you think this hydraulic test has in any way the effect of diminishing the responsibility of the engineers who have control of the vessel, as well as the Inspecting Engineers belonging to the Companies—do you think the fact of its having passed this severe ordeal is considered by them as freeing them from the just responsibility they



they ought to be under to keep their boilers in proper order? I do not think so, unless there is carelessness. The hydraulic test does not do away with the necessity for the engineer looking after his boilers. Mr. Francis Napier.

491. *Mr. Russell.*] Perhaps he might not pay that attention to them he should do, after having had them tested so severely? That is for the Companies to find out for themselves—it does not affect the public. They would get more careless, I think, if there was no Inspector. 22 June, 1868.

492. Do you think, from the construction of the "Clarence's" boiler, it was possible or likely that it should have been heated at the part where it gave way? It is a very unlikely part to heat, because there would probably be ashes there, and that would protect it from being heated; and if there was any leakage in the boiler at all, the water would collect there.

WEDNESDAY, 24 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

Mr. MORIARTY,  
Mr. CARLISLE, R.N.,

Mr. THOMAS,  
Mr. RUSSELL.

Mr. Thomas Jaffrey called in and examined:—

493. *President.*] You are Superintending Engineer for the A. S. N. Company? Yes. Mr. T. Jaffrey.  
494. How long have you held that office? Two years and a half. 24 June, 1868.  
495. You are an engineer by profession? Yes.

496. You are of course aware of the way in which boilers are tested by hydraulic pressure, up to double the working pressure generally? Yes.

497. Do you see any objection to that mode of testing boilers? Yes, I look upon it as being unsafe for the public, and very injurious to the boilers as well.

498. Do you object to hydraulic pressure altogether, or to the extent to which it is carried? Only to the extent to which it is carried.

499. You approve of testing by hydraulic pressure? Yes.

500. Is there any general rule you could lay down as to the amount of pressure that ought to be applied? In a great measure it depends upon the condition the boiler is found in on examination.

501. Supposing a boiler is considered to be fit to work up to twenty pounds on the safety valve, what hydraulic pressure would you consider it safe to apply as a test? I should say twenty-five pounds, or in some cases thirty, where the examination might be such that you could not tell exactly the condition of the boiler in some parts.

502. You would not go more than fifty per cent. above the working pressure in any case? No.

503. What has led you to this opinion—was it merely from considering that a severe hydraulic test must necessarily have a bad effect, or from having observed that it does do injury? We have had experience of it.

504. Have you observed that it has injured your boilers? Yes.

505. Could you point out any instances in which you have observed injurious effects? I have had several cases where stays have been carried away, and boilers otherwise injured, rents in the plates, and so on.

506. During the process? Not during the process, but immediately afterwards.

507. Will you name any case? The boilers of the "Collaroy," about the 19th September last, were pressed up to forty pounds, and the first trip afterwards, going up the Hunter, she rent the steam-chest, although it shewed no signs of injury when the forty pounds pressure was on.

508. Is there any other instance? Yes, once in the "Balclutha" and once in, I think, the "Wonga Wonga"; the first trips after being pressed they broke out.

509. How long ago did this happen? All within the same twelve months.

510. Have you been of the same opinion respecting the injurious effect of this method of testing, ever since you have held your present appointment? Yes.

511. You frequently witness the application of the test? Always.

512. Have you ever complained to Mr. Dalgleish that he was injuring the boilers? Yes.

513. Have you ever protested against its being carried out? Yes, I have to the Company. I have represented to the Manager the injurious effect it was having on the boilers.

514. Have you observed whether the Government Engineer makes use of the test judiciously and carefully? Yes, I believe he does.

515. You have seen him? Yes.

516. Have you any reason to complain of any want of care in the application of the pressure? None, with the appliances we have. Of course, in some cases, I consider the test much more severe than in others. Where there is a very large pump made use of, I consider it more injurious than where there is a small pump applied.

517. Is that because the pressure gets up suddenly? Yes, there is more concussion from the pump in forcing the water into the boilers.

518. In such cases there is a jerky motion of the indicator? Yes.

519. You have observed that? Yes.

520. Were you present when the "Clarence" was tested, three months before the accident? Yes.

521.

- Mr. T. Jaffrey. 521. Was the portion of the boiler where the stays gave way carefully observed at the time? Yes, the boilers were all cleaned out and fresh painted.
- 24 June, 1868. 522. Did it show any signs of injury? No.
523. The stays that gave way were screwed in and riveted over? Yes.
524. What, in your opinion, was the cause of those stays giving way under so small a pressure as is represented? I am under the impression that the double pressure injured the stays.
525. In what way? By the pressure that was on them at the time. My belief is that the pressure partly stripped the thread and broke the bat off the rivet at the same time.
526. Did you observe that part of the boiler during the experiment? No, I did not.
527. Did Mr. Dalgleish, do you know? He went in through the furnaces after the pressure had been on, but not at the time when the full amount of pressure was on.
528. The plate was drawn off the stay, I think? Yes, the plate was drawn off the stay.
529. If that stay had been fixed in the way some engineers recommend, by having a nut on the outside, do you think the accident would have happened? The nut, in all probability, would have held, but the plate may have parted. There was a slight flaw in one of the plates after the accident. I consider the riveting of the stays was equal to break the stay itself; the thread and the riveting was equal to break the stay itself.
530. It did not break the stay? No, I believe the plate went first. The plate, in bulging up in the centre, round about the stay, would open the thread underneath, make it like a cone, and break the rivet off at the same time.
531. Do you think that could have happened if there had been a nut? No, not if the plate had stood.
532. Do you think the plate would have given way? There was evidence of the plate having given way at the time. I believe the plate gave way before the stay.
533. Is not the part of the boiler where the accident took place more liable to be injured by corrosion than other parts? No; there is more wear upon it inside, but not in the ash-pit.
534. Might not the thread of that screw have been deteriorated by corrosion during the three months? Not if it had been a tight fit in the thread, it could not.
535. Suppose it was not originally a tight fit? If it was not a tight fit, then corrosion would have taken place.
536. The accident might be accounted for in that way? Yes. But I believe when the hydraulic pressure was on, it opened up the thread, and consequently allowed the water to get in.
537. And corrosion ensued? Yes.
538. Have you any objection to the use of nuts on these stays? Only where the fire acts.
539. Do you not think the stays would be safer if secured by nuts? I do not know that they would. If riveted stays are properly put in, they are just as safe as nuts.
540. But they would be more liable to bad workmanship, and then the hold would not be so good? No, I do not think so; you might get a bad nut or a bad staybolt the same way. I consider a bolt would be more likely to break at the thread than a screw stay.
541. Have you ever addressed any complaint to the Directors of your Company, in writing, as to your objections to this mode of testing boilers? Yes.
542. It is upon record then? Yes.
543. Do you think the safety of the public would be sufficiently insured, or more effectually insured, if the test pressure were limited to somewhere about thirty per cent. above the working pressure? Yes.
544. You would not recommend that the hydraulic test should be abolished altogether? In the case of new boilers I would have no objection to double pressure, when the boilers are in the shop; but I should object to even thirty per cent. above the working pressure applied every three or six months. Sometimes our boats are surveyed three times in six months.
545. You object to the test being applied so often? Yes.
546. But not altogether? No; in some cases it might be advisable to put it on.
547. Do you think trifling defects in the boiler may be detected by that method? No, I do not think they are.
548. Do you not think it possible in that way to discover defects that would not otherwise be detected? I have never discovered any yet through it.
549. *Mr. Moriarty.*] Do you not think the hydraulic pressure likely to detect leaks which cannot be detected when the boiler is under steam? No, I do not think so.
550. Is not a boiler generally much tighter under steam than when under hydraulic pressure? After a boiler has been wrought for any short time she is tight under both—both steam and hydraulic pressure.
551. As a matter of fact, when testing, do you not constantly observe little jets of water coming out in various places? Only in case of leakage.
552. Do you not think the hydraulic test is useful to enable you to detect these leaks—I am not speaking now of the double test, but a test slightly above the working pressure under steam? No; I think you can see them under steam just as well.
553. Supposing the back tube plate has been leaking? You can easily find it out afterwards if you examine it.
554. You do not object to the hydraulic test, if judiciously applied within moderate limits? No, but I object to its being so frequently applied.
555. You think all the defects of a boiler may be ascertained by a competent person going inside and examining it for himself? Yes.



556. I think I understood you to say that when the hydraulic test was applied to the "Clarence's" sound boiler, after the accident, the plates did spring? Yes, fully three-eighths of an inch. Mr. T. Jaffrey.  
24 June, 1868.

557. What space was there between the stays? Twelve inches one way, and fifteen the other. I could get my fingers below the straight edge when the pressure was on.

558. Did the plate recover its original form after the pressure was removed? Yes, this one did; it went back to its original position.

559. Then I understand that you consider that test had arrived at the degree when its frequent application would deteriorate the strength of the boiler—it had got beyond the fair testing load? Yes.

560. What proportion of strength do you consider boilers should have to the working pressure? I should say they should have about two-thirds over.

561. Not more? No, I should say two-thirds would be quite sufficient.

562. I mean the ultimate strength of the boiler, when you would expect it to begin to burst—how much above the working pressure would you fix for that? I should say, if fifty pounds were the bursting pressure, twenty pounds would be quite enough to carry.

563. Would you not consider it a little too much? No; it would depend upon the form of the boiler a good deal.

564. I am speaking of the ordinary marine boiler—Is that, do you consider, the proportion in most of your boilers running in this port? Yes, I should say that is about the average of them; that is, for those not carrying over twenty pounds pressure.

565. Is that your experience of the general proportion of strength of steam-boilers to their working pressure? Yes.

566. You consider, then, that testing a boiler to twice the ordinary working pressure is too close an approach to its ultimate strength? Yes.

567. Do you think that if, in proving the "Clarence's" boiler, you had gone on pumping until the pressure amounted to sixty pounds, the plate would have torn away altogether? Yes, I think it would have gone before they came to sixty pounds.

568. *Mr. Carlisle.*] Would you consider it necessary, in the case of an old boiler, to apply the same test to it after inspecting it, before you got steam up? Not if I could examine the boiler internally. If I could get into the boiler to examine it all internally, I should say it was not necessary to apply the test, unless there had been an accident with the boiler requiring extensive repairs.

569. Suppose a boiler had been carrying twenty or thirty pounds of steam for three or four years, and had then been undergoing extensive repairs, would you think it necessary to test it? Yes, I should certainly apply the test.

570. To what extent? I would certainly not go beyond half as much more.

571. Do you not think the test even more necessary in the case of old boilers than new ones? A boiler four years old will not be carrying so much pressure. The pressure would be reduced perhaps ten pounds.

572. I have known some boilers to carry the same for three or four years, and have plenty of running too? We cannot get our boilers to do that; we generally reduce them every two years. I should say that if boilers at the end of three years were carrying twenty pounds pressure, it would not be necessary to put cold water pressure on at all, unless by examination they were found to be defective, and to require extensive repairs.

573. *President.*] And then you apply the test to test the new workmanship—the efficiency of the repairs? Yes.

574. *Mr. Carlisle.*] You would not think it necessary to apply the test, but would continue at the same pressure? I would reduce the pressure after the boiler got aged.

575. Supposing you did not find it much deteriorated? Then I might allow the boiler to go on at the same pressure. Perhaps the boiler, in the four years, might not have been doing three months work. In that case I should consider it a new boiler. It depends upon the wear and tear. It would depend altogether upon the result of the examination—on what condition I found the boiler in. I have never found any defects out in a boiler, where they cannot be seen, by the hydraulic test; and there has never been an accident from any part of a boiler giving way where it could not be seen. Accidents generally take place about the furnaces or fire-box, and those places are easiest got at and easiest seen. I do not consider the hydraulic test of any use at all, where a man can see and examine with a hammer.

576. *Mr. Thomas.*] You do not altogether object to hydraulic pressure. No, I do not.

577. Do you think it possible to lay down any scale of pressure according to the age of the boiler, or the number of miles it has run, the percentage above the working pressure that should be applied? No, I could not lay down any scale at all, because two boilers will not wear alike. Deterioration goes on faster in some boilers than in others. I think it impossible to lay down any scale by time.

578. *Mr. Russell.*] What is the average pressure on your steamers, the lowest and the highest? Our lowest is about twelve pounds, and the highest is forty pounds.

579. The working pressure? Yes.

580. What vessel carries forty pounds? The "Diamantina." There are none above twenty-five pounds, except the "Diamantina" and the "Leichhardt." The "Leichhardt" is thirty-five.

581. Have you proved the "Diamantina" under hydraulic pressure? Yes, to eighty-six; and she has been proved by the surveyor to eighty-two.

582. Since she has been working? Yes, to eighty-two.

583. Did you notice any bulging of the plates under that pressure? No.

584. Do you think that pressure likely to do any damage to the boiler? No, not to that boiler; it is a circular boiler, and all double riveted, and stayed every nine inches.

- Mr. T. Jaffrey. 585. When the Inspector is proving your boilers, do you take any means of finding out where there are any weak points in them, by stretching lines across, or by using straight-edges on the outside? No, the only precaution that is taken is that a stoker is put into the back of each boiler, with a lamp, to examine the boiler all round the furnaces and combustion chamber and up-take. Gauges are always put on, on the top of the steam-chest.
- 24 June, 1868. 586. At what age of the boiler do you generally make the reduction in the working pressure, or are you guided by the appearance of the boiler? According to the condition we find the boiler in.
587. Do you make a considerable reduction on each occasion? About two pounds.
588. Suppose a boiler had run two years with ordinary wear, what reduction would you make? I would not make any at all, unless, after examination, I found a good deal of corrosion; if so, I would reduce it about two pounds.
589. The pressure the boilers are to work at is regulated by you as Superintending Engineer? Yes.
590. Has the Government Engineer ever objected to any pressure you named? No.
591. Merely proving it by hydraulic pressure to double the amount? Yes.
592. Has any instance occurred where a boiler has not stood double the working pressure named by you, and he has insisted on a reduction? The hydraulic pressure has always been applied to double the pressure of steam fixed upon for it.
593. If the boiler did not give satisfaction under the pump, at double the working pressure named by you—that is, supposing the pressure named by you to be twenty pounds, and the Inspector proved it to forty, and found the boiler not satisfactory at that pressure, has he insisted on a reduction of the working pressure? No, not that I remember. If he pressed the double pressure we always got the half. I do not remember an instance of his refusing to give that.
594. What number of years experience do you think would qualify a man for the office of Inspector? That would depend upon the number of boilers he had had through his hands. He ought to be a thoroughly practical man himself, that has had the management of boilers, and had frequent opportunity to examine them, and see the action that goes on with them.
595. Do you think that if a man had made half a dozen boilers he would be equal to it? No, I do not think the man that makes a boiler would be the best surveyor.
596. Do you think two or three years experience in superintending the repairs of boilers would qualify an ordinary engineer out of a workshop? I hardly think so.
597. Will you tell the Commission what, in your opinion, ought to be the experience that should qualify a man to pick out the defects of a boiler without applying the pump—that is, even if the pump would shew all the defects? I should say he should be a man that has had a long experience in steamers himself, not only in one but in different steamers. If a man has had five or six years experience of that kind, he ought to be able to go through a boiler and detect defects in it.
598. *President.*] Do you not think some men learn as much in two or three years as others in seven? Yes.
599. In applying the test, what pump do you use? We generally use the donkey engine pump, or if we have not a donkey engine we use the deck pump.
600. How large is it? About six inches.
601. How many men are put on? Sometimes thirty. Many times he has to get pipes and slip them on to the ends of the handles to make room for more men to get the pressure up.
602. Then you require great power at the pump? Yes, I think I had six or eight and twenty men on the pump when I tested the boiler of the "Clarence" after the accident.
603. *Mr. Russell.*] In proving these boilers, have you noticed that, after you have got the pressure up say to forty pounds, one stroke of the pump will run the pressure up very considerably? Yes, we have some boilers in which one stroke would run the pressure up five pounds.
604. And that five pounds above the pressure required might do an injury that would not be noticed at the time, but might cause an accident? Yes.
605. Would it be too much to ask you your experience as an engineer from the time you left your apprenticeship? Twenty-three years.
606. How many years did you serve an apprenticeship? Seven years.
607. And as engineer on board steamers? Twelve years. I was three and a half years with the Cork Steam Navigation Company, superintending the repairs of their boilers and engines.
608. During that time did you prove the boilers in any way? No, never except in the shop—never in the ship. I was twelve years running out of Liverpool, and I never saw one pressed in any ship I was in.
609. All the repairs in the steamers of which you were superintending engineer were done on examination merely? Yes.
610. Had you any accident during that time? No.
611. Then you are of opinion that boilers could be effectually and efficiently examined and passed by a competent man without resorting to the hydraulic test at all? Yes, I believe so.
612. Would you have any objection to proving boilers in that way to a half more than the working pressure? I would, if it were done every three or six months. I think it is only necessary where very great deterioration has taken place in the boilers. Supposing there were any accident, such as that in the "Clarence," after the boiler was repaired, I would put on a pressure of perhaps a half more.
613. *President.*] You say you consider the plate of the second boiler of the "Clarence" was bulged by the testing? Yes.

614. Do you think such a bulging, although the plate is afterwards restored to its original form, does injury to the plate? It must do, and not the plate simply but also the thread where the stay goes through. It opens up the thread off the stay, and allows the water to get in. Mr. T. Jaffrey.  
4 June, 1868.
615. You say that on board the "Collaroy," the next voyage after testing in last September, some of the stays gave way? No, it was in the steam-chest—a rent in the steam-chest, along the angle iron.
616. There was something similar in another steamer also? I think it was the "Wonga Wonga," or the "Balclutha"; my memory will not serve me exactly; but I know we have had three instances where these things have occurred the first voyage after testing.
617. In the stays? Not in the stays—in the plates as well as the stays.
618. Do you remember any instance of a stay giving way? We have had stays give way under the double pressure.
619. When they do give way, it is generally by the thread stripping, is it not? No, sometimes the stay will break.
620. What is the ordinary section of one of these stays? Our stays generally run an inch and three-eighths, but the thread reduces it to an inch and a quarter.
621. What pressure ought that to stand, if of reasonably good quality? I should say it ought to be quite capable of carrying thirty tons.
622. Surely then that would not give way under the pressure applied, unless there was some very serious defect—If such a stay should actually part under the hydraulic test, would not that shew that the stay itself must have been very defective? Yes, if it would do so, decidedly.
623. It is not a thing which happens often, I presume? No. But supposing you injure that stay by double pressure, and do not detect it, the next time you get steam up, you will find it give way with less than half the pressure.
624. A stay might stand forty pounds to-day, and twenty pounds applied to-morrow might break it? Yes. The tension may be only on the boiler for a time, and anything strained may resume its original position after it is removed, but constantly repeating the same thing, you weaken and at last break it. If you take a piece of hoop iron and bend it once it will not break, but if you do it a number of times it will break.
625. *Mr. Moriarty.*] Is it not your experience that when a boiler is proved to excess, either by steam or by hydraulic pressure, the injury is not so much to the stay as to the plate, by reason of the bulging between the stays? Yes, but that must injure the stay as well.
626. The thread of the stay? Yes.
627. Is there not some considerable injury to the plate? Yes, the plate will begin to crack all round about the stay. That was the case with the "Clarence's" plates. They were cracked in about half an inch round the hole.
628. Was the bat torn off the rivet? Yes.
629. The "Clarence" was proved to double the working pressure? I believe she had forty-two pounds on by the gauge.
630. In estimating that, did you take into account the additional pressure on this particular part? No, there is about sixteen feet to be added.
631. That is about eight pounds? Yes.
632. Then she was really proved to fifty pounds, not to forty-two? Yes.
633. Did that appear on any of the documents? No.
634. Is that the practice—When a boiler is said to have been proved to a certain number of pounds, does it mean on the steam-chest? It means on the top of the steam-chest, where the gauge is applied. In our case the gauges are all applied at the top of the steam-chest.
635. *President.*] How far is that from the bottom of the boiler? Sixteen feet from where the stay gave way. If we put on a tap on the bottom of the boiler to suit his indicator, he then makes allowance for the height of water—he must go that much over double pressure.
636. *Mr. Moriarty.*] Then, in point of fact, if the bursting on the "Clarence's" boiler was 60 pounds, he had about five-sixths of that on? Yes.
637. Is that the general practice with regard to proving boilers? Yes, that is the way ours have been always proved.
638. *President.*] Sixteen feet is not an unusual height for a boiler? No, it is about the average.
639. *Mr. Moriarty.*] Then, in point of fact, this very place where the stay gave way in the "Clarence" is about the part where the greatest strain will come on the boiler? Yes, it is only six inches water space from the bottom of the boiler.
640. Then, when that boiler was said to be proved to forty-two pounds, it was really proved to fifty pounds? Yes, in that particular part.
641. *President.*] And that is the part most liable to deterioration? Yes.

Mr. John Fyfe called in and examined:—

642. *President.*] You are Superintending Engineer of the Hunter River Company? Yes. Mr.  
John Fyfe.
643. How long have you held that position? About seven years. 24 June, 1868.
644. Of course you are acquainted with the method made use of in testing marine boilers by hydraulic pressure? Yes.
645. Have you any objection to that method? No, I think properly speaking there is no objection to the test by water pressure. My opinion is that it is most safe and convenient.\*
- 646.

\* ADDED (on revision):—At page 97 of a work called "Engineering Facts and Figures," you will find the following extract:—"The test by hydraulic pressure, when carefully applied, is a simple and effective one, and we sincerely trust that its use may become extended." The foregoing extract entirely coincides with my opinion.

Mr.  
John Fyfe.

24 June, 1863.

643. The practice is generally to test up to double the working pressure? That is a different thing. After being put out of the factory and believed by all parties to be efficient, I do not object to a new boiler being tested in that way; but I object to the double pressure being continued at intervals afterwards, as being uncalled for, and likely to be injurious. I do not object to boilers being moderately tested by hydraulic pressure every six months, although in establishments in England they are not tested more than once in twelve months.

647. You consider constantly testing them up to double pressure is injurious? Yes.

648. Do you form that opinion from having observed that injury is occasioned by it? Yes, my own observation has been to that effect for years, and it is strengthened by what I have seen in other works. I might endeavour, with your permission, to give you something like a reason why this pressure is injurious. I am aware that although boilers may have been efficiently made, both with good workmanship and good material, in course of time, by a constant repetition of that testing, we put portions of these boilers out of their original shape, and shake the stays in certain positions, by affecting the formation of the plates wherein the stays are tied. And I have reason to believe, from my own observation, that fracture has taken place, by the stays being impaired not only by that pressure but by the frequent working of the plates.

649. When you say the stay is impaired, I suppose you mean the hold of the stay on the plate? I mean stays put into a boiler for the purpose of stiffening flat places. Some of them are put in as screw stays. If the stay were thus fitted, and this action took place which I have been endeavouring to describe, it would have a tendency to slacken the screw, and the smallest leak of water which might never be seen would cause corrosion to take place, and the screw would very soon be destroyed.

650. Stays are usually fixed by screwing and riveting over? The holes are generally tapped with a very long tap, sufficiently long to go in through the water space; then the stays are made of the best iron and chased to fill that well; sometimes they have a nut inside and sometimes one outside, but not where fire places are, and where there is no nut on the fire-side they are commonly riveted over.

651. Do you think stays are safer for having nuts inside and out—safer than when simply riveted over? I do not know if they are safer. The only reason why a nut is not put outside is where it is exposed to the fire, because they frequently burn off.

652. Do you think stays should be fixed with nuts in parts of boilers not exposed to the fire? Yes, I think they should.

653. Do you consider there would be less liability to accident if stays were fixed with nuts in positions where nuts are allowable? Yes, I dare say there would.

654. Are you aware of the particulars of the accident on board the "Clarence"? I never went on board, but I think I know the particulars.

655. You know the thread of the screw was stripped, and the plate drew off? Yes.

656. Do you think that would have happened if there had been a nut on the outside? So far as I understand the place that gave way, there might have been a nut there.

657. Ought to have been a nut? Ought to have been a nut, I should say. If there were no nut, a repetition of the same thing I have been endeavouring to explain to you would be very likely to affect that place.

658. Was there any reason why there should not have been a nut there? No further than that the person who made the boiler might have thought it was not necessary.

659. There could be no objection to it? I can see no objection to it.

660. You do not object altogether to the hydraulic pressure—How high would you carry it out—what should be the extreme limit on a boiler in use? I have long formed my opinion, and have remonstrated with the engineers of the Steam Navigation Board on the subject, that it is perfectly sufficient if they tested a boiler at half more than the safety-valve was loaded to.

661. Have you ever observed any cases in which boilers have been actually injured by the hydraulic test? I think I have.

662. Could you name any case? I believe the "Collaroy's" boiler gave way at a lower pressure than the safety-valve was loaded to, the first voyage after she had been pressed and had got a certificate.

663. Have you ever observed that any of the boilers under your superintendence have been injured by the hydraulic test? I have observed more than once, that we have been put to considerable expense, but whether that might be considered injudicious on the part of the Government Engineer, I leave to you. It might be thought to justify the testing, that it made us to know there were weak points there. Still I am of the same opinion, that they are more likely to be weakened by the additional pressure than anything else.

664. If I understand you correctly, you would not object to hydraulic pressure being applied occasionally, if it were not carried to more than fifty per cent. above the working pressure? Supposing she carried twenty pounds on the safety-valve, I think she might be tested to thirty pounds.

665. Do you think that by a careful examination of a boiler by an experienced person, any defects could be ascertained equally well as by the help of hydraulic pressure? They might be. But I remember one observation that took my notice particularly, and that was the use of an expression with reference to water testing. I think that party called it "a blind agent," meaning that in consequence of the agency of the water he was enabled to see what perhaps he would not have seen otherwise. I think that view is correct, so that you see I lean towards the pressure by water as an agent for detecting defects.

666. *Mr. Moriarty.* Would you give us your idea of how many times the ordinary working pressure the boilers of vessels running out of this port are generally capable of withstanding. Suppose a steamer is worked up to upwards of twenty pounds, what pressure do you suppose would make the boiler give way? I do not think I can answer that question correctly.

Of

Of course we know that all parts of a boiler are not formed with that mechanical accuracy that they will all resist the same pressure.

667. Take the weakest part? That might get out of shape a long time before it would give way; and if they will get out of shape, the question is, how much more will it take to burst them. We have a good right to look up to such a man as Fairbairn, who has spent a great deal of money in making experiments, and he says it requires a certain amount of pressure, if the iron is good, but not above half if the iron happens to be otherwise. This is a line we can hardly draw, because it is supposed all iron should be good, and all workmanship also. I have observed boilers get out of shape at about double the working pressure—something about thirty-six pounds or thereabouts, if the boiler was working to twenty.

668. *President.*] If three times the working pressure were put on, would you expect the boiler to burst? The generality of boilers are so made that I do not believe they would stand three times the working pressure; and if they are to stand it, I must just turn back to what I said before, that something must be weakened.

669. *Mr. Moriarty.*] If a boiler has become distorted in shape under pressure, is not that a clear proof that it has been injured by the pressure? No doubt of it. It may stand long enough, but I think it behoves the officer in charge of this property not to allow it to run without stiffening it, whether he can bring it back to its original shape or not.

670. In testing the boilers of the steamers that you superintend, is it customary to allow for the head of water in the boiler, in estimating the double pressure—Supposing a boiler is fifteen feet high from the steam-chest to the bottom, and is working to eighteen pounds, and said to be proved to thirty-six—would that be thirty-six pounds on the indicator at the top of the steam-chest? I have many times asked that question, and I have never been able to solve it in my own mind. I am aware that for every two feet of a column of water there is a pound weight per square inch, and you accumulate a good weight that way in a boiler. If the boiler is filled with water, you get a certain number of pounds of pressure on the bottom, according to its height. But it has been argued with me, that the moment you put pressure on, and it shows at the top, there is no more pressure on the bottom than there is at the top. I have actually intended to purchase an additional gauge for testing, and to put that gauge on the lower part of the boiler, to make the experiment.

671. Has the Government Surveyor told you that? We need not say who told me; but I think I may say that opinion is his. Speaking of the "Collaroy," I should be sorry to say anything I did not believe was correct; but I have some reason to believe the same thing was done to two other vessels of that Company.

672. Could you give us the names? I think the "James Paterson" and the "Balclutha," but I could not be positive.

673. How long ago was that? In the beginning of last September the "Collaroy's" boiler was tested to forty-two pounds, and gave way on the first voyage under the usual pressure.

674. Whereabouts in the boiler did she give way? The top of the steam-chest. It was made with angle iron, and I think it gave way about the joint.

675. Could you give us the dates at which these accidents to the "James Paterson" and "Balclutha" occurred? I could not.

676. Was it within the last year or two? They all took place within the inside of two years.

677. With reference to what you said just now, I would ask whether it has been distinctly asserted to you by the Government Engineer, that he did not believe the weight of water in the boiler made any difference? I believe he did not think there was any more pressure on the bottom than there was on the top.

678. Have you reason to believe that is his belief now? He may have had a new light on the subject.

679. How long ago is it since he entertained that opinion? Within the last six months, at any rate. I have no reason to complain of Mr. Dalgleish; he has treated me always very fairly.

680. In proving the boilers of your Company's vessels, is the test gauge, generally speaking, screwed on at the top of the steam-chest? Yes, I have made preparation for all ours in that way, they are so easily got at; in fact I never have much doubt about the bottoms of our boilers. All our boilers in use now are what are called dry bottoms, and the boilers are very convenient to get at; therefore I never have any doubts about anything below.

681. Is it the practice of the Engineer-surveyor to test your boilers to double the working pressure? That has been the practice.

682. Is that double pressure as indicated by the gauge fixed on the top of the steam-chest? Yes.

683. *President.*] The usual height is about sixteen feet, I think you said, from the steam-chest to the bottom of the boiler? Yes, fully that.

684. *Mr. Moriarty.*] What pressure are you carrying on the "Morpeth" now? Eighteen pounds.

685. What was she proved at last survey? About thirty-two pounds; I think not the double pressure.

686. Then supposing there were eight pounds more to be added, for the weight of the column of water, that would bring the proof test up to forty pounds? Yes.

687. Nearly two and a quarter times her working pressure? Yes.

688. Is it the practice for the Engineer to go inside the boiler, after the proof by hydraulic pressure, and make an inspection of it? Yes, I think the practice is that he goes in. He has been in the "Morpeth's" boilers this time, and pointed out several defective stays.



- Mr. John Fyfe. 689. *Mr. Carlisle.*] You do not object to the hydraulic test altogether? I do not, but I object to testing too high.
690. With an old boiler would you object to the test? I would not object with any boiler, if it does not exceed half as much again as the working pressure.
- 24 June, 1868. 691. You think if a boiler will stand that without showing any signs of weakness, it will be safe enough to work for six months? Yes, under ordinary circumstances.
692. And with ordinary care? Yes.
693. *Mr. Russell.*] Do you usually prove your boilers by the hand pump or the donkey pump? All by hand. I like the hand pump that is used for filling the boilers, because that must be kept in good order, and will therefore do the work efficiently.
694. How many men do you generally put on? Generally a dozen men.
695. Suppose one of your boilers was being proved, and the pressure had got up to thirty-six pounds, do you think one stroke of the pump would much increase the pressure? It is hardly possible to get a pump of that kind thoroughly tight, and there may be leakages otherwise, and the least leak of water that escapes when you come to that pressure relieves it to a considerable extent. But if a pump of that size was forced with full power, of course it would send a great concussion on the boiler. I do not suppose there is any great danger from such concussion as that; but I have seen the handle of the gauge spring a good deal.
696. As much as five pounds? I cannot say I have seen it spring as much as four or five pounds. But of course we would be watching the pressure, and would sign to the men to go easy, and keep it just at the pressure we wanted.
697. Have you on any occasion known one of your steamers to be tested by hydraulic pressure in the morning and leave Sydney the same night? No, we never have a boiler tested but there is always something to do to it; therefore the ship cannot be got ready to leave that day. I always lay out my account, when a boiler is tested, to have something to do with it.
698. *Mr. Moriarty.*] And probably the higher the test the more you would have to do to it? Yes.
699. *President.*] Is Mr. Dalgleish sufficiently careful in making use of this test—Have you any reason to complain? No, I have no reason to complain of the way in which he does it.
700. Have you ever complained to him that he was using this test to too great an extent? I have showed teeth sometimes—I have spoken to him sometimes very strongly; but through the piece he has treated me very fairly.
701. Have you ever complained to your Directors that your boilers were being injured in this way? I have said, in some of my reports, that it was the cause of some of these flat plates getting out of shape.

FRIDAY, 26 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY, | MR. CARLISLE, R.N.,  
MR. THOMAS.

Mr. John Struth called in and examined:—

- Mr. John Struth. 702. *President.*] You are an engineer by profession? Yes.
- 26 June, 1868. 703. You are aware of the method adopted by the Government Engineer-surveyor, in testing marine boilers in this port? I am aware it is an hydraulic test by cold water, but I am not quite aware to what extent the pressure is carried.
704. His practice generally, but not universally, is to test to twice the working pressure—Do you see any objection to that practice? Very much objection.
705. On what ground? That it is injurious to the boilers—very injurious.
706. Do you object to the hydraulic test altogether, or to the extent to which the pressure is carried? I would not object to the hydraulic test if it were merely a small percentage over the working pressure, and that applied properly, in an easy manner.
707. The test requires care? Great care.
708. Speaking generally with respect to boilers in use, what percentage above the working pressure would you consider it safe to apply? Are you speaking generally of boilers not specially ordered of any peculiar material?
709. Of marine boilers in ordinary use. Take the boiler of any steamer here, which is perfectly safe to work up to a pressure of twenty pounds—in testing such a boiler what hydraulic pressure would you put upon it? I would consider that anything over ten per cent. would be injurious to the average of boilers. Where you have one boiler made to carry a pressure of twenty pounds, a dozen would come under that, and would not be capable of carrying it without risk. Condensing engines of late years are wrought at a much higher pressure than they were formerly, without the material being improved in quality; and much greater risk is therefore run. I think that many boilers made, unless specially ordered of superior material, are scarcely capable of carrying twenty pounds pressure.
710. I do not think you quite understand me. I do not want you to tell me what pressure should be put on the boiler, but what pressure it should be tested to, if worked up to twenty pounds? I would not put more than ten per cent. over the working pressure. I cannot see

see what is to be gained by it. If the safety-valves are properly adjusted at twenty pounds, why should the boiler ever be tested much above that twenty pounds?

Mr.  
John Struth.  
26 June, 1868.

711. Will you tell us what are your reasons for supposing that hydraulic pressure of (say) twenty per cent. above the working pressure should be injurious to a boiler? This is a question it is difficult to treat in the general way we are doing, because I am speaking more particularly of common boilers—cheap boilers.

712. We are speaking of boilers as they ought to be. The test is to ascertain whether they are what they ought to be? A great deal of iron is produced now by the hot blast, and that is weaker and more brittle than the iron produced by the cold blast. Hot blast iron is brittle when cold, but not so when hot. Most boilers are made of this poor, hot blast iron, which is very brittle when cold. It may sustain a good pressure of probably twenty pounds on the inch when hot, but is not capable of bearing much more when cold. It is very brittle indeed, but when heated up by steam it is stronger than when cold. Then, again, in constructing marine boilers, they are more complicated than in former days. All plates of iron, especially the commoner sorts, have a grain, the same as wood, and as the plates are mostly bent cold, the grain is injured. I had the superintending of two sets of boilers lately in England, for an owner out here, and I watched the process very narrowly. These plates get strained, and the slightest extra pressure on them may cause them to start, whereas, if there had not been any extra pressure they might never have failed; but if you come to put on double pressure, you just ruin the iron and make them no longer serviceable. I consider that arises from the cheaper description of hot blast iron being used.

713. It is not the object to adapt this test to inferior boilers or inferior iron, but to ascertain whether any defects exist, from whatever cause, which would render the boilers unsafe. The regulations with reference to testing would proceed, I presume, upon the supposition that the boilers were of good materials, and were safe to work up to the pressure allowed on the safety-valve. The test is not to be adapted to boilers existing, but to ascertain whether existing boilers are fit for use. Because there is bad iron in use, that is no reason why the test should be lowered to meet the circumstances. The boilers should rather be improved to meet the test which, in the opinion of competent persons, should be applied? My reason for objecting to any testing over ten per cent. beyond the load on the safety-valve is, that I consider three-fourths of the boilers are made of such iron as I have attempted to describe; and therefore, I think it is unwise to put on much more pressure than is actually on the safety-valve, because I cannot see the object of it, if the safety-valve is properly looked after.

714. Do you think a boiler made of this inferior material, which is capable of standing a pressure of twenty pounds, but unfit to be tested to more than 10 per cent. beyond that, is a fit boiler for use? I do. If the safety-valve is adapted to twenty pounds, how are you going to get any more on it?

715. Do you not think the deterioration which gradually goes on would reduce the capability of the boiler to bear the pressure? I do not think deterioration goes on so rapidly as that. If the boiler is neglected, it is a very different matter.

716. Independently of any want of care, is not deterioration necessarily going on? Not so rapidly.

717. Is it not a very small margin to observe, only two pounds out of twenty? I would not think so; and if I had boilers of my own, left entirely to my own management, I should certainly not test them to a greater extent than what I have stated; not on the score of economy, but I should consider it much safer than straining them to a higher point. You scarcely ever hear of great accidents with old boilers; it is new boilers that the greatest disasters occur with.

718. What is the practice as to testing new boilers? By hydraulic pressure generally.

719. What is the general test? I am not aware of any fixed amount. The boilers I speak of, that I had made in England, I had tested not much higher than the working pressure, because I consider it injurious.

720. Even to new boilers? Yes. I had those made that are in the "Fire King," as well as some others that were sold to some of the other Companies. I have always found that if a new boiler will bear the weight of the water in it and be tight, there will be no fear of going to work with it at a moderate pressure.

721. *Mr. Moriarty.* Do you not think that, with new boilers, it is a great advantage to ascertain clearly, by a test, whether they want any additional stays in any parts that may have been overlooked in the manufactory, or in the design? Yes, I think something like 10 per cent. will shew that.

722. For new boilers you would not go any higher than that? I hardly think I would, because, if the plate is ordinary common iron, it is apt to get injured even more than in boilers that have been in use some time.

723. Do you not think the ultimate strength of a boiler should be from five to six times its ordinary working pressure? In high-pressure boilers, constructed on a different principle, I should have no objection to 100 per cent. They may be pressed to double the working pressure with the greatest safety.

724. Are we not verging on high pressure with regard to low pressure boilers now? We are so.

725. And might not your rule with regard to high pressure boilers be applied with some considerable force to what are called low pressure boilers, when they go up to 20, 30, or 40 pounds? Just so. But in marine boilers you are obliged, to a great extent, to construct them to suit the place where they are put, and so forth; therefore they cannot be constructed on the same scientific principle for strength as a locomotive or land engine boiler on shore could be. Therefore there is the greater necessity for not over-straining a boiler in the



- Mr. John Struth. the first instance. A boiler with flat sides is at a great disadvantage, and it must be recollected that a pressure of 20 pounds to the square inch gives considerably over a ton to the square foot.
- 26 June, 1868. 726. You provide for that by means of stays? It requires a good number of stays.
727. Supposing the boilers are made to meet that, being stayed on the flat sides with (say) an inch of section of stay to each square foot of boiler? If the stay is properly constructed, that would, of course, meet the case very much.
728. Say an inch and a quarter stay, tapped into the boiler? That is a poor affair, unless it is nitted also.
729. I was going to say that it should be nitted. Would you not think that stay and boiler surface could be safely made to carry more than the working pressure? I should not like to be accountable for anything with 40 pounds on it.
730. I suppose you are acquainted with the construction of marine boilers as at present used? Yes.
731. In your opinion, is any marine boiler that has recently come under your observation capable of carrying five or six times the ordinary working pressure? I do not think so.
732. That is about 18 to 25 pounds? Yes.
733. What do you think they would stand before giving way? I saw some tested during the time I was lately in England. Friends of mine were having boilers made in different works; and I have seen some low-pressure boilers tested up to 50 pounds, but they would not stand the test of the straight edge upon them.
734. What pressure were they intended to work at? Twenty-five pounds.
735. Then they were pressed to double? Yes. One I went to see was tested four times before it could be got to stand. The plates bulged, and I do not think they ever went fairly back again. They went out of shape completely; and that was only at a hundred per cent.
736. Wherever you have seen the practice of testing new marine boilers in England at double the working pressure, you have seen them permanently alter their shape? The shape was altered during the time the pressure was on, and I do not think they ever returned to their original shape again; because if you bend iron when cold, it is not like steel—it will not come back again.
737. Do I understand that the greatest care was taken in proving these boilers by means of straight edges, to see how far it would be judicious to go? Just so; and as they kept working up the pressure, they were always stopping and trying again, and watching in the most minute manner, and when they came up to a hundred per cent., which they call a heavy pressure, the water was put in very gently indeed, and the gauge watched with the greatest care.
738. Do you think that if that pressure had been carried on to 200 per cent. they would have stood it? I do not think so.
739. *President.*] Do you think they would have given way altogether—that some stay would have given way? I think so. If 20 pounds on the inch gives upwards of a ton to the foot, it becomes an immense pressure.
740. *Mr. Moriarty.*] Was not the fact of some of these stays having given way under this proof, some argument in favour of using the proof, because it gave an opportunity of putting in stronger stays where necessary? No, because the boiler stood very well up to the working test, and if the safety-valves are properly adjusted, there could not, of course, be any more pressure on the boiler under steam.
741. Although it might stand the test up to the working pressure, might not the condition of the boiler become so deteriorated within (say) twelve months, by corrosion, that something would give way under steam? The engineer or person inspecting would see whether the boiler was deteriorating.
742. Is it not your experience that boilers are not generally well looked after? As a rule, they are not; but I do not think the pressure is any advantage, even in that case.
743. You are aware that the best authorities lay it down that new boilers should be proved to twice or twice and a half the working pressure? I do not think half the new boilers would bear it.
744. Ought they not be made to bear it? No, I cannot see the object of it.
745. If boilers were subject to this severe ordeal, do you not think the inevitable consequence would be that they would be made stronger and of a better shape than if allowed to pass at only the working pressure? If we were to have them as they ought to be, perhaps that might be the case.
746. Do you not think that if the rule were rigidly enforced it would ensure it? I am very doubtful of that. If a steam test were applied in place of the hydraulic test, I should have no objection to go higher.
747. Do you not think that would be very unsafe? It would not be so safe as the hydraulic test, but then it would not be so trying to the boilers.
748. Does it give you the same opportunities of examining the boilers under pressure? No, I admit that.
749. *President.*] Suppose a bridge were to be made intended to carry 1 ton and no more—if it were under such regulation that it would be impossible for more than 1 ton at a time ever to go on it—do you think that bridge would be safe if it would just bear twenty-two hundredweight, and no more? I do, if it carried it, and the weight was never to be increased.
750. Such a thing as deterioration goes on—unknown sometimes? I grant you that, but it does not deteriorate so rapidly as to be dangerous on that account, if cleaned and kept in order.
751. Are you aware how much, in such a case, railway engineers would require the bridge to be tested up to? A good deal would depend on climate. 752.

752. Are you aware what the rule is? I cannot speak positively.

753. Here the engineers would consider it necessary to test that bridge up to four tons, before they would report that it was safe? I do not say it is not so; but running a train over a bridge is a different thing from simply laying a ton upon it.

Mr.  
John Struth.  
26 June, 1868.

754. Would you consider a boiler, with stays screwed through, and riveted over in the flat parts, safe? No.

755. If an accident should happen in such a case, by a stay giving way, would you not consider that it would naturally follow from the construction of the boiler? Yes, just so.

756. Are you aware that the stays of the "Clarence's" boiler were fixed in that manner? Yes, I read that in the evidence.

757. If you heard that an accident happened in such a case, would you think it unnecessary to go beyond that to account for it? I should decidedly ascribe it to the want of nuts. It was only in the latter part of my time that screw stays were introduced—since the great change in the increase of pressure on marine engines. There was no such thing in my early days; indeed there were very few stays at all; it was thought if they wrought up to anything more than three or four pounds it was a great pressure on marine engines. Then when they began to introduce these screw stays, there was always a nut put on the point.

758. This way of screwing and riveting over-cold is a little cheaper? It is merely the saving of the nut. If you put a screw, you must rivet it cold, and then it is no rivet at all.

759. *Mr. Moriarty.*] You would not think an inch-and-an-eighth screw bolt, riveted over cold, could carry a pressure of fifty pounds to the square inch? No; I think if you were to suspend it, and put a ton weight on, it would be dangerous, especially if it had been subjected to a pressure a good many times, which might cause it to alter its shape and a little leakage to take place, so that it would corrode and be eaten away. That is one reason why I am opposed to carrying an excessive pressure in the tubular boilers, because your tube plate will spring slightly in a boiler that has been two or three years in use, and there will be a little leakage when the boiler is cold. All that deteriorates and wears the hole larger.

760. Also, if there are leaks through the back tube plate; the leakage is very apt to drop into the bottom of the ash-pit? Yes, you never know the extent of the damage it is doing.

761. Is it your experience that the bottom of the smoke-box and ash-pit corrode more rapidly than other parts of a boiler? Yes, I think they do. I have always found, in my experience, that those parts required replacing sooner than others, with the exception perhaps of the take-up.

762. *President.*] Is there anything that you can see to justify running passenger steamers with stays placed in that way, screwed through and riveted over? I think they ought to be condemned.

763. You think there is nothing to justify it? No. The head of a bolt wears a very long time indeed; I do not know that ever I saw the head of a bolt give way. You can always put a nut outside.

764. Would not the head be just as liable to burn away as the nut? No; the nut not being part and parcel of the bolt would expand, and the screw be slackened a little. But I do not see why a nut should not stand sufficiently well.

765. I ask these questions particularly about the use of nuts, because on the evidence there appears to be a difference of opinion on the subject. Some engineers have a great objection to the use of nuts, and have told us they do not think a stay is any safer with a nut than without it? The contrary is my opinion. If I had a nut burned off every trip I would put on a nut. I should not consider it any stay at all simply tapped into the boiler.

766. *Mr. Moriarty.*] Supposing you were putting in a stay, and it did not go fair through, and you could not screw the nut right up against the plate, you would have to bevel the nut, which would be a tedious operation, or else bevel the head of the stay? If the head would not come up, you would have to put a thick-sided washer on. I dislike screw stays altogether. There are many other descriptions of stays that can be used, but they are too expensive for the cheap way of doing things which is adopted now.

767. *Mr. Thomas.*] In the case where you noticed the stays give way on two occasions, might not the third lot of stays put in have been injured by the test, so that afterwards that boiler might have burst under a much less pressure than was put on it at the time of testing? They were new stays put in each time, and made stronger each time.

768. Although those stays did not give way the last time, might they not have been injured? Probably, in carrying out the second test, if they had stopped at a pressure of a pound less than they did, the stay might not have gone, and yet it might have been injured. In that way also plates get injured, and in time when the other portion of the plate, that was left got worn a little more, they might burst. The boiler would have lasted longer provided it had not been subjected to that severe test.

769. Although a severe test put on boilers might raise the standard or quality of boilers, it may not afford any safety to the public, because if there is a test you may injure the boiler to a certain extent, and then you are no better off than with a lower class of boiler and a lower test? I do not think you ensure any better article. People will go for cheap things, in boilers as well as everything else. I think myself, as a rule, that one hundred per cent. is more than is necessary, decidedly more.

770. *President.*] You think ten per cent. is enough? I really do. Carefully and judiciously applied it will not injure the boiler; and if the safety-valves are kept in order, I do not see how the pressure is going to get above the amount allowed.

771. *Mr. Moriarty.*] The object is, that a boiler which has stood double the working pressure

Mr. John Struth. pressure shall be safe to go on working for six months? Probably if that pressure had gone on for a pound more, it would have sent it off.  
 26 June, 1868. 772. Have you ever heard of boilers giving way under the ordinary steam pressure shortly after they had been proved to double the working pressure? No, I am not aware of anything of the kind of my own knowledge.

Mr. Edward Evans called in and examined:—

Mr. E. Evans. 773. *President.* You are an engineer by profession? Yes.  
 774. You are aware of the method at present in use here of testing marine boilers? Yes.  
 26 June, 1868. 775. It is carried generally to about double the working pressure? Yes, by hydraulic pressure, repeated every six months, or even less.  
 776. Do you see any objection to that mode? I think it very injurious to the boilers.  
 777. Do you object to it altogether, or to the extent to which it is carried? Altogether for old boilers, not for new ones.  
 778. You think old boilers may be safe to use, and still not safe to be tested by hydraulic pressure? Yes.  
 779. Have you ever known any particular instances in which boilers have been injured by the hydraulic test? I have never seen it applied before.  
 780. On what account do you consider it injurious? It tends to bulge the plates when the boiler is cold, throwing a different strain on the iron to what it would have to bear when under steam. It is a different pressure altogether.  
 781. Different, inasmuch as the iron is cold? It is more likely to bulge than if it was hot.  
 782. When you speak of old boilers, do you mean old boilers in use? Yes, that is, boilers in ordinary use.  
 783. Would you not have them tested at all? No, not the square marine boilers.  
 784. You think their efficiency could be sufficiently determined by inspection? Yes, quite sufficiently.  
 785. Do you not think defects might be discovered by this hydraulic test that might escape attention otherwise? Really I do not see that it would show anything, except a bulge in the plates perhaps.  
 786. Might it not show leaks? Yes, it would show leaks.  
 787. That might not otherwise be noticed? Yes.  
 788. Is not a leak a dangerous thing, causing corrosion? Yes.  
 789. Might not the hydraulic test show that leak? Yes; but a defective part might be tight then, and not be tight when the steam was up.  
 790. I was under the impression that wherever steam would get out, water would get out? Boilers under steam and under pressure are so very different, that this condition does not always apply.  
 791. Do you not think that if steam should come out under a pressure of twenty pounds, water would come out under a pressure of forty pounds? Sometimes it would not do so.  
 792. Do you know any specific case in which any particular boiler has been injured by the hydraulic test? The boiler of the "Clarence," I should think, was injured by the hydraulic test.  
 793. Have you any personal knowledge of that case? No, I never examined it.  
 794. You only think it may be so? Yes.  
 795. Not from any actual use of this test? I have never seen it applied before.  
 796. Have you seen it applied here? Yes.  
 797. Your opinion is not formed from actual observation of injury having resulted, but you simply think it would do injury? It would do very great injury.\*  
 798. *Mr. Moriarty.* Was it not your practice to test boilers, when you were Engineer to the Steam Navigation Board? Only the high pressure ones.  
 799. I thought you pumped up all the low pressure ones as well? No, only in one or two instances when they had been under some repair.  
 800. But you did prove the high pressure boilers? Yes.  
 801. What percentage over the working pressure did you use? Double the working pressure.  
 802. Why would you consider it safe to apply it in one case and not in the other? There were several reasons for it. In the first place, the boilers were elliptical-flue boilers—rather of a dangerous form. Then it was also necessary to satisfy public opinion, and to keep the pressure as low as possible.  
 803. *President.* You speak of elliptical flues—that is the places where the fires are? Yes.  
 804. Does that form make them more dangerous? Yes.

805.

\* ADDED (on revision):—I am of opinion that it is a strain on the material of a boiler to which it has not been designed to apply in practice; it bulges the plates, strains the stays, and that possibly in positions that cannot be examined; attended with the probability of imperceptible injury, to be afterwards acted upon by the natural and mechanical forces that come into operation on the application of heat in the generation of steam. It tends to destroy that equilibrium of form which these forces and laws have caused the different parts exposed to the action of the flame of furnaces to assume, and is consequently attended with great and repeated deterioration of the strength of the material, upon the alternate action and reaction of the deviation from, and recovery to, that form which natural laws dictate. It gives an artificial confidence to many who have the care of boilers, under the supposition that the result of such hydraulic pressure to which they are subject, is that of undoubted strength; consequently, is likely to interfere with that carefulness and examination which boilers require, and so it is a system not only productive of repeated injury, but also that of a negligence in care.

805. *Mr. Moriarty.*] Did you uniformly apply the pressure, or merely keep the power now and then to apply it, if you thought they wanted to run too high? No, it was always done in the case of these boilers. Mr. E. Evans.  
26 June, 1868.

806. Do you not think the hydraulic test might develop a thin plate which otherwise might pass a man examining merely with a hammer? I should think if he touched it with a hammer it would sound as being thin.

807. Suppose he did not happen to touch it with the hammer, might not the hydraulic test be useful, by making it bulge and show the thinness? He might not see that bulge, and if it escaped him, the boiler might blow up the next time steam was got up, because the bulging would be an injury.

808. You think on the whole the hydraulic test is not advantageous to low pressure boilers? I do not think it is.

809. You are pretty well acquainted with the boilers of vessels belonging to this port, I think? Yes.

810. What percentage over and above the working pressure would you say they could carry without giving way? Do you mean by water pressure?

811. By any pressure? That depends so much upon their condition and form. They are as good here as in any part of the world perhaps.\*

812. Do you think they would give way with three times the ordinary working pressure—most of these marine boilers? I certainly should not like to put three times the pressure of steam upon them.

813. Do you think it would injure them or make them give way? It is possible they would give way.

814. I want to know generally your opinion. Would they stand ten times the working pressure? No.

815. Would they stand five times? I would not like to put on much more than they are designed to carry.

816. Then you think what they are designed to carry is a safe maximum? Yes.

817. That is, the ordinary working pressure? Yes.

818. Do you think anything above that would be likely to carry them away? I can hardly say; boilers vary so much.

819. Suppose a boiler carries twenty pounds on the safety-valve, do you think sixty pounds would burst it? It might do it some injury.

820. Something would give way, you think? It is very possible.

821. *Mr. Thomas.*] Do you know of any boiler that you think you could with safety put five times its working pressure on? No.

822. *Mr. Moriarty.*] Do you know of any one that would stand three times? I should not like to put three times, or twice, steam pressure.

823. You think under that they would be very apt to give way? Yes.

824. *Mr. Thomas.*] You would not like to stand near them? No, certainly not.

MONDAY, 29 JUNE, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,

MR. CARLISLE, R.N.,

MR. THOMAS,

MR. RUSSELL.

Mr. Thomas M'Arthur called in and examined:—

825. *President.*] You are a partner in the firm of M'Arthur and Co., Waterview Bay? Yes. Mr. T.  
M'Arthur.

826. You are aware of the method at present in use for testing marine boilers? Yes.

827. Have you any objection to it? None whatever.

828. Are you aware that it is common to test boilers, by the hydraulic pressure, up to double the working pressure? Yes. I think if they are not fit to stand double the working pressure, they are not fit to be in a ship, or factory, or anywhere in use.

829. Do you think it possible for a boiler in good condition to be injured by such an amount of pressure? No, I never knew of a single accident. I have detected faulty stays sometimes with it.

830. You were formerly Superintending Engineer to the Australasian Steam Navigation Company? Yes.

831. Did you leave that Company before Mr. Dalgleish obtained his present appointment? He joined just about the time I was leaving, I think.

832. Did you ever see him testing any boilers? I have seen him testing our own boilers at the wharf.

833. Before Mr. Dalgleish held office, were boilers tested by hydraulic pressure? No. I have tested them sometimes myself, but not by order. I have done it for my own satisfaction, or because it was required by the specifications, or when altering the form of a boiler I have employed the test to see whether I was right in staying them.

834.

\* ADDED (on revision):—And as water pressure is a dead pressure, whereas steam pressure is a living force, inasmuch as the whole form of boilers is in motion according to the variable temperature of the different parts, which force is irresistible, and injudicious staying to overcome the consequences attendant upon hydraulic pressure is inapplicable to that of steam, and as the generation of steam is their use, no other consideration should be allowed to interfere.

- Mr. T. 834. You have not had many opportunities of witnessing Mr. Dalgleish's operations? I  
M'Arthur. have seen him pressing some of the boilers. He tested one I had made for the French  
29 June, 1868. Government, and there was a commission held upon it as well.
835. For what vessel was that? The "Marceau."
836. It was done at the instance of the officers of the vessel? It was done by specification.  
The boiler had to be tested, and the iron also before it was put in.
837. A new boiler? Yes.
838. What was the working pressure? Twenty pounds.
839. How high was the test? About forty-two.
840. Rather more than double? I dare say it was more than that before we stopped. I  
offered to press it higher if they wished.
841. It seems to be the opinion of several engineers that, although the method may be  
adopted for testing new boilers, with old boilers it is a different matter? I do not see why  
it should not be adopted with one as well as the other when necessary. The water pressure  
merely indicates any weak points, and prevents accidents. I have never known a single  
accident to occur by water pressure.
842. Have you known of accidents occurring soon after? Boilers are supposed to be under  
inspection at the same time that the testing is going on, and any spring in the plates or  
bulging anywhere, where it is too weak, can be made good, and the test applied again.
843. It appears that Mr. Dalgleish, in testing boilers, places the gauge on the top of the  
steam-chest, which is somewhere about sixteen feet above the bottom of the boiler? Yes.
844. You are aware then, of course, that the pressure on the bottom of the boiler is about  
eight pounds more than at the gauge? Yes.
845. So that if tested to forty pounds by a gauge so placed, the lower part, which engineers  
seem to think most liable to deterioration, would be pressed to forty-eight pounds? Yes,  
it will add to the pressure indicated that much more; but I have seen the gauge put in  
front of the boiler.
846. Would you think it safe, if a boiler were intended to work at a pressure of forty  
pounds, to test that lower part up to forty-eight? A boiler that will stand double pressure,  
will stand, I should say, three times the pressure, if well made.
847. You think it would not be liable to injury? No, I have never known boilers injured  
by it. I have known them show signs of weakness, and it was necessary to strengthen  
them; but that is what the water test is for.
848. As an engineer, or in any capacity, have you tested boilers? I have, frequently.
849. What is your practice with old boilers? I test to double the pressure they are  
carrying. If they are working at twenty pounds, I test with forty.
850. That is your practice? Yes.
851. Have you ever heard any complaints made by persons belonging to the various Steam  
Companies that their boilers were being injured? The only thing that ever I heard was  
that they do not like it. It necessitates keeping the valves in first-class order, and all the  
joints must be good, or they cannot get up the pressure. The test ensures that all the  
fittings about the boiler are correct, and sometimes that causes inconvenience to vessels  
which have not sufficient time between their trips to get the necessary work done. Even in  
the works it takes time to make valves and joints all tight before they can bring the pressure  
up to what is required. When the test is on, the boilers are tried by measuring the parts  
inside and outside, to see whether there are any indications of weakness while under  
pressure; and it takes a good deal of time and trouble to make up all the defects that are  
discovered in this way.
852. Do you know from experience that defects can be discovered by the hydraulic test  
which cannot be detected otherwise? Yes. Of course you cannot try steam to double  
pressure, but with water there is no danger, and you can see where plates indicate that more  
stays are required, and that the boiler is too weak.
853. Speaking generally of marine boilers in this port, what ratio do you suppose their  
ultimate strength would bear to the ordinary working pressure? That all depends upon  
the strength of them, and whether the stays are properly divided.
854. Speaking of boilers as they are? Without examining a boiler I could not say any-  
thing about it.
855. Suppose a boiler were working at 20 pounds, would you expect 60 to burst it? No;  
but some parts might give way, and want strengthening.
856. You would expect something to give way at 60? I do not know that I would; but  
it may not be sufficiently stayed. If you examine a boiler and see where the stays are  
placed, you can almost tell where it will give way. A great deal depends upon the care  
taken of boilers.
857. Would you expect 80 pounds to burst an ordinary boiler working up to 20 pounds?  
They say they ought to stand six times the ordinary pressure, according to past experience  
of eminent men in England; but I have never gone to that extreme. Hydraulic pressure  
is the only way of testing work. Work may be bad, and you cannot see it. You may  
believe it is all right by examination, but how can you be sure? There may be defects in  
the iron plates, or in the stays, or in the riveting, which cannot be found out merely by  
examination.
858. Some engineers are of opinion that by examination by the eye and hammer they can  
determine sufficiently whether there are any defects—Does that coincide with your opinion?  
I have often gone into a boiler and said how much pressure it would stand by testing in  
that way, but I do not think it is sufficient to trust to that kind of examination. By  
using water pressure to a given amount, you protect yourself if anything goes wrong.
859. You are aware, perhaps, how the stays which gave way in the "Clarence's" boiler  
were fixed? I read of it—I know how they were fitted. 860.



860. Do you think that is a good way of fixing them? Yes, a very good way.
861. Do you know any better way? Some persons adopt nuts; but in many boilers that I have seen the holes are not fair, and then the nuts cant, and you have to put on a washer. Stays are not properly fitted when they are fixed in that way.
862. Is there any objection to that? I do not consider it is workmanship at all.
863. Is there any reason why nuts should not have been used in the part of the "Clarence's" boilers that gave way? No, no particular reason.
864. Do you think a stay is safer with a nut? No, I cannot say I do. Many causes of accident may transpire in a boiler. There might be scale and deposit on the plate, preventing the water acting on it; and the way the bridges are made, there might be a mass of soot or ashes, red-hot almost, during a voyage from Brisbane to Sydney; and this continued for a time might loosen the threads and cause the stays to give at the weakest parts.\*
865. You think that part—the combustion chamber—might have been red-hot? It might have been hot, not red-hot, and keep the heat by this hot ashes and dust of coal, during a voyage of forty or fifty hours. That is sure to draw. The furnace sides will draw sometimes where the brickwork is, and waste away as well.
866. Do you think it is impossible that the hold of one of these stays may have been injured by the hydraulic test applied three months before, causing leakage and consequent corrosion? If there were any indication there it would be seen in the testing, when they were examining the boiler. The plates must rise if not sufficiently stayed, and that is the time to secure them again.
867. Might not the stay have been injured by the hydraulic test, without its being observed at the time? No; if there was any weakness, it must be indicated at the plate.
868. The accident happened, we are told, by the plate drawing off the stay—the threads of the screw were stripped. Would that have been so likely to happen if a nut had been fixed on? The thread might not be a good one in the bolt, and then the nut would come off in the same way. There may have been some undue action in that boiler that no one knows anything about. I adopted nuts long ago, and carried them on for a long time; but I found I could make a far better job by having a fine thread on the stay and riveting over.
869. Riveting cold? It is not long cold when they begin to hammer. It may harden a little at first, but it softens as they go on with it.
870. Do you not think this hammering of the iron cold at first, at all events, hardens and injures the quality of it? It softens if you keep at it. I have tried, in many instances, putting a hot iron on it to anneal it down, but I do not think it is any good; it warms the bolt right through, and weakens the thread. Proper screws ought to stand, unless there is some undue action. It is stated that that boiler was thinner there by one-sixteenth of an inch than the original thickness of the plate. Why was it thinner there, and not in another plate?
871. *Mr. Moriarty.* I think you said you consider that all boilers should be tested to twice their working pressure? Yes.
872. Does that apply to boilers when they are new, or after they have undergone repair; or would you apply it at frequent intervals to boilers in ordinary service? I think it does interfere a little with the working of vessels if done every six months. Every twelve months might be sufficient, when the boilers are known to be good. It might be done oftener, once in three or four months, when the boilers become aged. If a boiler shows good work, and not much deterioration of the stays and angle irons, or furnace plates, or back end plates, then every twelve months should be sufficient; but if by examination there were shown to be deterioration going on, it would be necessary to do something, and six months might then be enough to let the boiler run without testing. It does not do to make a great quantity of work to satisfy an idea; some boilers run longer than others without showing much deterioration. I think a boiler should be at all times capable of bearing double its working pressure.
873. Without injury? Without injury. A boiler may be carrying twenty-five pounds for (say) twelve months, perhaps two years, and everything be going on well; but if you think, on examination, there is rather too much pressure, you may reduce it (say) five pounds or so, and then press your boiler to double that.
874. If it is necessary to reduce the testing pressure, it is necessary also to reduce the working pressure? Yes.
875. Suppose a boiler is getting old, it has been (say) four or five years in a ship, and has undergone ordinary wear and tear and occasional repairs; that boiler gets a three months certificate, and goes on with three monthly certificates for twelve months—Would you consider it sound practice, under these circumstances, to prove that boiler to double its working pressure, or would you rather trust to a very careful examination by the eye and hammer, or such other examination as you could make—do you think it would do the boiler any harm which might escape detection, if it were constantly being tested to double the working pressure? I cannot see any difference between an old boiler and a new boiler; if it has to bear a given pressure, it ought to bear double that amount.
876. You think the same principle holds good? The same principle holds good all through, and the test is even more required by old boilers. Why should people trust their lives to pent up vapour like that in an old boiler more than a new one? If there is any slight stoppage at sea, the pressure may get up perhaps four or five pounds.
877. The question is, whether it is possible for a boiler to be injured by the excessive strain of

Mr. T.  
M'Arthur.  
29 June, 1868.

\* ADDED (on revision):—This action would ensue when the water was blown out of the boiler at the termination of the voyage; the heat left under the bridge would, to a certain extent, distort the plate at that particular part.

- Mr. T. of double the working pressure? I have seen a great deal, and I never saw anything wrong except when the water did its duty and showed defects. I have seen stays being renewed in boilers—long stays and pins being put in; boiler makers are not very particular if they can get the pin in at all. That pin may have all the strain of the boiler, and when you put on the pressure the boiler goes to its original position—you hear it breaking. If that boiler had not been tested, and there had been any sudden stoppage of the machinery, or a pressure inside, it might have burst some more of them.
- 29 June, 1868. Mr. Arthur. 878. *President.*] You refer to testing either new boilers or those that have been under repair? It is the most effectual way to test before you begin to repair, but we do not get time to do it; the bustle is to get the repair done and let the ship away.
879. You are aware that locomotive boilers are sometimes worked up to one hundred and fifty pounds? Yes.
880. Do you think they ought therefore to bear a test of three hundred pounds? I think so generally. From the way they are made, they are sufficiently stayed for the pressure they use.
881. You think they ought to bear three hundred pounds, or they are not safe to work to one hundred and fifty? Plenty of people run boilers whether they are safe or not; but if they want to do justice to their employers, whoever they may be, they ought to see that these boilers are thoroughly tested for safety.
882. *Mr. Moriarty.*] Do you think the practice of testing, as a rule, would ensure better design and better workmanship, if they were made to undergo this severe ordeal? Yes, they must have good workmanship and good material to stand the pressure. You cannot be certain of the plates at the best of times.
883. When you were managing for the Australasian Steam Navigation Company, did they ever object to the proof of double the pressure? The Company never interfered; they entrusted all that to me. I never knew them once to interfere about what we were using; they always gave me what I ordered.
884. *Mr. Russell.*] With regard to the "Clarence's" boiler, was that boiler manufactured at the Company's works while you were Superintending Engineer? Yes.
885. In your opinion, it was not possible that boiler was injured by being proved on the last occasion previous to bursting? No, I have never seen any indication of it on any boiler; and why this one?
886. We are told this boiler was proved up to forty-two pounds, and it is possible the pressure may have gone up to forty-five pounds; adding the weight of water, eight pounds, it would make it at least fifty pounds on that particular part of the boiler. Is it not possible that the screw of the stay might have been injured by the plate bulging a little under the pressure, opening the inner side of the hole and weakening the screw, or perhaps the screw of the plate riding on the screw of the stay? That is only supposition. I cannot say whether that was the case or not, or why it should be so. If the boiler was examined, every plate bulging should be seen. The question with me is, why was that plate thinner there than in any other part of the boiler?
887. It is your opinion that the pressure of fifty pounds on that part of the boiler is not likely to have been the primary cause of that accident? No, I cannot see it; the boiler ought to stand far more than that.
888. You are of opinion that the plate may have been injured by being corroded by leakage mixing with the ashes and soot accumulated there? Yes. The question arises with me, how does that plate become thinner there than elsewhere? A boiler of that kind should have no leaks in it. Blowing off the boiler is very injurious indeed without everything is cleared out. Then there is the working of the furnaces by different firemen; they do not fire always exactly alike. There will be more coals at one part, and the flame may strike in one place, and the fire changing again, it may go to another place. That may displace the water to such an extent that the iron may become very malleable indeed, and yet the boiler is sufficiently stayed to stand the pressure.
889. *Mr. Moriarty.*] Do you remember what you proved that boiler to when it was new? It would be forty-two or forty-four pounds, very likely. We did not keep any record.
890. How long was that before this accident occurred? The boiler was about twelve months in the shop before I tried it. It was fitted up by Mr. Jaffrey just before I was leaving; and the vessel went to Brisbane, and remained in that trade a considerable time before she came back here again.
891. How long had it been at work before the accident? About two years.
892. *President.*] It appears that this part of the boiler stood fifty pounds test pressure without shewing any signs of injury, and still, according to the evidence at the inquest, these stays gave way at a pressure of nine pounds, three months afterwards—How do you account for that? If I had seen the inside of the boiler before it was touched, perhaps I might have arrived at some opinion whether the stay had been bad, or the threads had been bad.
893. If the threads had been bad, would they not have given way under the fifty pounds test? Yes. After a job is once disturbed, no man, however good he is, can tell what is the cause of an accident like that.
894. *Mr. Moriarty.*] Suppose the workmanship to have been thoroughly good in the first instance, and the plates pretty fair also, and that after two years of work, with ordinary wear and tear, the thickness of the plate in the ash-pans had diminished, do you think bulging might then be expected under excessive pressure? If the plate has been subject to being lifted up in any way when the boilers were empty, that must affect the weakest part, and that may have been the rivet. They say the boilers were all tight; and this part was shut off by iron bridges.



895. Could the water run down to the front? Yes, there is a hole there for getting in under the bottom of the bridge; but it is not every day that is pulled down to be examined.

896. Perhaps you can tell us whether it is the practice in Queensland to prove boilers to double the working pressure? No.

897. Supposing it to be so, do you think it is a power which should be put into the hands of any but the most thoroughly competent men? No, I think a man intrusted with such a power ought to be a competent man, and an honest man, independent of any partiality or anything of that sort. Without examination, pressing is not worth anything.

898. That is the main thing,—whether it is not a dangerous power to put into the hands of any but the most thoroughly experienced and careful man—It might be liable to do injury if the pressure got up suddenly? You cannot raise it suddenly with the pump.

899. Supposing a boiler is proved here to double the working pressure, gets a three months' certificate, and goes away to one of the adjoining Colonies, is pressed there again, and gets another certificate, then comes back here, and her certificate from this port being up, gets pressed again—Do you not think the frequent repetition of this process is liable to do injury? The surveyors should accept each other's surveys.

900. Supposing that by law or for other reasons they cannot do it, would not these frequent hydraulic proofs injure the boiler? I cannot see that injury would be done, as long as the test is carefully applied. I know if the "Agnes Irving" had been tested with cold water there would never have been any explosion there. Engineers of vessels are sometimes very careless. If a stay is indicating that it is getting bad, an engineer will sometimes cover it up so that it cannot be seen, and the defect can only be found out by applying pressure. The trouble it gives is generally most considered by all people who have to do the work which the test shews to be necessary. It gives them the trouble of making everything tight—valves, joints, and so on.

901. Would you hold with its frequent application, or only reserve it for special occasions, when proving a new boiler or making considerable repairs in an old one? I consider there should be special examinations of the boiler frequently, and testing at times when it is considered necessary. As a boiler gets older I believe it wants more inspection than ever, bearing in mind that the pressure should be reduced according to the judgment of the party inspecting.

902. Would you still apply the test? I would have no objection to do it with the work I am connected with; in fact, we do it now; but they have made plenty of boilers when I was at home without any pressing whatever, and we never had anything come back as unfit for work, or any accident whatever.

903. Do you know whether it is the practice at home to use the test? Not when I left England.

904. We are speaking of old boilers? Old and new.

905. Do you know whether any change has taken place in the practice? Some of the great authorities at home think it ought to be used. I never yet met with a man that could tell me what injury water did to a boiler at double pressure. They do not like it—it gives a great deal more work to do. But people travelling have a right to be protected.

906. *President.*] We have evidence that on two or three occasions, the first trip after testing under hydraulic pressure, something has given way? I have known boilers to give way without being pressed at all—the plates have split; but if they had been tested, that would not have been so. I have known boilers split at the man-hole door. The test is the only safeguard we have, and it keeps the machinery in order. As far as I can learn, the French Government applies it to the engines as well.

907. Is it the practice of the French Government to test their boilers by hydraulic pressure? I cannot say; but I know they tested the one I made for the "Marceau." They tested the iron also, with their own men, not mine; and then there was a commission held again to test the boiler in the vessel.

908. *Mr. Russell.*] You say there can be no objection to the hydraulic test, if the practice is superintended by a man of experience—Do I understand you to mean a man of considerable experience? A man being very particular in the examination of everything as he goes along, and independent enough to do his duty, has experience enough if he has had anything to do with the trade—if he has been brought up to the trade and been at work of this kind or seen it made. Then when he is put in a position like this he can take every care it is possible for him to do. It may go too far for some people; but I suppose a man is examined, when he is put into a position of this kind, to see whether he is competent or not.

909. Would it not take a number of years to gain experience? I have seen plenty of men with twenty years experience who are not worth their wages. A thinking man will gain experience, but how many thinking men are there? Some men you may trust your life to, but others work in such a way that the whole shop is exposed to danger.

910. Would a man who had been merely a boiler-maker have experience enough? There are very few boiler-makers who have sufficient judgment, though they may make very good work.

Mr. Thomas Cromack called in and examined:—

911. *President.*] You are an engineer? I am chief engineer of the "City of Melbourne" steamer.

912. Do you frequently visit the port of Melbourne? Yes, I have been running there these sixteen years.

Mr. T.  
M'Arthur.

29 June, 1868.

Mr. T.  
Cromack.

29 June, 1868.

- Mr. T. Cromack.  
29 June, 1868.
913. Can you inform us whether the Government Surveyor of marine boilers there makes a practice of testing them in any way? Never with the water test. I have been in three different ships that have been examined by him; but not within the last two years, because they take our certificates.
914. How does he test them? By thorough examination.
915. Does he ever test by hydraulic pressure? I have never known him to do it but once—that was the case of the "Western." She had Rowan's patent boilers, and they had put connecting pipes underneath. They could not get their joints tight, and he would not allow her to go until she stood the test.
916. He has power to test with water if he likes? I should think so. In that case she carried 100 pounds pressure, but he did not test her to more than the working pressure.
917. You have witnessed the testing of boilers in this port? Yes.
918. Have you ever known accidents to happen shortly after such testing? Always. Mr. Dalgleish tested the "Wonga Wonga's" boiler twice during my time in her, but she invariably went the first two or three trips afterwards.
919. How many times did that occur? Twice he tested her.
920. And both times there were accidents? No, no accident; I never had an accident in my life.
921. What happened? The boilers burst out in several places, but never to stop me.
922. What gave way on the first occasion? The boilers were very old, seven years old, when he tested them, and there were channels above the water-line, and grooves along the landing; in these places they blew out.
923. The plate opened? It would blow a little, but nothing to stop me on the passage.
924. On the second occasion what happened? We had a blow-out in the bottom, but no more than I could keep the boat going with.
925. Was this the first trip after testing? We had several such leaks as these for three or four trips afterwards; they would not all go at once.
926. Have you ever known anything of the same sort to happen to any other steamer? I could not speak positively of that. I myself am opposed to this system of pressing with cold water, after a boiler is in use. I think if she is made properly at first and tested, and that material is kept up in her, with a thorough investigation of the boilers you can keep them secure. If they are badly constructed at first, I presume the Inspector would order them to be altered, and if insufficiently stayed, he would order proper stays to be put in. After that, there would be no necessity to continue the cold water pressure. That is the principle on which Mr. Wilson, the Inspector at Melbourne, works, and he has been most successful.
927. Mr. Russell.] Is Mr. Wilson a man of considerable experience? Yes, I think him a man of very great experience; he is so considered in Melbourne, and I am certain his knowledge of the weaker parts of a boiler is perfect—he knows just where to find them. He has been Inspector there for seven or eight years.
928. Did I understand you to say these leaks took place in the "Wonga's" boilers, one or two trips after testing? Yes.
929. When were they proved? Every six months. The first six months the Government Inspector stopped the boat for fourteen days, and we had some five hundred pounds' worth of work done. The last certificate he did not test her, but we put a good deal of work into her.
930. Did any of these leaks take place from any of the stays? We used to have a deal of trouble with our stays, and consequently, I used to keep a good look-out after them. On her backs, above the furnaces, she was screwed with nut stays; and, from the peculiar construction of the boiler, there was a very great amount of flame on the back, and it used to burn these nuts off.
931. Were they screwed stays—nuttied? No; ferrules inside, and nuts outside.
932. Any screw stays? Yes, in the bottom.
933. Were they nutted? No, riveted. The boilers I have in now, we have nuts on them in the ash-pits, and they are very troublesome—corrosion takes place all round them. I think screw stays, properly put in, and with a good rivet, equal to a nut. I was nine years in Mr. Penn's employ before I came out here, and he used to put screw stays nutted; but in all parts where the fire touched the plate we had a good deal of trouble with these nuts. I consider screw stays, properly put in, superior, if properly riveted. I would even prefer, in the bottom, to put in ferrules and a round rivet-head, and nuts outside. I saw that once in a mail-boat here, and the stays looked beautiful after being four or five years running.
934. President.] Is it the nut on the inside you object to? Yes; I do not care about the outside.
935. Is it not more secure with a nut than with a screw stay riveted over? I do not think so.
936. Mr. Thomas.] You would prefer rivet-headed bolts and nuts on the outside? Yes, rather than put nuts where the flame comes.
937. President.] Would you put them in the ash-pit? No, I would prefer a riveted one securely screwed—they never give way.
938. They have given way, it appears? I know they did in that case, but there are many reasons assigned for that. Mr. Wilson says the reason has not been found yet.
939. Mr. Russell.] When your boilers are tested here, is the pressure taken on the steam-chest? In the first instance we were tested by our own pressure gauge, which is some ten feet below the steam-chest, but Mr. Dalgleish has had a valve made which he puts on the steam-chest now.

940. *Mr. Moriarty.*] Is any allowance made for the head of water in the boiler? No; he has always pressed her to twice the pressure, independently of the water in the boiler. There is always that much more on the lower parts of the boiler.

*Mr. T. Cromack.*

941. *Mr. Russell.*] What pump is used? A hand pump.

29 June, 1868.

942. What is the size of the piston? The size of the "Wonga Wonga's" pump was four inches and a quarter.

WEDNESDAY, 1 JULY, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,  
MR. CARLISLE, R.N.,

MR. THOMAS,  
MR. RUSSELL.

Mr. William Thaw called in and further examined:—

943. *President.*] I think you expressed an opinion that the hydraulic test applied to the "Clarence's" boiler had injured it, and probably led to the accident? Yes.

*Mr. W. Thaw.*

944. You made an examination of the boiler after the accident? Yes.

1 July, 1868.

945. And there was something in the appearances which presented themselves which led you to suppose that the boiler had at some previous time been injured by a greater pressure than could have been on it at the time of the accident? Yes.

946. What was there that led you to that supposition? I thought, if there had been no stay at all, the pressure said to have been on the boiler at the time of the accident could not have burst the plate out to the extent it did, unless it had been previously strained by some greater pressure.

947. I think you said something about the condition of the stay itself, or the screw-hole in which it was? I mentioned that the mark in the plate round the hole did not appear to be so broad as on the other rivets.

948. Did you observe anything in the appearance of the thread? I thought naturally that, as this one appeared to have less hold than the rest, it was the first to give way.

949. Did you observe whether the plate was cracked round the one that gave way first? I think it was not; I could not say for certain. You must understand that there had been a larger tap put through this hole before I saw it. I did not see it immediately after the accident.

950. You had no means of judging how far the thread was affected? No; a tap of an eighth of an inch larger had been put through it.

951. You made some report on the matter? The Superintending Engineer of the Company asked me to look at it, and I wrote a short report upon it.

952. When you made that report, you were aware that this larger tap had been put through? Yes.

953. *Mr. Russell.*] From your experience, and the number of years you have been employed in inspecting boilers, do you think you could tell the thickness of the plate to the thirty-second or sixteenth of an inch, by a blow of a hammer? No, I could not, not to the sixteenth; I might to an eighth.

954. It requires a man with a good deal of experience to do that? Yes.

955. *President.*] Did you observe anything in the condition of the plate in the "Clarence's" boiler? No, I thought the plate looked very well, but it was thinner inside, and by my eye I should say it had gone about a sixteenth; but I did not measure it in any way.

956. You think nine pounds of steam would not have burst it if there had been no stay at all there? Yes.

957. Then you are under the impression that there must have been more pressure at the time—The hydraulic pressure could not have been the cause of the accident, if the boiler would have been strong enough to bear the pressure said to have been on it without any stay at all? I mentioned before, that I thought the hydraulic pressure had taken it half a thread through, and then that the pressure she got afterwards, and the vibration of the engine and boilers, had shaken it.

958. Surely, if it had been ever so much shaken, it must have been stronger than if there had been no stay at all? I would suppose, if I had been asked, that there was more pressure than there was said to have been.

959. You would not suppose there was more than eighteen pounds and a half? I would not suppose that, when I knew the safety-valve was there.

960. Do you think eighteen pounds and a half would have produced the accident? I must think so; there is no other way that I can account for it.

961. You are aware there was very strong evidence that there was only nine pounds of steam on at the time? Only from what I asked the people. I was really surprised to find it had gone the way it was.

962. Independently of the stay? Yes, even independently of the stay I would not have thought it.

963. *Mr. Russell.*] If you were going to prove a boiler to a pressure of forty pounds, where would you put your gauge? On the top; there would be the least pressure there.

964. Would you make any allowance for the weight of water in the boiler? No, I would give it that much extra.

965.

- Mr. W. Thaw. 965. Would you consider there was a greater pressure on the bottom of the boiler than on the top? I would think so, but I have never tried it.
- 1 July, 1868. 966. If the gauge at the top indicated forty pounds, and the boiler were sixteen feet high, there would be an additional pressure of eight pounds on the bottom of the boiler? Yes, eight or thereabouts.
967. *Mr. Thomas.*] When the water is at rest? Yes; if you put a pound pressure on the top, you put a pound extra on the bottom.
968. *Mr. Russell.*] That would be eight pounds more on that particular spot? Yes, if there were sixteen feet of water above it.
969. *President.*] Suppose the height of the gauge placed on the steam-chest was sixteen feet above the bottom, how high would be the usual water level in the boiler? Six or eight inches above the smoke-box—say about nine feet.
970. That head of water would give an extra pressure of about four pounds on the bottom of the boiler, when under steam? Yes.
971. Therefore, the bottom is more liable at all times to a greater pressure than the top? Yes.
972. Then, supposing the working pressure to be eighteen pounds, the double hydraulic test would be thirty-six pounds; and the extra eight pounds, when the boiler is full, is about double the pressure of the water ordinarily in the boiler when under steam. Eighteen pounds on the top when under steam would be twenty-two pounds on the bottom; and thirty-six pounds on the top, under the hydraulic test, would be forty-four pounds on the bottom; which gives the double test all through the boiler? Yes.

Mr. James Rorison called in and examined:—

- Mr. J. Rorison. 973. *President.*] You are an engineer by profession? Yes.
974. And you are manager of the works at Balmain for M<sup>r</sup>Arthur and Co.? Yes.
975. You are acquainted with the method in use here of testing marine boilers? Yes.
- 1 July, 1868. 976. You are aware that Mr. Dalgleish tests them by hydraulic pressure sometimes, or commonly, up to double the working pressure? Yes.
977. Do you see any objection to that mode of testing boilers? No.
978. As applied to old boilers in use? No.
979. Have you ever seen the test applied by the Surveyor here? Yes, when I was in the "Rakaia" and the "Mataura."
980. Do you think it requires care? Yes, to observe the effect of the testing upon the boiler.
981. Does the Surveyor seem to exercise care? Yes, he does.
982. It requires that every part of the boiler, while under pressure, should be observed as far as practicable? Yes.
983. Is there not a difficulty in one man doing that? He has generally got the assistance of the chief engineer and one or two of his men in applying gauges and straight edges.
984. Have you ever known any instance in which a boiler has been injured by this test? No.
985. Do you think it possible some part might be injured without being observed, and afterwards lead to an accident? No, I do not think it could happen, if there were care taken in observing it.
986. When you were engineer on board the two ships you have named, did you ever see the boilers tested before Mr. Dalgleish tested them? Yes, by the makers.
987. Afterwards when they were in use? Only Mr. Dalgleish tested them.
988. Did you ever see a boiler in use tested except by Mr. Dalgleish? No.
989. You have had experience in England? Yes.
990. Are boilers ever tested there after they are put into the ship? I have never seen any tested after they were put into the ship; before they are put in they are tested.
991. Are they surveyed? Yes, by the Board of Trade Surveyor.
992. What steps does he take to ascertain their condition? He goes inside and examines them.
993. It is not the practice, then, to test boilers in use in England? They do not do it in London or Liverpool.
994. You think the system here is better than the English one? I do.
995. You do not think the double pressure is too much to put on a boiler? No, I think it is a very moderate test.
996. You do not know anything respecting the boiler of the "Clarence"? No. Mr. Dalgleish asked me to look at it, but the repairs were going on, and the holes were fresh tapped when I saw it.
997. Have you had much experience in superintending the making or repairing of boilers? Yes, I had two years practice in London.
998. You are aware how the stays were fixed in the "Clarence's" boiler? Yes, in the usual way—tapped in the plate and riveted.
999. Do you think they would have given way if there had been nuts outside? No.
1000. You think, then, the accident occurred through the defective fitting of the stays? I can hardly say.
1001. You say it would not have happened if there had been nuts? No, but that is not often done.
1002. Is there any reason why it should not be done? No; Maudsley generally does it.
1003. Would there be any objection to nuts in that position? None.

1004. Is there any objection to nuts in any position? Yes, where the fire reaches.
1005. How would you fix stays in such places? Tap them in, and rivet them cold.
1006. Is there not another way—riveted hot—not tapped in at all? Some put thimbles in, as they call them, but that is not a good plan.
1007. How would you put them into the fire-holes? Tap them in and rivet them over, and have nuts where no fire plays upon them.
1008. What is the objection to the mode of having a thimble? I do not think they are fitted so well.
1009. What objection would there be to putting in a ferrule and securely riveting while hot? I do not think that a good plan. If the thimble or ferrule does not fit exactly between the plates, you draw your plate and bring an unnecessary strain on that one stay.
1010. It depends upon having the ferrules carefully fitted? Yes, I think there is nothing to equal the nuts.
1011. I am speaking of places where you object to nuts? If the nuts cannot be applied, I would not put a thimble.
1012. Have you ever experienced any inconvenience from having nuts in the fire-places? I have generally seen the plates bulge very much round the nut.
1013. What is the cause of that? The extra heat—the heat not being taken away from the nut; there is too much metal exposed to the action of the fire by having these nuts.
1014. The nut gets very hot? Yes, they are too thick; the heat is not transmitted to the water fast enough.
1015. How often would you apply the hydraulic test to boilers, to double the working pressure—do you think it is a thing that should be frequently done? Yes. With careful men it is not perhaps necessary to test more than once in twelve months; but with the ordinary run of men in charge of boilers, I do not think once in six months is too often.
1016. Do you think it possible a boiler may be injured by the strain of double the working pressure, in a place where perhaps it might not be detected, where there were not facilities for getting about in all directions? Not by double the working pressure.
1017. You think a boiler should safely stand that without injury, or it is not fit to go into a ship? It is not.
1018. Supposing you were called upon to survey an old boiler, and you found it to be generally reduced in the thickness of the plate, would you prefer putting it under the hydraulic test to ascertain whether it would bulge anywhere, or would you order an additional number of stays to be put in wherever you had a doubt about it? I would examine the boiler and put in the stays where I thought they were deficient, then I would test the boiler. If it were a very awkward boiler to get at, I would test it first of all, carefully observing the effect of the testing.
1019. Supposing a boiler was running under a three months certificate, a short certificate, by reason of its being old, would you think it likely to be injured by being subjected to the test? If it could not get more than a three months certificate I think it would—I think it would be in a very bad state if it could not get a longer certificate than that.
1020. From your experience of the ordinary run of marine boilers, how many times the ordinary working pressure should you say it would take to do it a serious injury? I think most of the boilers that I have seen would stand six or eight times, or even ten times, the working pressure.
1021. Are you speaking of what they would stand, or what they should stand—Do you think they would stand that? I think they might have a permanent set before they would get to that. They would stand three or four times.
1022. I am not speaking of new boilers you understand? I beg your pardon; I thought you meant new boilers.
1023. I am speaking of the ordinary run of boilers in use, as one meets them in all ports—Do you think they would stand four times before giving way? A great many would not.
1024. Do you think there are many that would stand three times? Yes, many of them that are only about eighteen months or two years old.
1025. Supposing a boiler to be five years old, how many times would that stand? Not more than three times.
1026. And it should be a good boiler to do that? Yes.
1027. Then, if a boiler whose working pressure is twenty pounds would be injured at sixty, if you prove it to forty pounds you get within one-third of its ultimate strength—Do you not think that is rather a dangerous degree to approach to its ultimate strength? It is.
1028. In a case like that, would you prefer ordering additional stays or repairs wherever you considered them necessary, or would you endeavour to develop weakness by straining the boiler up to forty? I would strengthen it first.
1029. And test it to forty after you had strengthened it? Yes, having made it as good as I could.
1030. Do you think, as a rule, marine boilers, especially old ones, are sufficiently stayed, both as to the number of stays and the mode of fixing them? No, they are not so well stayed now as they used to be fifteen years ago, considering the increase of working pressure.
1031. Would there be any great trouble in increasing the number of stays? No.
1032. Would there be much trouble in renewing them? There is some trouble in renewing stays on board a ship in some cases; in other cases there is not.
1033. It can be done without any very serious expense? Yes; it is done every day in practice.
1034. *Mr. Moriarty.*] I gather from you, that you consider the severe ordeal of the double test would tend to cause boilers to be made stronger and kept in better order than if allowed to pass with a less severe test? Yes, undoubtedly, that is what I mean. They would give you better material and better workmanship.

Mr.  
J. Rorison.  
1 July, 1868.



Mr.  
J. Rorison.  
1 July, 1868.

1035. *President.*] Do you think the safety of the public would be endangered if the testing pressure were not applied to more than 50 per cent. above the working pressure—do you not think that amount of pressure applied would answer most of the purposes—would not such a pressure develop most of the weak places? No, I do not think it would so well as the double pressure.

1036. You would stick to double the pressure? Yes, or even go beyond it.

1037. You are acquainted with the engineers of steam-vessels in Sydney? I meet them occasionally.

1038. Did you ever hear any complaints from any of them that their boilers are injured by the hydraulic test? No.

1039. *Mr. Carlisle.*] If a boiler stood double the working pressure without shewing signs of weakness, would you think it at all injured by it? No.

1040. *Mr. Russell.*] Have you proved many boilers under hydraulic pressure? Yes, in London I have.

1041. I mean old boilers? Yes, I have tested a good many here.

1042. How many have you tested in Sydney? About twelve, I think.

1043. It is from your experience in proving boilers in Sydney, by hydraulic pressure, that you think double the working pressure is not too severe? I go by my home experience as well. I have never seen old boilers tested till I came to Sydney; but my experience in London is sufficient to guide me.

1044. You see we are speaking more particularly of old boilers? It is just as necessary, or even more so, for old boilers as for new ones.

1045. In this case of the "Clarence," suppose that stay had given out in the bottom of the boiler instead of where it did go—in the up-take of the combustion chamber, what would have been the effect? Perhaps it would not have injured any one, going down into the bilges—it would not have had such injurious effects.

1046. Suppose the boiler was injured, by the double pressure, at the bottom, where these screw-stays cannot be got at to be seen, and were afterwards to give way when the ship was on a lee-shore, might not the ship and the lives on board be in jeopardy? It might happen in that way where they cannot get under the bottom to examine it; but I do not think the "Clarence" was one of that sort. But even so, the Inspector might see the effect inside the furnace; if the stay has given way outside, the plate will rise.

1047. Suppose this pressure injured the stay slightly, not sufficient to make it give way at the time, and it gave way afterwards from the severe test having been put upon it? I do not think it would injure it slightly—it would carry it away if it did anything.

1048. It might start the thread? That would shew inside the furnace by the plate rising. You would suspect something wrong when you saw the plate rise inside.

1049. I am speaking as to the effect of injuring the stay slightly—weakening it, not destroying it altogether—reducing its strength, and causing an accident some time, perhaps three months, afterwards? I do not think it will do that. Such a thing has never come under my notice. I think there is no medium; they will either stand or give way.

1050. *President.*] Is it not possible for the thread to be injured? It might draw the thread, but it would show the head of the rivet. I saw the heads of these rivets, but the holes were retapped. One stay seemed to have given way first, and the others followed.

1051. Do you not think the test applied may have opened these holes, and caused a leak, which, by inducing corrosion, ultimately led to the accident? If it had been carefully examined, that would have shewn in the testing.

1052. Suppose the same thing happened underneath the boiler, that would not shew? You could not see it so well.

1053. *Mr. Moriarty.*] Have you ever met with boilers that will bulge between the stays and the back end of the smoke-box? It is a common thing.

1054. That, I think, you very often see in old boilers? Yes; where there are small water spaces and defective circulation, you will find that in boilers.

1055. Do you not think that in a place like that, where the plate is already bellied away, you might somewhat injure the plate about the stay-head by putting on excessive hydraulic pressure? It is a very severe strain on the stay in a case of that sort.

1056. And also on the plate? Yes. In that case you should put in extra stays.

1057. In a case like that, where the plate is obviously bulged, would you prefer ordering additional stays to be put into the bulged part, or trying it under cold water to see whether it would stand? I might try it to a medium test first, to satisfy the owners.

1058. What would you call a medium test? Up to the working pressure, or a half more. But I would be satisfied in my own mind before I would do that, I would only do that to satisfy the parties connected with the ship.

1059. At all events, what you would do would be to order new stays, instead of merely applying the hydraulic test, and if you did not see it give way, leaving it? Yes.

1060. Supposing a case such as that, where the boiler has sprung between the stays and the smoke-box, and the plate has buckled; if such a boiler were carrying twenty pounds of steam, do you think it could be strained up to forty pounds? No; I would like to put in extra stays if there was any bulging.

1061. Do you think any such boiler could carry three times its working pressure? I dare say it would. These bulges frequently happen from defective circulation.

1062. The plate getting hot? The plate getting hot, and the water not solid round it.

1063. *Mr. Russell.*] Do you think that boilers could be maintained, and kept in thorough working order, by a competent man of experience, without having to resort to the hydraulic test? Yes, I think they could with a careful man. I do not think an accident would occur with a careful man, who would inspect his boilers at every opportunity.

1064. What term of experience would you consider would qualify a man for holding such

a situation? He would require a good deal of experience, and should be a cautious, careful man, who would take an interest in his job.

1065. What experience would he require to have, to be capable of taking charge of boilers, overhauling and repairing them, giving instructions to put in stays, and judging what pressure a boiler would stand, without having to use the hydraulic test? It would require a man to have been ten or fifteen years at the trade.

1066. You would not take a fitter out of an engineer's shop and put him in that situation? Decidedly not, unless he had passed his grade, and worked his way up.

1067. And had had a few years experience as a junior engineer on board a steamer? Yes, it would require him to be at least five years at sea-going before he could do anything of that sort.

1068. *Mr. Moriarty.*] Do you think danger might arise to the public from a too confident reliance on this hydraulic test—from a man believing that, as he had put the test on, and the boiler stood, that was all that was required. We have heard that in some places (I do not refer to Sydney) it is the common practice for persons to get pumps rigged, put on double the working pressure, and so long as everything does not fly about their ears, they are quite satisfied? A man who does that is not fit for his position. I think it requires care to observe the effect of the test.

1069. Care, skill, and experience? Yes.

1070. *President.*] If you had the care of boilers, would you test every boiler every six months? Not boilers I was in charge of myself; but to take them promiscuously I would.

1071. Suppose you were Inspector? I would. I would examine them first, to see if they were fit for it.

1072. And if not fit for it, they would not be fit to receive a certificate? I think not.

1073. *Mr. Russell.*] You would put the pressure on, after satisfying yourself that the boiler would stand it? Yes.

1074. *Mr. Moriarty.*] Is it your opinion that general attention should be devoted to making boilers keep pace in strength with the increased pressure they are continually being made to bear? Yes.

1075. And you think any severe test they are subject to, which is likely to answer that end, would be for the benefit of the public? I do.

1076. *President.*] Would it be any great hardship if ship-owners were compelled largely to increase the number of stays in existing boilers? I think it would be a decided advantage to them; the boilers would last longer, and the risk would be less.

1077. How much would it increase the cost of a boiler to put double the number of stays, for instance? It would add from ten to fifteen per cent. on the boiler.

1078. Doubling the number? Perhaps not doubling them, but distributing them better. There might be more of them, but it might not require double the number if they were properly distributed.

1079. Would that not make a saving in the expense of subsequent repairs? Yes, and make them last longer. It would add perhaps a couple of years to the boiler's life.\*

#### THURSDAY, 2 JULY, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,  
MR. CARLISLE, R.N.,

MR. RUSSELL,  
MR. THOMAS.

Mr. Arthur Tracey called in and examined:—

1080. *President.*] You are foreman of boiler-makers at the Australasian Steam Navigation Company's Works? Yes. *Mr. A. Tracey.*

1081. You have had long experience? I have—twenty-five years and upwards.

1082. In repairing boilers, what parts do you find are generally the first to need repairs? Generally the furnaces need repairs first. 2 July, 1868.

1083. The plates, do you mean? The cracking of the plates in the furnaces, between the rivet holes, and such like.

1084. How do the stays stand? The stays very often give way, and we have to renew them.

1085. In what way do the stays give way? Sometimes on account of the inefficiency of the workmanship, at other times they give way with the pressure.

1086. In repairing boilers, have you ever had occasion to suspect that they have been injured by the hydraulic test? Frequently.

1087. Are there any specific cases in which you suppose injury resulted in that way—any particular steamer? In the late case of the "Clarence," I consider it was done by the hydraulic test.

1088. Any case before that? In trying the old "Balclutha" we broke some stays, whereas if they had been tried only by the regular pressure of steam, no stay would have gone.

1089. The stay went under the pressure? Yes, cold water pressure; she was over-tested.

1090.

\* ADDED (on revision):—During the time I was Manager of the Blackwall Iron Works, London, in 1864, I fitted out a small steamer, to be employed as a tender on the Dover and Calais Mail Packets, to be stationed at Calais. Before the French Post Office people accepted her, they tested both engines and boilers to 60 lbs. per square inch, being three times the working pressure.



Mr. A. Tracey. 1090. To double pressure? Yes.

1091. Do you not think it a fortunate thing that the stay did break, and shew that it required to be renewed? No, I cannot consider it fortunate, because there would have been no danger whatever with her working pressure; but with double the pressure in old boilers they are not able to stand it.

2 July, 1868.

1092. If they are not able to stand double pressure, do you think it would be safe to work them up to the working pressure? They would be safe to work up to their ordinary working pressure, but not safe to test to double with water. Sometimes stays are not put in sufficiently strong to stand this double pressure, but they are strong enough to stand the working pressure and a good deal more, perhaps twenty-five per cent.

1093. What is the kind of defect—is it in the workmanship? Sometimes there is not a proper thread in the hold, if they are screw stays, and if they are thimbles they may not be properly packed, and probably not properly screwed up; but there is no fear of explosion from the like of them, where there are large nuts and bolts.

1094. Do you consider that screw stays are safe? I prefer a bolt and nut.

1095. You think that is safer? Decidedly; though if there are a sufficient quantity of screw stays put in, and put in properly with a good thread, they are perfectly safe.

1096. Would it increase the expense in any sensible degree to have the stays secured with nuts? It would be more expensive, but nothing of any great consequence.

1097. In what way do you suppose the stay that gave way in the "Clarence's" boiler was injured by the hydraulic test? When at the working pressure the plate was perfectly flat, but when the double pressure came on, it would take a sort of curved form. There are stays along the centre, and when the plate bulges up, it naturally draws away from the stays, makes the hole a sort of oblong, and in the course of a little time there may be a leak, and the thread decay away; so that the stay may go at a very slight pressure some day, because it had been injured previously.

1098. You mean that the thread would gradually corrode away? Yes.

1099. Suppose that stay had gone some distance through the plate, and a good thick nut had been screwed on? It could not have drawn up in that manner.

1100. The accident could not have happened? No.

1101. In spite of the hydraulic test? No.

1102. These (*referring to old stays on the table*) we are told are the heads of some of the stays that gave way—here is one of them which appears to have been holding by three or four threads—When under the full working pressure of steam, what pressure do you suppose this one stay was subject to? The working pressure was eighteen pounds.

1103. This stay supported a surface of about one foot? Yes.

1104. And the pressure on that would be how much? Equal to eighteen pounds to the inch.

1105. One hundred and forty-four times eighteen? Decidedly.

1106. That would be something considerably over a ton? Yes.

1107. Do you think it reasonable to suppose such a pressure could be sustained by a few threads like these? I do not suppose that thread was as bad at the time.

1108. Is it reasonable to suppose these few threads could be safely and constantly subjected to that pressure? If that was a good thread, properly fixed, and not over-strained—if there were a number of them in the boiler, they would stand double that.

1109. Are not these threads always, under any circumstances, liable to corrosion? No, not if put in tight and never over-strained.

1110. Does it not frequently happen that they are not put in very tight, notwithstanding all the care the superintending engineer may exercise? The only way I can account for that is, the hole being made a little too large.

1111. There is a liability to leakage and corrosion? Yes.

1112. And if these threads corrode, there is nothing else to depend upon? No, it draws out of the plate.

1113. Would it not be much safer if a good thick nut were put on? Yes; that is the way I did it, when I repaired the boiler.

1114. Is not that the way it ought to have been done at first? That is the way I should prefer it.

1115. And if that had been done, the accident would not have happened, in spite of the hydraulic pressure? No, it certainly would not have drawn through the stay.

1116. How would you fix stays in the fire-places? I would put them in closer in the fire-places, and fix them as these were, because I would not expose a nut to the fire—it burns off.

1117. Could it not be arranged to put the nuts below the fire-bars? We do that when we put nuts in at all; but when we put in screw stays riveted over cold, we can put them above the fire-bars.

1118. Is it necessary to put them actually into the fire? Yes, sometimes.

1119. Would it not be safe to put them in with a ferrule, without a screw, and rivet them over hot? Yes; they used to be done in that way in former days.

1120. Would they not be much safer than screw stays? I think they would.

1121. *Mr. Moriarty.*] All the old boilers were that way? Yes.

1122. With a great thick lump of a head? Yes, large rivets and a great bold head on them.

1123. *President.*] As a matter of practice, if you had to turn out a boiler, and make the best job you could of it, you would not put in these screw stays riveted cold? In flat surfaces, where these big heads are in the way, I would introduce them.

1124. Would it not be better to use the nut and ferrule? It would be a stronger job.

1125. Would it increase the total expense of the boiler much? It would be a little more expensive, but not a great deal.

1126. Would it add five per cent. to the cost of the boiler? Five or six per cent., I dare say.

1127.

1127. Have you ever seen the hydraulic pressure applied by the Government Surveyor? Mr. A. Tracey. Yes, frequently.

1128. Have you observed whether he used care in applying it? Yes, he is always very careful. 2 July, 1868.

1129. Does he take steps to ascertain whether there are any signs of weakness while the pressure is on the boiler? He is always on the look out, and has the engineers and firemen placed about to see whether there is any leak, while he is at the gauge himself.

1130. Do you not think that by the hydraulic test, defects might be found out that would escape attention in any other way? I do not consider the cold water test a fair test at all for old boilers. All defects can be found out by careful examination, without the water test.

1131. Do you object to the water test altogether, or to its being carried so far? I totally object to it for an old boiler. I agree with it for new boilers; but when a boiler gets to be two or three or four years old, I consider it very wrong to test it with cold water.

1132. If it is very wrong to test an old boiler with cold water, it must also be wrong to work it up to the original pressure? After they have been over-strained, they may go at any time—a month, or a week—whereas if not over-strained, they might stand for a length of time.

1133. Do you not think that if they have become so dangerously weak that they will not stand hydraulic pressure to double the working pressure, it is time to reduce the working pressure? When the working pressure is only eighteen pounds, and you test the boiler up to thirty or forty pounds, it makes a considerable difference.

1134. Do you think it likely a boiler would be injured by the test, without its being observed at the time—do you not think any injury is generally observed at the time? Yes, generally.

1135. Is it not a good thing to shew the weak places? Yes; but it strains the boiler to such a degree as to put it past repairing sometimes. Many boilers never recover the cold water test.

1136. Do you think any part of a boiler could be really injured permanently, without its being put out of shape so as to be seen? Yes; it could be injured and not put out of shape; it could be strained to such a degree as to approach rending, without actually rending.

1137. It could hardly be brought to that point without shewing some signs? There are certain corners and portions about boilers that will not shew any bulge, but a portion away from that will feel it.

1138. It will shew it? Yes, if it was possible you could see it. Some places you cannot see; for instance, underneath the boiler.

1139. These parts seldom give way, do they? They seldom do any damage.

1140. Parts liable to deterioration can generally be seen while under the test? Yes.

1141. Is there much danger, then, of the boiler being injured without its being noticed at the time? The boiler may be injured and you may not notice it; you cannot see whether it is injured. For instance, the "Clarence's" boiler was injured by the test, and it was not perceived at the time.

1142. In what way do you suppose it was injured? The whole of these stays that gave way were injured by the test. When the plate bulged up, it bulged up in such a manner that these stays were held, and formed a cup in the plate; they held so hard that the plate bulged up all round about them.

1143. Could that have happened at the time without its being observed? Yes, it might.

1144. Is it not a part that could be easily observed? No; the brick bridges were over that.

1145. That was all taken out when the boilers were tested? I do not know whether the bridges were out when they were tested—I mean the test previous to the last one. I know at the last one the bridges were out; that is, when they were tested since the accident.

1146. Did you ever see the surveyor test a boiler without taking out the bridges and stripping the boiler as far as he could? I cannot say whether I did or did not.

1147. Suppose the boiler was stripped at the time? You could see it then.

1148. Did you examine the plate after the accident—I suppose it came under your notice? Yes, I repaired the boiler.

1149. Supposing the stay were wanting there altogether, do you think it would have gone under a pressure of eight and a half pounds? If there had been no stay it would not have gone with eight and a half pounds, nor yet with twelve pounds.

1150. Then supposing the hydraulic test had broken the stay right in half, even that would not account for the accident? It ought not.

1151. How then did it happen? Because of the double pressure.

1152. But you say that even supposing the hydraulic pressure had broken these stays right across, even then the boiler should not have burst under eight and a half pounds? No, it should not.

1153. Why then did the plate go? They were injured previously by the hydraulic test.

1154. You mean the stays? The stays and the holes in the plates.

1155. You say the plates would have stood without any stays? But the plates were bored.

1156. The holes being open would weaken the plate—is that what you mean? Yes; if the plate had been in its original position and no holes in it, it would have stood the pressure.

1157. Did you notice whether any of the plates were cracked about these holes? Yes, there was a crack on the outside surface.

1158. Round the holes? Round the holes.

1159. Outside? Outside, on the top. That was done when the plate bulged up.

1160. Supposing that during the hydraulic pressure a bulging had taken place tending to draw the plate away from the stay, and had gone so far as to crack the plate, which side would it crack—if the stay held, on which side would the plate crack, on the inside or the outside? It would be likely to crack on the inside, but this plate was cracked on the topside, and

- Mr. A. Tracey. and was cracked inside too. It was a visible crack on the outside, and by putting your finger in the hole you could feel a crack in the inside also, but of course you could not see it inside.
- 2 July, 1868. 1161. If there had been any cracking caused by the hydraulic pressure it would have been on the inside? It might crack with the hydraulic pressure even on the topside. It would be more likely to shew a crack on the inside; but still there is no rule for that, because it might crack on the topside.
1162. *Mr. Moriarty.*] Are any of the boilers of your Company bulged in the smoke-box, between the stays, now? I think there is a slight bulge in the "Alexandra" at present in her back end. I think so, but I have not been in her for a length of time; we have done nothing to her for some time.
1163. Do you know how that was caused? I do not.
1164. She carries a high pressure of steam, does she not—forty pounds? She works up to twenty pounds, but was tested to forty pounds.
1165. What distance apart are her stays? Fifteen or eighteen inches; I never measured them.
1166. I think you have said you have had a good deal of experience in boilers in this Colony. How many times the ordinary working pressure would the boilers running out of this port carry, on the average, without giving way seriously—could they stand three times the working pressure without giving way? Most of them could.
1167. Could stand three times? Yes, under steam.
1168. Do you think they could stand four times? I would not say that; some of them might not be sufficient to stand four times.
1169. Take, for instance, the "Wonga Wonga." Do you think the "Wonga Wonga's" boilers could stand forty-five pounds pressure? Yes, I am certain they can.
1170. Do you think the "Collaroy" could stand fifty-four pounds? Yes, I am certain she can, because we are repairing her at present, and they will be almost new boilers when they are done.
1171. What would you be prepared to prove her boilers to when they are repaired? I would not attempt to prove them to much more than the working pressure—say twenty-five per cent. more. I do not think it is requisite to overstrain them.
1172. You think it would overstrain them? I do not think it would; still there might be some weak parts that might be injured, that I could not account for.
1173. Do you think you could put one hundred pounds on the "Leichhardt's" boilers without their giving way? No.
1174. You think something would give way? Yes.
1175. Do you think you could put ninety pounds on the "Coonanbarra's" boilers—If you saw the steam-gauge up to ninety pounds, what would you do? I would clear out.
1176. If you saw a hundred and twenty pounds on the "Diamantina's" boilers, what would you do? I should do the same.
1177. If you saw a hundred and twenty pounds on the "Alexandra's" boilers, what would you do? I would not be there at all.
1178. If you saw seventy-five pounds on the "City of Brisbane's" boilers, where would you go to? I would not like to be near them.
1179. If you saw sixty-nine pounds on the "City of Adelaide's" boilers, what would you do? I dare say she would stand it.
1180. These pressures are three times the working pressure in each case, and you do not think they would be safe? No.
1181. Do you think the "Yarra Yarra's" boilers would be safe at fifty-four pounds—three times the working pressure? I do not think her present boilers would.
1182. You think these pressures would be very apt to carry away the boilers? I think they would be very apt to carry away some portions of the boilers.
1183. As a rule, in examining old boilers, would you prefer to thoroughly examine the boilers yourself, and trust to your experience to say whether new stays or new patches should be put in, rather than subject them to the hydraulic test? I know no other real way of doing it but by thorough inspection, assisted by the hammer. I would prefer that to the hydraulic test.
1184. Do you think, as a rule, that the strength of boilers has been increased in proportion to the increased pressure they have been made to carry, of late years? I do not think so.
1185. Is it your opinion that it should do so? I should say so.
1186. Do you refer now to the number of stays, the way in which the boilers are stayed, or to the shape of them? To the shape of them, and likewise to the insufficiency of the stays. When they diverge from the circular shape, and approach flat surfaces, they should be extraordinarily stayed.
1187. I think I understood you to say there would be very little difficulty in increasing the number of stays considerably, and with very little additional expense? Very little.
1188. And if you were examining a boiler, you would prefer ordering additional stays, where the plates were thin or at all bulged, rather than subject the boiler to the hydraulic test? I would.
1189. *Mr. Russell.*] Has your experience been principally in repairing boilers, or in making or superintending the construction of new boilers? Principally latterly in repairing them.
1190. For what proportion of your twenty-five years' experience have you been repairing boilers? I am not confined to repairing; I build them occasionally, but I have done most of the repairs for the last three years. Previous to that I did, in fact, all the boilers that were made there.
1191. Could you take a hammer, and go inside a boiler, and by striking the plate tell the thickness of it? Yes, by one touch.
1192. Could you tell the thickness to the thirty-second part of an inch? Yes, I have never failed yet in it.
- 1193.

1193. That has been acquired from long experience? Yes.
1194. How many years? Twenty-five years and more.
1195. Is it likely a man of two years and a half or three years experience could tell that? 2 July, 1868. I do not think it.
1196. Has it come to your knowledge, on any occasion, that one of your steamers has gone to sea, after being tested to double the working pressure, and that anything has given way in the boilers during the passage? I do not recollect. The only thing that I can recollect was about the "Balclutha." There was a stay broken, and we repaired that stay; and she was tested again, and there was another stay broken when she came back.
1197. Broken on the voyage? I cannot say whether it broke on the voyage, or broke at the time of testing, without our noticing it. She came back the next trip. That was some time ago.
1198. Is it your opinion that, if this testing by hydraulic pressure was done away with altogether, steam-boats boilers, after being in use, could be kept in proper working order, if the repairs are effected under the superintendence of a competent and experienced man? I do think so; I know it from experience; it has been done for years.
1199. Without using the hydraulic test? Yes.
1200. When boilers have been tested in your presence, has the gauge usually been put by the Inspector on the top of the steam-chest? He puts his own gauge generally on the top of the man-hole doors.
1201. Is it usual to clean out the boilers thoroughly, and take down the bridges, before granting a certificate, after testing them? Yes, everything is cleared out—everything is scraped down; and therefore, there is full opportunity of seeing everything.
1202. Do you find that stays frequently give way at the bottom of the boiler? Yes, a great number of them; the plates corrode away about the holes after some years.
1203. That is a part that cannot be seen when proving the boiler under pressure? Generally the flooring is up, and they generally look underneath. Most of our boilers you can see well into the bilges. Certainly there is a small portion of the bottom, in the centre, that you cannot well get at; but you can get a good way down, in consequence of their being round.
1204. *Mr. Thomas.*] Do you think iron is more likely to give way when it is cold than when it is warm? Yes.
1205. *Mr. Russell.*] You would warm the boiler first? Yes. Even after repairs I would get steam up gently, and press them then. If they thought proper to put more than the working pressure with steam, I would prefer it to the water pressure.
1206. Is it customary in your Company's steamers for the engineers to blow the boilers right out? Yes, they blow them down; but some of these very old boilers, with very old and bad bottoms, sometimes they do not blow them down; but all their good boilers they generally blow down.
1207. Suppose there is a plate covered with fire-bricks, do you think if the boilers were blown down, these bricks would have a tendency to make the plates red-hot? It would have that tendency, and it has often done so.
1208. *President.*] Behind the bridge? By the side of the bridge, where the brick bridges are built. Those red bricks would make a plate red-hot.
1209. *Mr. Moriarty.*] That is not on the bottom of the ash-pit? No.
1210. *Mr. Russell.*] Do you think it possible ashes or soot could have gone down behind the bridge, in this case of the "Clarence," and heated the plate, after blowing off, to such an extent as ultimately to cause the accident? I could not say whether such a thing as that occurred.
1211. Do you think it possible they could be injured in that way? I do not think they blow them down so low as that.
1212. *President.*] I gather from your answers, that you think the water pressure is more severe than the same amount of pressure under steam—What reason have you for supposing that? In the first place, the boiler is cold; and then the pressure of the water is a solid pressure, coming dead against it; whereas steam is an elastic pressure, and expansive. The plates also get warm, and will yield under steam, and are not so liable to rend or tear.
1213. Have you ever observed, when the pressure is got up by means of the pump, whether it gets up suddenly—will it jump up three or four pounds at a time? Half a stroke of the levers will make it take a sudden jump, and go a pound or so beyond the pressure intended, particularly when the boiler is tight.
1214. Supposing boilers were fitted with more than the usual number of stays, and these stays were all fixed in the best manner possible, do you think fifty per cent. above the working pressure, by water, would hurt the boiler? It would not hurt a new boiler, but I think it would hurt a boiler that had been in use, because some parts get so weak in places where they are not stayed at all; for instance, one part might be three-eighths thick, and another only a quarter of an inch, and the place where it was thinnest would be liable to be weak.
1215. Do you mean originally? No, the plates decay away.
1216. Then it is time to renew them? Some parts, use what precaution you may, will be thin.
1217. Is it not desirable, by means of moderate hydraulic pressure, to find out where these thin plates are? It will rend them.
1218. *Mr. Carlisle.*] Would you consider it safe to work a boiler with steam, if it would not stand half as much again as its working pressure? I would consider it safe to work the boiler to its working pressure with steam, but not safe to trust it with the pressure you speak of with cold water.
1219. *Mr. Moriarty.*] Would you consider it safe to work a boiler to within a third of its bursting pressure? No.

- Mr. A. Tracey. 1220. *Mr. Carlisle.*] If it would burst at thirty pounds, would it be safe to work it at twenty? It would not be liable to burst working at twenty pounds.
- 2 July, 1868. 1221. Would it be safe to work at twenty pounds, under steam, if it were so weak as to burst at thirty? No, I would not work it under steam to twenty pounds, if I considered it not safe to stand thirty pounds.
1222. Then the working pressure ought to be reduced? Yes, decidedly.
1223. *Mr. Moriarty.*] Are these stays (*referring to four old stays on the table, from the "Clarence's" boiler*) just as they came out of the boiler? Yes.
1224. Was there no more riveting over the heads than we see here—did the plate draw over that? Yes, the plate drew over that, and the stays remained in the bottom of the boiler; I cut them off with a chisel.
1225. These, in fact, all drew through the plate? Yes.
1226. The riveting seems to have been completely corroded? The riveting is completely corroded off them.
1227. *President.*] Who made that boiler? Mr. McArthur's foreman that is now; he was in the A. S. N. Company's shop with him, and went with him to the Dry Dock.
1228. Do you judge that these rivets have corroded, or that there never was a rivet? They were properly screwed in the hole, and the form of the plate is a proof they held extraordinarily well.
1229. You do not consider the stays were injured then? The stays were injured some time previous, I do believe. The hole decayed away, and the plate left the stays.
1230. When do you suppose the cupping you speak of was produced about the stays? I suppose it was done by the hydraulic test.
1231. Take that stay (*one of the four*)—how long should you say it was since the riveting had been worn off that stay? I should say that had been gone six months.
1232. How do you account for these rivets having the bat knocked off? I do not know, unless it was corroded and eaten off.
1233. Do you think they were ever riveted properly? I think they must have been all done the same.
1234. There must have been leakage? No; I know for certain there never was a caulking tool placed on any of them. They have never been caulked since they were made, to my knowledge.
1235. When you took those stays out, did you see any symptoms of the riveting having been recently torn off by ordinary wear and tear? I perceived no signs of any rivet having been torn off.
1236. Supposing that had been riveted down, and coming away had drawn the bat off, do you not think it would have left a recent mark? There does not appear to me to be any recent mark.
1237. You think that is the way it was before the accident? Yes.
1238. Suppose an experienced man had looked at those stays before the accident, would he have pronounced them safe? The stays are safe, even if they are put in with no rivets at all; they are frequently put in and left just as they are, and will stand great pressure.
1239. If you saw all the riveting gone, would you not think them unsafe? No, not if they were screwed in. The screw is what I would depend on in screw-stays, not on the cold rivets.
1240. Would you not trust something to the rivet too? It makes it a little stronger by having the bat of the rivet well riveted over. The way I do is to heat them with a large heater.
1241. Suppose I called upon you to examine a boiler for me, and you saw the rivet-heads as they are on that stay, would you call my attention to it? I would.
1242. *Mr. Moriarty.*] Do you not think screw-stays are apt to get corroded about the thread—If there is the slightest working or leakage, will not that tend to corrode about the thread of the plate? Yes.
1243. On that account, do you not consider it a good thing to have the bat well about the plate? Yes.
1244. Therefore, if you found a rivet-head or bat corroded away, would you not consider that attention should be drawn to it? I would.
1245. Do you think the hydraulic test is used, under any circumstances, to obviate the necessity of carefully examining all the parts of the boiler in detail? I do; because it does not require a man to go underneath a boiler. It is a matter of great labour to go round all these holes and corners.
1246. Did the crack on the plate, at the rivet-hole, appear to be a recent one or an old one? It appeared to be an old one; it was salted up—rusted up; it took a good deal of picking and scraping to clear it. There was more than one.
1247. How far did they go into the plate? Not very far; one went an eighth of an inch into the thickness of the plate. I put my penknife into it, and it seemed about an eighth of an inch deep; I could feel in the same hole with my fingers two cracks underneath, one a large one.
1248. On the inside of the plate? Yes.
1249. Did that seem to be salted up? They were all salted up.
1250. Not recent cracks? They must have been produced when the plate was bulged.
1251. When was the plate bulged? The plate I consider must have been bulged when the boiler was tested by hydraulic pressure.
1252. Did anybody observe that at the time? No; that is only my opinion.
1253. Do you know whether this boiler was proved in Brisbane before that? I do not know it of my own knowledge, but I believe there was some proof there.
1254. *Mr. Russell.*] Have you ever told Mr. Dalgleish that you thought it was wrong to prove boilers to double the working pressure—that it was not giving the boiler a fair chance? Yes, I have occasionally said so.
- 1255.



1255. What was his reply? He said, at one time, "What other means have I of proving Mr. A. Tracey. it?" Why could he not examine the boiler all over, as he does now, with the hammer?
1256. Was that the practice before Mr. Dalgleish's time? Yes. 2 July, 1868.
1257. Had you ever any accidents then? I do not know of any.
1258. Has Mr. Dalgleish made any difference of late in his mode of examination? He has not put on the hydraulic test to any of our boilers since this explosion; he goes in and examines them now.
1259. *Mr. Thomas.*] Do you know what the system of testing is in Melbourne? I am not aware; but I believe Mr. Wilson, the Surveyor there, does not approve of this hydraulic test.
1260. *Mr. Moriarty.*] You are confident Mr. Dalgleish has made a change in his practice? I am, for I have been with him; he has not tested them with cold water since the accident. The last boiler we repaired was that of the "Boomerang"; we did a great amount of sheathing to it; but he did not test her, and everything was perfectly tight when she went under steam.
1261. *Mr. Russell.*] Do you think the same practice could be carried out thoroughly under the superintendence of a practical man of great experience? If it was, there would not be the slightest danger of accidents.
1262. *President.*] You say testing by hydraulic pressure was not adopted until Mr. Dalgleish came into office? No.
1263. Do you remember anything about the boilers of the "Rangatira" at that time. Is it the fact that the combustion chamber of that boiler was rather longer than the "Clarence's," that there was not a stay in it from end to end, that it was loaded to eighteen pounds, and that it was not more than an eighth of an inch thick. These are the allegations—are you prepared to deny any of them? I am not.
1264. Would not that have been discovered if hydraulic pressure had been put on that boiler? Yes, probably it would, if double the working pressure had been put on it. Still, there was no accident.
1265. *Mr. Moriarty.*] Do you think the absence of the stays could have been discovered by mere inspection, without hydraulic pressure? Yes.
1266. And the thinness of the plate, also, by drilling a hole through it? Yes, or if the Inspector sounded the plate.
1267. All these things that were defective in the "Rangatira's" boiler might have been discovered without the hydraulic test? Yes.
1268. *President.*] If the hydraulic test had been in use, such a boiler could not have borne the double pressure? No.
1269. But under the system which existed at the time it seems to have passed? Yes.

Mr. Charles Cook called in and examined:—

1270. *President.*] You were present, I believe, when the second boiler of the "Clarence" Mr. C. Cook. was tested, after the accident had happened to one of them? I was.
1271. Were you present when the portion of the boiler corresponding to that which burst, 2 July, 1868. was observed during the pressure? Yes.
1272. In the smoke-box? Yes.
1273. Mr. Jaffrey and Mr. Bailey were present with you at the time? Yes.
1274. They had a straight edge? Yes, some six feet of batten, to see whether there were any defects.
1275. Did you see or feel any bulge in the plate? I only saw what took place.
1276. There was light enough to see? Yes, they had a lamp.
1277. Did you observe any deflection? The ends of the straight edge were up so that I could nearly get my finger in.
1278. Owing to deflection of the plate? It gradually rose so that I could have got the bottom part of my finger in.
1279. Are you sure that was owing to deflection of the boiler-plate, and not to any accidental movement? Nobody touched the straight edge. I did not know what the effect of the straight edge was until Mr. Bailey called Mr. Jaffrey's attention to the fact of the boiler rising, and then Mr. Jaffrey, I think, said "Oh! never mind, it's all right," or something of that kind.
1280. You think it was about three-quarters of an inch? Not so much as that; I think I could have put my finger underneath it. Mr. Jaffrey kept on feeling it, and Mr. Bailey called his attention to the fact of the boiler rising; he said "It is springing," I think—I will not be sure of the term. I may explain that I only went to see the principle of testing a boiler, as a matter of curiosity. I saw a long piece of wood put across the flat bottom, and before the pressure came on the thing was perfectly flat. When I was on deck I saw the test applied by Mr. Dalgleish on the top of the boiler, and when the pumping was up to thirty-six pounds, I think it was, I went down below to see the effect. The straight edge was put between the back of the boiler and the stays, and it gradually came up till the ends appeared to me to rise so that I could have put my finger underneath. I did not try, but I saw Mr. Jaffrey appear to do so. I did not take particular notice, but from the distance there appeared to be between the straight edge and the bottom of the boiler, I think I could have put my finger underneath.
1281. It was more than the sixteenth of an inch? Yes, half an inch at the very least.
1282. Perhaps Mr. Bailey was observing some other part which did not spring? He might have observed the other end; I do not know how far the canting of the straight edge might have gone.

FRIDAY,

FRIDAY, 3 JULY, 1868.

Present:—

MR. PELL, PRESIDENT.

Mr. CARLISLE, R.N.,  
Mr. MORIARTY,Mr. RUSSELL,  
Mr. THOMAS.

Mr. John Snell, R.N., called in and examined:—

- Mr. J. Snell, R.N.  
3 July, 1868.
1283. *President.* You are Engineer of H.M.S. "Blanche"? Yes.
1284. You have had considerable experience in marine boilers? I have had a few years experience; I suppose about twenty, take it altogether.
1285. Are you aware that it is the custom in this port for the Government Engineer-surveyor to test marine boilers by hydraulic pressure? I do not know that it is the custom in this particular port, but I know that in all home dock-yards, and in nearly all the large establishments in England, it is.
1286. You refer to new boilers? To new boilers.
1287. It is the practice here to test old boilers by hydraulic pressure, to a pressure equal to double the working pressure? By the same rule, they do the same in England.
1288. Do they do the same in all boilers? In all, old as well as new, after being repaired.
1289. It does not appear that the practice here is confined to the testing of boilers after extensive repairs have been effected, but that it is also applied to every boiler on board a ship trading from this port, about once in six months—Do you see any objection to that practice? It depends entirely upon the length of time the boiler has been worked. If a boiler has been in use four or five years there is no objection to it; but there is this objection, from the weight of the boiler, if it is resting on its own bottom and bedded in cement, and there should be any bad places there, there is no chance of getting it out to see.
1290. You do not think, where a boiler has been worked four or five years, double the working pressure would be an excessive test to apply? No.
1291. It has been objected by persons interested in marine boilers here, that this testing has sometimes injured boilers without its being perceived at the time, and that they have subsequently given way under ordinary working pressure—Should you think that likely? No, I should not think so; because the pressure applied being double the pressure it is supposed to work at, if there were any defect it would shew it if carefully examined at the time the pressure was applied.
1292. There are certain portions of the boilers which cannot be examined? You cannot generally examine under the ash-pit.
1293. Is it not the case that those are parts—the parts you could not see—which are not so much subject to deterioration? The bottom of the boiler, near the ash-pit, would be liable to deterioration if the practice were adopted of damping the ashes, because the damp arising from the ashes itself would cause it to go after a few years.
1294. Only after the course of a great many years? After about five or six years; if the boiler were lifted out, a great deal of rust would be found about it.
1295. Are not the parts most likely to go about the ash-pit? It depends upon how they are used. If you are in the habit of damping the ashes and placing them in front of the boiler, it will go there sooner than in any other part.
1296. Suppose that a boiler, which is working up to 18 lbs. of pressure on the safety-valve, is tested up to 36 lbs., and three months afterwards an accident occurs—one of the stays behind the bridge, near the ash-pit, gives way, or several of them—or, speaking more strictly, the stays draw away through the plate, the steam escapes, and a man is killed—do you think it reasonable to suppose that this double pressure of 36 lbs. upon this boiler could have injured these stays three months before, so as to lead eventually to this accident? No, because if it were injured at all, it would have shewn it at the time.
1297. In what way would it have shewn it at the time? By leaking.
1298. These stays were fixed by screwing through and riveting over; they were of about an inch and a quarter or an inch and a half section, and the boiler plate was three-eighths of an inch in thickness—Should you think that mode of fixing the stays in any way would account for the accident? I think it a bad way of fixing the stays; but it is hard to say whether it would account for the accident, because it depends upon the sort of iron used. In my opinion, however, a thread through a boiler is not a sufficient stay; and, on the other hand, in riveting the end of the stay over cold, it hardens that part, and that rivet is of no use to the stay, for the slightest pressure will make it crumble away.
1299. It appears, judging from the appearance of the stay, that the bat was gone before the accident happened, so that it was depending only upon this thread which you see (*handing one of the stays to witness*)—Does it appear to you surprising that these stays should give way? No.
1300. Do you think it is necessary to go back to the test that occurred three months before to account for the accident, considering the state these stays are in (*referring to the stays on the table*)? What was the distance of these stays apart?
1301. One to the square foot about? Then, if that stay was in when they put the pressure on, I think it would have withstood the pressure as it is.
1302. Then how was it it gave way under the ordinary pressure? The way in which these things occur is sometimes beyond comprehension.
1303. It is the opinion of some engineers that when this pressure was put on, probably the pressure, without its being observed, opened a stay-hole, and that consequently, a leak was produced which led to corrosion of the thread; that this went on during three months, and the accident



accident resulted therefrom? If at the time the water pressure was on, the boiler had been carefully examined, that would have been perceived, and the accident would in all probability have been prevented.

1304. Suppose it should appear that this plate was carefully examined at the time, and that nothing was observed? Of course it must then be considered sound, and be allowed to remain.

1305. Is it not possible this may have drawn through one-sixteenth of an inch, and it would have caused a slight deflection of the whole plate if all drew one-sixteenth of an inch? If this drew one thread, it would draw the whole of the threads away, and soon the water would come through, for these things could not go one-sixteenth without drawing the thread. The threads here are about ten to the inch; it would have taken two-thirds of the thread by drawing that about one-sixteenth through, and the consequence would have been that the thread would have been stripped.

1306. Is not that a part of the boiler, where these stay-heads are, more liable to corrosion than other parts at the back of the bridge? It is according to how they are formed.

1307. Is it not a place where they are liable to damp? I do not know how it is with your vessels,—our fire-bridges are perfectly dry, they are built of fire-bricks, and—

Mr. Moriarty drew a sketch of the fire-bridge of the "Clarence," and pointed out the difference between it and the fire-bridge of one of Her Majesty's steam-ships.

Of course, if the water leaked through it would deteriorate the iron.

1308. On the whole, you do not see how this pressure having been applied to the boiler so many months before, could have led to this accident? No, not if the boiler were examined correctly.

1309. At the time? At the time.

1310. You do not think it is an excessive pressure to put on the boiler? No. In the case of my own boiler, after having been working five years, I should apply the same test. We work to 32 lbs., or rather, after five years working, we work only to two-thirds of that pressure; but if I were testing her, I would apply a pressure of 64 lbs.

1311. Would you not, in testing her, as you have reduced the pressure in her ordinary working, also reduce the test pressure one-third? No; in testing an old boiler, you test it according to the original working pressure.

1312. Then, in fact, you would, with an old boiler, test it at three times the working pressure? Yes, but at twice the original pressure.

1313. You have done that? Yes.

1314. Is that the common practice in Her Majesty's vessels? I do not know; it is the practice I have adopted.

1315. Have you found it shew signs of weakness? No, I have never seen any signs of weakness yet.

1316. Suppose in testing a boiler up to double the ordinary working pressure, a plate should bulge out, should you consider that that was a sign the plate was not sufficiently stayed? Yes.

1317. Supposing this testing had bulged a plate and so injured a stay, you would attribute that to a defective stay? Either to a defective stay or to an insufficiency of stays.

1318. In any case, whether the stay was injured or not, you would attribute the accident not to the practice of testing up to double pressure, but to that boiler being deficiently stayed? There is a stay here every square foot; if the stay gives way, it is quite possible the plate will give way too in that place.

1319. Then the injury arose from there not being sufficient stays? Yes; or from the plate being unsound.

1320. Suppose the Surveyor, upon testing boilers in this way, should observe a deflection of the plate, do you think it would be his duty either to require that the plate should be strengthened in some way or —? Yes; he should have it extra stayed.

1321. You think the mere fact of its bulging under double pressure, is an indication that it is not strong enough for the work? Yes.

1322. How would you think that these stays should have been fixed in the boilers? Different makers have different ideas on that subject. I think one nut inside and one out.

1323. How are they on board men-of-war ships? On both sides of the plate.

1324. Sometimes by screwing through? I have seen them so, but I do not like that plan.

1325. What is the object of the inside nut? To prevent the thread coming out; there is no thread in the boiler plate.

1326. Is not the boiler more liable to leakage? I do not think so, if properly screwed up and a little red lead put between. You have two surfaces, and if there is any inclination to leak you see it about the ash-pit, or about the side of the boiler, and you can then take one of the nuts off, and repair the leak.

1327. How are your stays in the furnace fixed? By the same means.

1328. Have you found any inconvenience from that? No.

1329. Do you find them burn away? No.

1330. Some engineers object to them very much? I have heard plenty do so, but I think the objection groundless. I think it a very safe method; if the nuts do burn away, you can take them away, put new ones on, and save the bolts.

1331. If these stays had been fixed with nuts outside, do you think the accident would have happened? No.

1332. Are you aware what the practice of the Board of Trade Surveyor in London, as to marine boilers, is? No.

1333. You say you test your old boilers yourself? I test them occasionally, not as a rule.

- Mr. J. Snell, R.N. 1334. Is that the case generally in the Navy, or is it a practice peculiar to yourself? It has been peculiar to myself. I do not know whether the practice is general in the service.
1335. Or among other engineers anywhere? Or among other engineers anywhere.
- 3 July, 1868. 1336. How do you apply the hydraulic pressure—by the ship's pumps? Yes, by the common hand-pump.
1337. What is about the diameter of the piston? Our piston is seven inches.
1338. Does it require much power to get the pressure up? Yes, we have sixteen men to the pump.
1339. Do you find the pressure gets up suddenly? It goes gradually, because the men cannot work the pumps rapidly; it takes great pressure to bring down the plunger into the barrel.
1340. It has been objected by some that, to obtain the pressure by means of a hand-pump, is something like hammering at the boiler, because the pressure gets up suddenly in a jerking way? It cannot do so if you have the pressure of a seven-inch plunger, because it requires a great pressure to bring it down, and it must go steadier.
1341. You observe the steam-gauge when the pressure is applied? Yes.
1342. Did you ever observe the pressure got up suddenly, in jerks? The only instances where I have done so has been when they have been applying a small hand-pump; but where a large pump is used, as on board our ship, and at Chatham, where I have seen it used, it has gone up gradually.
1343. Some have objected to large pumps, on account of their getting up the pressure too suddenly—Do you not think there is a stronger objection to small pumps? Yes, every jerk of the pump causes a sudden pressure. We tried with a small hydraulic pump, and could not get the water up.
1344. Have you much acquaintance with mercantile steam-vessels? Very little.
1345. Do you know whether it has been the practice to increase the pressure in marine boilers? That I cannot say.
1346. Within a period of fifteen or twenty years—do they not work up to a much higher pressure? Yes.
1347. The tendency is to increase the pressure? Yes.
1348. Do you think the tendency is to increase the strength of the boilers in the same proportion? Yes, I think so, from the way they are stayed. The tubular boiler is a stayed boiler in itself, but the old flue boiler they have to stay differently.
1349. You scarcely know anything of the boilers used in vessels that run from this port? No; I should not like to give an opinion until I had seen them.
1350. You would not recommend that the present mode of testing boilers should be discontinued? No. What other mode could you apply if you did discontinue it?
1351. It is the opinion of many, that if you had a man of long experience he could judge of the capability of a boiler by thoroughly examining it? He could with respect to those parts which he could examine, but there are parts which he could not get at; the points of the stays might look very well on the outside, but they might not be in a sound state between the ash-pit and the boiler; but when you get these weights on, you can tell what state your stays are in.
1352. Might not the same remark be made with respect to the hydraulic test,—that a leak might take place in parts of a boiler that could not be seen—I am speaking of testing a boiler in the ship? There are parts you could not get at to examine.
1353. Would not that apply to the hydraulic test as well as to a personal examination? No doubt, as far as the bottom of the boiler was concerned.
1354. You think hydraulic pressure, properly applied, is better than inspection? Yes, I would trust to it in preference to the opinion of any one.
1355. Suppose, upon survey, it was found that the stays were in the state in which these stays are—the bats are broken off (*referring to the stays on the table*)? I should have them taken out—I should not consider them fit to be used again.
1356. Mr. Moriarty.] Will you look at that stay—(*handing the same to the witness*)—that has the appearance of having had a pretty good hold of the plate; the thread is pretty clear and well cut? Yes.
1357. That appears to have had a fair hold of the plate? Yes, on one part of the bolt, but not on the other; the thread is all out of the plate on the other side.
1358. Still, taking it all in all, that appears to have had a fair hold upon the plate? One part has been good and the other bad, and therefore it cannot be considered to have had a good hold of the plate.
1359. I would draw your attention more particularly to another of these—(*referring to another stay upon the table*)—do you not see a manifest difference in these two stays, as regards the thread? There has been very little hold in that stay—it is completely filled with rust, the bottom part of this.
1360. Look at the other—you will see there is still less hold. How many continuous threads can you detect as having had any hold at all? Three.
1361. Are they continuous all round? No, on one side there has been no hold at all in three of the threads.
1362. They are gone? Gone completely.
1363. President.] We understand you, that they had no hold before the accident—not that the thread has gone since? No, they had no hold in the iron at the time of the accident.
1364. Mr. Moriarty.] I would ask you to measure from the butt of the thread where it seems to have had any hold on the plate—Do you think the head of that must have been underneath the plate—From the appearance of the thread, do not you think the plate must have been buckled over that thread? You may find the place where the plate has been resting on it, but I cannot see any.

1365. Could that have been in the plate recently? It must have been in the plate, but Mr. J. Snell,  
R.N. there is no thread in this from the plate.
1366. Measuring from the lowest thread where there is any appearance of contact, could the head of that have shewn properly above the plate? According to this, the point of the 3 July, 1868. bolt would have been partially through the plate.
1367. You say that the stay-bolt was never fairly through the plate of late years? No.
1368. Looking at the stripped part, is that an indication of recent strip at all? No, I should say that is eaten away by the action of water.
1369. In point of fact, that stay must have been utterly valueless as a stay? Yes.
1370. *President.*] You think there are only three or four threads that would hold? Yes.
1371. Do you think that must have been so originally, or could it have been by any means brought into that condition? I could not say; the action of water might have eaten this thread through.
1372. It could not have been drawn into that state? No.
1373. *Mr. Moriarty.*] I think you will see upon the edge of the iron indications of some strain? Yes, as if the thread had been torn away.
1374. That is not recent either? No.
1375. Do you not think, from indications on that stay, that it was injured some time before the accident? I should not like to say that it was injured by excessive pressure, for in the first place there is one thread gone, and if the pressure stripped one it would have stripped the whole, because you cannot get one thread to give without the lot, especially as this is on the outside.
1376. *President.*] Could the stay have given away with its original pressure, if it had had a hold? No.
1377. *Mr. Moriarty.*] If it had not a hold on the thread, but had a slight hold by the bat, the strain might strip the bat? Yes.
1378. Do you think there is any indication of its having been so loose in the thread as to have broken the bat without injuring the remaining threads? Yes, from the appearance of this, I should say so.
1379. Do you think if a man had gone into the boiler and examined that stay, without trusting to the "blind agent" we hear so much about, he ought to have seen it was a little too much below the surface of the plate? Yes, and if he had seen the point bad, and were a man of common sense, he would have had the old stay out and put a new one in.
1380. The thread there (*referring to another stay*) is much deeper—there is indication of a three-eighths plate well inside the rivet? Yes.
1381. The other is pretty much of the same character—you will see indications of that being well inside? Yes, that is well inside.
1382. And that likewise (*referring to another stay*)? Yes, if you look all round this, there is scarcely any thread here—the thread is nearly all gone off. If it corresponded with the thread in the plate, nothing could have prevented its going.
1383. That has been in the plate, because there is no salt about it? There is no salt about it.
1384. That (*referring to another*) has evidently not been in the plate? That has been below it.
1385. *President.*] It appears that the Surveyor went into the ash-pit at the time the pressure was on? I have seen some go into the ash-pit, and into the boiler when the pressure has been on, but it has been a mere formal matter.
1386. *Mr. Moriarty.*] Seeing that these stays which have been shewn to you passed the hydraulic test satisfactorily, do you consider that the hydraulic test is of itself sufficient? I do, if the boiler is carefully examined at the time the test is on.
1387. It is not to supersede examination, but to assist it? Yes, if there is a bad seam or rivet it will shew immediately—I do not think there is anything better.
1388. Do you consider that it should be exercised with the greatest caution, and that there should be the most careful examination after the hydraulic test? Yes, I do, because mischief might occur while the test is on, and a person might not be able to discover it then.
1389. It requires the most careful examination after the test, to see whether any mischief has been done—to see whether any stays have been carried away? Yes.
1390. Looking at that stay, should you say it would be better to get a moderate pressure over and above the working pressure, say fifty per cent., upon the boiler, by hydraulic pressure, and then to go carefully round and search, in order to see whether the water was making its appearance, or whether there was any yielding of the plates? If you have an old boiler. But still the pressure ought to be gradually raised to double the original working pressure.
1391. Would you prefer that to squeezing it up to double pressure, and then walking off without examination, and saying "It's all right"? Yes, I should prefer the application of (say) fifty per cent. above the working pressure, and a careful examination afterwards.

---

Mr. John Kell called in and examined:—

1392. *President.*] You are Superintending Engineer for the Parramatta River Steam Mr. J. Kell. Navigation Company? Yes.
1393. You are, of course, aware of the method by which the Government Surveyor tests 3 July, 1868. marine boilers in this port? Yes, by hydraulic pressure.
1394. Sometimes up to double the working pressure? Yes.
1395. Have you any objection to that mode of proceeding? I think it much too severe a test.

- Mr. J. Kell. 1396. Do you object to hydraulic pressure altogether, or to its being carried to such an extent as double the working pressure? I think it is too much.
- 3 July, 1868. 1397. About how far would you carry it? About fifty per cent. would be sufficient.
1398. What is your objection to the application of the double pressure? I have found, on various occasions, after being pressed by hydraulic pressure, that boilers have leaked which were tight before.
1399. Afterwards you discovered the leaks? Afterwards I found the flues leaking.
1400. Do you think an experienced man could ascertain, by inspection merely, the defects of a boiler, without resorting to the hydraulic test at all? There might be parts about a boiler which he could not get at to see properly.
1401. You mean that defects in such places might be detected by the hydraulic test? Yes.
1402. You would approve of its being continued, but only to a moderate extent? I do.
1403. Could you name any specific cases in which you have reason to suspect boilers have been injured by the application of the hydraulic test? Generally in flues.
1404. Can you mention any particular steamer where you think the test has injured a boiler? I remember two occasions in one boat, and one in another.
1405. What boats were they? The "Emu" and the "Pelican."
1406. Have you had much experience in superintending the repairs of old boilers? I have been about twenty years in steam-boats.
1407. Is it not the case that they have been rather increasing the pressure on steam-boats the last fifteen years—working at a higher pressure than they used to do? They do put more on than they used to do in former days.
1408. Do you think the boilers generally in use have been increased in proportion to the working pressure? Yes.
1409. You think the proportion has been kept up? Yes; our boats have more stays than they used to have.
1410. Do you think they have enough? I think so.
1411. Mr. Thomas.] Is that the case with vessels belonging to other Companies, as well as with those belonging to your own? I do not know.
1412. You are referring only to the boats belonging to your Company? Yes; in fact, I have no time to go into any other place; my own boilers are enough for me.
1413. Mr. Russell.] Have you complained to the Inspector of his insisting on putting on the double pressure? Yes, I have always been against it—I said it was punishing the boilers too much.
1414. On more than one occasion? On two occasions on the "Emu," and one on the "Pelican."
1415. Did you explain to him what the effect might be? No; I merely told him that I found my boiler was leaking after being tested.
1416. Did you tell him he was likely to injure the stays, or flues, or any particular part of the boiler? It has generally been in the flues.
1417. How long is it since Mr. Dalgleish first proved any of your Company's steamers under this pressure? It was shortly after he was appointed.
1418. About two years and a half ago? Somewhere about that.
1419. When Mr. Dalgleish first proved any of your Company's steamers, did he go into the boiler, and make a thorough inspection before he put the pressure on? Yes, he always went into the boiler before he put the pressure on.
1420. After proving, did he inspect the boiler again? No; the steam was then got up.
1421. President.] Do you mean that he did not examine the boiler while under pressure? He merely went inside the flues while the pressure was on.
1422. Did he not make a careful examination of the boiler while the pressure was on? No, he merely goes down to the furnace and looks in—I have never known him to go round the flues.
1423. Mr. Russell.] Nor after, to see whether any of the bats were off the stays, or anything of that kind? No; he merely stands by the steam-gauge to see that the pressure is kept up, and, I suppose, judges from that that no water is running out.
1424. And he thinks that is sufficient? That is what he thinks, I believe. I have never known him to go round the flues once.
1425. How often have these tests been put on in the year? Every six months.
1426. If, then, a steamer has got a certificate for six months, has he found it necessary to press it between the dates of the two certificates? No. The last time he tested the "Pelican" he did not press it up to double; instead of pressing it up to twenty pounds, which is double, he did so merely to eighteen pounds.
1427. Is that since the repairs were done? Yes, about three weeks ago.
1428. Do you think by pressing the boiler to double the working pressure, the boiler might be seriously injured and the Inspector not know it at all? There is no doubt of it.
1429. In fact, there are parts of a boiler where it is impossible to tell whether injury is done, unless it is shewn by leaking? Yes, there is another thing that would shew it—if there is great difficulty in getting the pressure up. The last time the "Pelican" was tested, we found there was a leak in her flue, and we discovered two of the rivets at the bottom of the flue, under the bridge.
1430. She was not on that occasion pressed up to double? She was pressed up to eighteen pounds, her ordinary working pressure being ten.
1431. Mr. Moriarty.] What are the boats under your charge? The "Emu," "Pelican," "Cygnet," "Ysabel," and "Adelaide."
1432. What does the "Emu" carry? Six pounds; she is not running at present. "Pelican," ten pounds; "Adelaide," twenty pounds; "Cygnet," sixty pounds; and "Ysabel," fifty-five pounds.

1433. If you happened to be on board the "Emu" when the steam got up to eighteen pounds, what would you do—if by some accident the safety-valve was jammed—should you consider it dangerous? I would not think it very safe. Mr. J. Kell.  
3 July, 1863.
1434. Suppose under the same circumstances the steam in the "Pelican" was up to thirty pounds, would you consider the boiler likely to give way under that? I would not trust it much without a minute examination.
1435. If you found the "Adelaide" had the steam up to sixty pounds, should you expect it to stand? I think the "Adelaide" would stand sixty pounds, for she is well stayed.
1436. Do you think she would stand eighty pounds? She might.
1437. She might give way about that? She might.
1438. If the "Cygnet" were up to one hundred and eighty pounds, what would you do if you were on board? I would not be afraid.
1439. Do you think she would stand two hundred and forty pounds? I do not think she would.
1440. That would be four times her working pressure? Yes.
1441. The "Ysabel"—what do you think her boiler likely to give way at—she is carrying fifty-five pounds? I think her boiler would stand one hundred and fifty pounds, or one hundred and sixty pounds.
1442. Her limit of strength would then be about three times her working pressure? I think she would stand about that—not more. The "Emu" and "Pelican" are flue boilers, the others are tubular.

MONDAY, 6 JULY, 1863.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,		MR. THOMAS,
MR. CARLISLE, R.N.,		MR. RUSSELL.

Mr. Daniel Cameron Dalglish called in and further examined:—

1443. *President.* On the occasion when you tested the boilers of the "Clarence," three months before the accident happened, were the boilers stripped? They were. Mr. D. C.  
Dalglish.  
6 July, 1863.
1444. The fire-bars taken out? Yes.
1445. Did you go into the fire-place? I did.
1446. Whilst the boilers were under pressure? Yes.
1447. And you observed the part in question? I did.
1448. Were the soot and ashes and everything cleared away? Everything.
1449. You saw nothing wrong? Nothing.
1450. Nothing wrong about the heads of the stays? Nothing wrong then. The stay-heads were all deeply caulked originally; in my opinion, more than they ought to have been. At the time of making them, the caulking tool was run well into the plate; not only the head of the rivet caulked over, but the plate cut into, so that there was a slight ring made in the plate by the tool.
1451. Are you quite sure there was no perceptible bulging of the plate on that occasion? Perfectly sure.
1452. Did any one else examine that part of the boiler at the time besides yourself? I think the boiler-maker or second engineer was stationed there. I always have one man in the backs to observe anything that may be going on there. Of course I cannot be everywhere myself. I have to observe the pressure, and when I am not doing that I set a man to see that it is not increased above a certain point, while I go round the boiler.
1453. Supposing, when the pressure was applied, the bats should give way on any of the stays in that part of the boiler, do you think they would make a noise? Yes; I have known many instances where stays have given way.
1454. I mean that, without the stay actually drawing out, the bat should fly off? I have never known a stay to draw out or the bat to break off.
1455. Supposing the bat should break off? It would leak. It could not possibly break off unless the plate had bulged outwards.
1456. That would make a noise? It would not only make a noise, but the bat itself would be visible.
1457. Do you find, generally speaking, that the engineers belonging to the ship assist you efficiently in these cases—do they observe closely for you, and point out defects? No, they seem to think it is my place to find them out.
1458. Do you not experience some difficulty in making an inspection of the whole boiler yourself—May there not be some parts that escape you? When the boilers are under pressure, I at all times visit every portion myself.
1459. While the boilers are still under pressure? Yes.
1460. Does not the pressure immediately go down? I keep the pump going, and set the valve at a certain pressure, and station a man to see that that pressure is kept up. I am, in fact, always about. My rule in testing a boiler is that everything is to be quiet; if the carpenters are working I even get them to cease working while the pressure is being applied. I do not think a stay could crack, or even a buckle come out of a plate, without its being heard. I have never known a stay to break unless it was heard, and on examination found out.
- 1461.



Mr. D. C.  
Dalglish.

6 July, 1868.

1461. Whilst examining the different parts under pressure, can you be certain the pressure is kept up during the whole time? I know what the pressure is when I go away, and the gauge is there to speak for itself when I come back. I do not wish it to be understood that the engineers would intentionally or wilfully deceive me, as a rule; but it is a pervading idea that their interest is the interest of the Company, and when pushed for a boat they would rather hide a little fault than expose it. I do not think, if there was anything really dangerous, and they knew it, they would do so; but the practice previously to my holding this position was to cover up every fault, even of the most dangerous character, without in any way strengthening the stays. For instance, the "Agnes Irving"; all the defective stays in her had been covered over, without the stays being of any value. Where the stays themselves had lost their hold, and the water was running through, instead of the stay being replaced, a patch was just put over the iron, and over the head of the stay; and the stay not passing through it, it did not in any degree strengthen the boiler; and that was the cause of the accident, in my opinion, to the "Agnes Irving." Even in a vessel of the A.S.N. Company, only on Saturday last, the "Florence Irving," in making a survey I found two stays in the same position as those which gave way in the "Clarence," in the back combustion chamber, which had been leaking; and two circular caps had been fitted over the heads of the stays, these caps being no strengthening whatever, but simply to stop the leakage from the stays themselves. It was just a circular patch cut out, and the patch itself dished upwards to allow room for the head of the stay, and four bolts put in round it. If this patch was not sufficiently dished, the pressure would force the plate off the stay. In that one boiler there were two stays covered up in that way, although they know I never will allow it, if I see it, but I cannot always see it. The plates in the bottom were as flat as the first day they were put in—not a sign of a buckle, but still the stays were gone. They have now put in two new stays, one on each side of each bad one, rather than take out the old ones.

1462. You told us that supposing a boiler was only just able to bear (say) sixty pounds pressure, it would be highly dangerous, you thought, to test it to a pressure of forty pounds? I think so.

1463. If a steamer were running at twenty pounds pressure, and the boiler was only capable of bearing sixty pounds without serious accident, it would be highly dangerous to test her up to forty pounds? I think it very probable it would injure the boiler, but in such a way as could be seen.

1464. When you have applied double pressure to a boiler carrying twenty pounds of steam, you have believed it would sustain a far greater pressure than sixty pounds? Yes. When I used the term ultimate strength, I should rather have said ultimate weakness—the point at which the boiler is no longer capable of bearing anything.

1465. Supposing a steamer to be working at twenty pounds and tested to forty, if you could be convinced that the boiler would burst at sixty pounds, you would allow you had made a mistake in testing to forty? Yes.

1466. If you should be convinced that the boilers of the steamers generally, under your inspection, would not bear more than three times the working load, then of course the application of the double pressure would, in your opinion, be injurious? Certainly, if I could be convinced of that. There are sometimes local weaknesses of very small extent that might give way at double pressure, or even before double pressure is reached, yet these local weaknesses being found out and repaired, the boiler is equally strong, and in no way injured. A great number of people do not know how to test a boiler. The Chief Engineer of the "Otago," one of the Panama Company's boats, thought he would anticipate me by testing his boilers before I came. The result was, that he blew the backs of his combustion chambers out altogether. But I do not think he did any harm. Although there was a greater amount of damage done than there need have been, I think the back ought to have come out. Instead of being an argument against double pressure, it is a forcible one in favour of it. Before he had reached double pressure on his gauge, the whole of the backs came out.

1467. Supposing you had applied the test, would you have blown the backs out? No. He did not take the air out of his boilers, and the consequence was, he had an atmosphere capable of forcing everything out at once. It does not give any warning. It is not a pressure that is relieved immediately, like water pressure. The fact is, his boiler was converted into an air gun.

1468. When you assumed office here, there was no such thing in practice as testing boilers in use by hydraulic pressure? I think the practice did exist. The assumption evidently is, that a test should be used. I have to make a declaration which assumes that some pressure, other than steam pressure, must be used, because the form is so prepared that I have to declare that I have tested the boiler to so much, being so much more than the actual pressure on the safety-valve. Therefore, on the very face of the document, the assumption is that I have tested the boiler; and if I do not test it, it has to be stated on the face of the declaration that I have not done so.

1469. Is it your opinion, speaking of marine boilers generally, as they come under your inspection, that the safety of the public would be more amply secured, and even the interests of the steam-boat proprietors advanced, by a general additional staying of the boilers? There is hardly a boiler out of this port that I have not had to have additionally stayed.

1470. Do you not think it might be carried even further, with advantage to all concerned? There are some boilers that might do with additional stays, and that are perhaps weakly angle-ironed; but where the boilers are strongly angle-ironed, that is a great additional strength to the boiler itself. That has to be taken into consideration together with the stays. In fact, the construction of each boiler must at all times be taken singly; you never can

can speak of a number of boilers and apply the same rule to them all. Some boilers are three times as strong as others. Some have been originally made, in my opinion, to stand ten times the pressure they are working at.

Mr. D. C.  
Dalglish.

1471. You are aware that, of late years, the pressure applied to marine boilers has been gradually increased? It has. 6 July, 1868.

1472. Does your experience extend over a sufficient number of years to enable you to give an opinion whether the strength of boilers has been increased in proportion to the increase of working pressure—where they used to work at four or five pounds, they now work at twenty pounds? In my experience, five pounds has been changed to ten, and from that to fifteen and twenty-five. The best makers, at the time when they worked to fifteen pounds to the square inch, stayed every twelve inches, or put stays of a power equivalent to doing so; but many of them, at the present moment, do not stay so closely. There are many boilers stayed, twelve by sixteen, and twelve by fourteen.

1473. Generally speaking, they are not sufficiently stayed? Wherever I think so, I cause extra stays to be put in. As a rule, I have found that the top parts of the boiler—the places that are easily got at—are well stayed; but in the water spaces, and in the bottoms, where they are not so likely to be seen, they are not only badly stayed, but the stays are of the worst possible form—that is, not direct in their strain. In many instances stays are put in which are bent like an S, and which are of very little advantage at all, because before any considerable strain comes on such a stay it must straighten itself out, which would allow the boiler to go beyond the ultimate strength of the plate before the strain was brought to bear on it.

1474. Do you think that a boiler which has a pressure of fifteen pounds on it ought to be stayed every twelve inches? No, I think for a pressure of fifteen pounds it would be sufficient to stay it every fifteen inches; but from twenty pounds upwards there ought to be nothing less than twelve inches.

1475. You said something about something equivalent to a stay—did you mean stronger stays at greater intervals? Stronger stays and stronger angle-irons, built into the boilers as part of the original construction; so that the flat sides are made on the same principle as a bridge.

1476. Do you think any strength of the stay itself can make up for increased distance between the stays? I think with more angle-irons, which may be called the girders, stronger stays at less distances would be quite sufficient.

1477. Do you not consider it would be a better practice to put in smaller stays closer together? The fact is, there are plenty of boilers that I cannot get into now, except in such a way that if the slightest faintness came over me, or any other person that had to go into those boilers, they would have to cut the boiler to pieces to get us out. I do not think a boiler ought to be made with the stays so close that it could not be got into to be cleaned and examined. I am speaking of marine boilers, with a pressure of twenty-five pounds downwards. The best form to obviate that is the round boiler, which is now coming into favour for marine purposes; and the only reason that it was out of favour was, on account of its taking up a little more room. These flat boxes are objectionable in every way.

1478. If a boiler is not stayed sufficiently to stand a pressure of sixty pounds, do you think it would be unfit to work up to twenty pounds? I think, if the stays went, that would be the case; but when I speak of the ultimate pressure a boiler will bear, I wish it to be understood that that is its ultimate weakness—that point at which the boiler gives way somewhere.

1479. Supposing there are two boilers of similar construction—one that would stand sixty pounds, and another that would stand one hundred pounds; the one that stands one hundred pounds does so because it is better stayed? Certainly. There are boilers now running out of this port at a working pressure of one hundred pounds.

1480. If a boiler is so stayed that its ultimate weakness, if you prefer that term, is sixty pounds, ought it not to be better stayed before it is allowed to work up to twenty pounds? Certainly.

1481. Do you think that your efficiency as Inspector would be much impaired, or the public safety endangered, if you should use this hydraulic test to no more than 50 per cent. as a rule—not that that should be forced upon you, but that you should, in your own practice, reduce the testing pressure generally to 50 per cent. more than the working pressure? If such a rule were brought into force, the result would be that pressure would be continually brought to bear on me to make that the ultimate pressure I would adopt; and the result would be that boilers would run longer at their first working pressure, because it is always with great difficulty that a reduction of the working pressure can be obtained—they will fight for it pound by pound.

1482. Have you not power to reduce it? We have the power, and it is the exercise of that power, and the knowledge that double pressure can be applied, that is objected to. As a rule, you will find from the return I gave you, I do not apply the double pressure.

1483. Do you not think you could detect most of the weaknesses by a pressure of 50 per cent. above the working pressure? I could detect some of them, no doubt; but whenever an absolute necessity arose for condemning a boiler, I should never have the power to do it. My opinion is, that the public safety would be most seriously endangered by restricting the test pressure to 50 per cent. more. For instance, the "Emu"; I was pressed time after time to apply double pressure on this last occasion, before the boiler was taken out. The Managers pressed me time after time.

1484. And you condemned it? I did.

1485. Supposing your practice were limited to 50 per cent. more, you would have done the same thing? Practically speaking, unless some other regulation was made, it would not make one bit of difference to my practice.



Mr. D. C.  
Dalglish.

6 July, 1868.

1486. I cannot see, from what you say, that the power of using double pressure assisted you there; you condemned the boiler without applying it? No, it did not help me in that case, neither has it helped me in other cases. As I before stated, in no case where a boiler has been actually condemned has double pressure been applied.

1487. We observe, in looking over your list, that in a very considerable number of cases you did not apply double pressure—I think somewhere about half of the whole number? No, I should think the double pressure was not applied to more than one-third, speaking from memory.

1488. Can you give us a clearer idea of how you are guided in this matter. It seems that in some cases you only put on the working pressure, sometimes only 50 per cent., and sometimes 100 per cent.? The "Rangitoto" was a vessel that came up here for general repairs; she was tested to double pressure, or very near it—42 pounds, the working pressure being 24 pounds. The "Kaikoura" was tested to 46, working pressure 25.

1489. Something less than double? Yes. It was after a regular repair, although a new boiler. The "Kaikoura" is working with surface condensers, and the action of the water on the large surface of copper piping in her produces something very like galvanic action, so that some of the stays in her bottom that were originally an inch and a quarter, were less than three-eighths of an inch of metal; and although I tried every stay with an iron prod and a candle—the only way I could do it, for I could not get in, as there were only six-inch water spaces—still, one stay might be missed, and by applying hydraulic pressure in a case of this kind, where we know danger may exist that we cannot see, we find out the defects.

1490. You carried the pressure up to forty-six pounds—not quite double? Yes. Sometimes there are reasons for that which are acted on just at the moment. For instance, at the man-hole door, the gasket may give way—blow out—which it is more apt to do with water than with steam, because the action of the water washes the white lead away that makes the joint, and a leak ensues. Something of that kind may happen when double pressure is going to be applied; and if no weakness has been detected we do not put them to the expense of running the boilers down and going through the whole operation again. In many instances, where the pressure has been dropped short by a few pounds, it has been occasioned by something of that sort. For instance, a feed-pipe might burst, but the pressure having gone sufficiently high, I do not order a repetition of the test, even though the double pressure has not been attained, when I am satisfied everything is sound. In other cases where the pressure has been only a pound or two above the working pressure, it has been some old boiler, or perhaps a new one. If a new boiler which has been tested before to double pressure, it may only be applied to a little above the working pressure, to see if any joint has sprung, or if any particular part of the sheathing or doubling of the iron has given way, which we cannot see when the fires are lighted, but the moment the water is filled in, it finds it out without carrying it to double pressure. In many instances, where boilers are double the sheathing plate gets injured, and if they have a short certificate, instead of applying double pressure we fill the boilers up to see that the old sores are not increased, and that the new work is tight. The case of the "Albion" is a peculiar one. The vessel came up from New Zealand, having been bought to sell at Japan; and the owners were particularly anxious to get our certificate. In fact, they all are when they want to sell their vessels; they are extremely anxious to get the certificate of our Board. On examining the ship, I found several stays defective in the back combustion chamber. I pointed them out to the engineer. The orders of the captain and agents were that everything was to be made effective. The consequence was the strictest form of proof was gone through, very much to the satisfaction of her owners. But I refused to apply the double test to the boilers before these stays were renewed.

1491. Take the case of the "James Paterson," only tested to fifty per cent. above the working pressure? She gave way at a particular part at that pressure. It was a place where we knew weakness existed, and the pressure was applied to find it out. It did find it out, and the boiler was then made stronger in that place; but I did not consider it necessary to apply the test again.

1492. You knew the weak part before testing? Yes.

1493. Then would it not have been sufficient to have ordered it to be repaired without testing? There happened to be a difference of opinion respecting it.

1494. Supposing they had consented to remedy this defect, would you have applied the pressure? I would; but merely to see that the work was tight.

1495. Supposing a vessel to have been thoroughly repaired, overhauled, and tested, and you give her a six months' certificate—she comes back at the end of the six months, and you find she has merely undergone ordinary wear and tear—would you test her again? No, I should not consider it necessary. There are cases where you cannot be certain whether defects exist or not, without the test. For instance, a seam of rivets may happen to be sprung, but you cannot tell, by merely looking at it, whether it is sprung or not; the hammer will not tell you; then, instead of allowing the plate to be caulked and perhaps the joint strained, the water will shew it at once, and it may be caulked up afterwards without any detriment to the boiler, but if caulked up before the water was tried it might be water-tight but not strong.

1496. Some of them seem to have been tested to very little above the working pressure; for instance, the "Wonga Wonga"? That was the old boiler. That boiler had been condemned, and the ship laid up to have it taken out, but they wanted to make a demonstration at the time of the Prince's visit. I think an express letter was sent to the Steam Navigation Board on the subject, and she got, on my survey, a certificate for a month, but at a reduction of the pressure she had been working at; she had been working at twenty pounds previously, but I only allowed her fifteen.

1497.

1497. You tried her at seventeen? Yes, in order to see whether any of the plates had started—for the mere purpose of seeing that the old work was tight and not strained. The vessel never ran with that certificate, except on that one occasion—to go to meet the Prince.
1498. The "Yarra Yarra" was not tested at all? No, she had been tested to double pressure on the previous survey.
1499. A pretty long list of boats seem not to have been tested at all? Yes. The "Alexandra," running at twenty pounds, was not tested. The "Breadalbane" was running out a short certificate. Her boiler is now taken out, and on the wharf; and, although it is an expense I do not feel justified in going to myself, if the Commission thought fit to have it temporarily repaired for the purpose of pumping it up, and bursting it, it would test the truth of what I have stated,—that its ultimate strength would be at least three times its last working pressure.
1500. What was that? Seventeen pounds.
1501. You think it would stand three times that now? Yes, I am sure of it.
1502. Still you condemned it? Still it was condemned because of its age. It is what is called a dry-bottomed boiler; and in order to let it pass its last examination, they were obliged to fill up the bottoms of the legs with cement and put bolts right through, to prevent the bottoms of the legs from opening up. Although it does not appear that it was tested at the last survey, it was tested a week before that, and stood it.
1503. To thirty-four? To thirty-four. The only reason why we could not get the pressure upon it was, that the hand-pump failed. They have a new pump, a new donkey, and a new boiler, now.
1504. *Mr. Moriarty.* Will you look at that stay (*one of the stays from the "Clarence's" boiler*), and say what hold it had upon the plate? It had a very poor hold.
1505. From the lowest thread marked by the plate to the top of the stay, what distance should you say it is? There is a taper upon the thread. This is the stay that I alluded to in my evidence as imperfect in workmanship, both in the stay and in the hole. The female thread in the hole was hardly marked at all.
1506. Rusted up? It had never been there at all. This thread has not been turned over—not forced or drawn in the way an overhauled thread generally is; neither was the thread in the plate overhauled—it had simply never been there.
1507. In measuring it, how deep should you say it was through the plate—did it go through the plate? Yes, it went through the plate.
1508. What was the thickness of the plate? It was a three-eighths plate. I think I stated in my former evidence it was rather better than a quarter and one-sixteenth.
1509. Had that stay that hold? Very near that. The thread would be diminished by the thickness of the plate.
1510. Is there any appearance on the head of that stay of its having had any hold at the bat at all? Very little; on one side none at all. There has been no wear on the top of these threads; they are as perfect as when they left the machine.
1511. Should you say that stay was capable of standing forty-seven pounds on the square inch, over a foot of surface? The stay would be, but the thread would not hold—it is my opinion it would not.
1512. So that, when it appeared to have stood it in the "Clarence," it must have been strained almost to its breaking weight? Its stripping weight. But you see it has not been stripped.
1513. But the plate has been opened, or something has cracked? The hole that this stay was supposed to fill was a defective hole from the first; it was always too large; there never was a full thread in it.
1514. Does not all that shew that fifty pounds on the square inch must have been the very margin of the breaking weight—of the giving way of that stay? Of course if there is a defective place it will be weak to that extent; but I do not think the plate would have given way at all.
1515. It seems to have stood the pressure? Yes.
1516. And to have given way afterwards? I do not think it gave way from pressure at all.
1517. Looking at the head of that stay, as well as the others, should not a careful inspection have shewn that it was defective? No; it could not be seen. This was one of the cases where a caulking-tool, being edged round it, and taking the plate as well, gives it the appearance of being riveted over. They are riveted over cold, and to rivet them long would be to destroy the rivet. If a long time were taken to hammer them, they would get brittle. They are generally made of the best iron, and even then, if hammered for a long time, it gets brittle.
1518. Do I understand you to say that the caulking of that would make it appear as if the head extended further? Yes, it does in all instances give the head the appearance of being larger than it really is.
1519. *President.* Are you clear that the bat was not broken off at the time of the accident? Yes, perfectly clear that the bat was not broken off at the time of the accident, and that no undue strain was exhibited on any one of the stays at the time of the pressure.
1520. *Mr. Moriarty.* Would you have put that boiler down as one of those capable of standing three times the working pressure? Yes, if these stays had been as they ought to be.
1521. The hydraulic test did not develop the defect in that plate? No, it merely shewed that it was strong enough to withstand the test. It was not the explosion that killed the man. If it shews anything, it shews that the boiler was strong enough to stand the shock of the explosion without rending, for there was not a rent in the plate. The Board of Trade and many eminent men recommend a fusible plug to be put into a boiler. If a fusible plug had been in and had melted out, an accident exactly similar would have resulted,

Mr. D. C.  
Dulgleish.

6 July, 1868.

resulted, if the man had been in the same place. It was the jet of water breaking into the furnace and generating steam within it which caused the death of the man.

1522. *President.*] Do you think the heads of these stays ever were riveted over at all? Yes, they have been riveted slightly.

1523. Do you think their defective state is of long standing? I think it very probable these stays may have been caulked and recaulked, similar to the two I found in the "Florence Irving" at the last survey; and very possibly, by a little more caulking, a leak might have been developed, and a cap put on to prevent the leak being seen.

1524. *Mr. Moriarty.*] I understood you to say that you never did prove a boiler to more than double its working pressure? No.

1525. Was not the pressure on the "Clarence" considerably more? The hydraulic pressure on the "Clarence" was more, but that was not my fault; but no bad result ensued even then.

1526. I mean in the first instance, when she was proved, three months before the accident? It is that I am speaking of. It was when I was making the inspection of the boilers the pressure got up.

1527. *President.*] Have you not a valve which makes it impossible for the pressure to get beyond the amount you fix upon? I set the index, and a man is stationed to watch it.

1528. Does it not relieve itself? It relieves itself, but the valve is not large enough to relieve the pressure on the boiler; it is only a quarter of a square inch.

1529. In proving these boilers, do you estimate the height of the boiler? The working height of the boiler is a constant quantity, and is always in addition to the pressure of steam carried. The A. S. N. Company, for reasons of their own, generally have a place for my gauge put on their man-hole door on the top. As a rule, on all the other boilers, where I choose myself where I will have it put, I put it at the water-level. But for convenience and handiness to themselves, they take the man-hole door into the shop, tap it, and fit a brass plug in afterwards. At the same time, it makes a difference of six or seven feet of water, which I consider of no moment.

1530. *Mr. Moriarty.*] Do you not think it would conduce more to the safety of the public, as well as the better management of marine boilers, if you were to go in boldly at once for insisting on additional staying, rather than trust to the development of weaknesses by this hydraulic test? I always do go for additional stays. I do not know what boilers there are now which require additional stays. In almost every instance I have insisted on additional stays. A boiler may come out new, and stand the hydraulic test; but, if there is a bad circulation of water, six months afterwards there may be bulgings developed; that is from the fierceness of the fire acting on the parts where there is a bad circulation of water, and perhaps the formation of scale. In that case, I make them put in additional stays in the intermediate places. In the case of new boilers from England, belonging to the Panama Company, I have refused to put the pressure on until the stays were in. I would not accept the responsibility of bursting the boiler, when I knew it was insufficiently stayed. We cannot take the pressure off those boats.

1531. The question arises whether a man is safe in trusting solely to this hydraulic pressure? I never do trust solely to hydraulic pressure; I always insist on having stays put in where they are requisite. Mr. Jaffrey and myself quarrelled because I insisted on stays being put in, in the first instance, in the "Collaroy," where the flat plate had gone up more than an inch and a quarter. Mr. Jaffrey refused to stay it, and the Manager of the Company took his part, and appealed to the Steam Navigation Board, who upheld me in my decision; and the stays were put in. They are there now. That was before they had been tested by cold water at all.

1532. *President.*] Is it your opinion that boilers would last much longer, or any longer, if they were more efficiently stayed? I am perfectly certain of it. The "Wanganui," which has come from New Zealand and is under repairs now, was very imperfectly stayed, and I am sure the defect in the staying was the cause of the decay in the bottom of the boilers.

1533. It would be for the benefit of the steam-boat proprietors? Yes.

1534. Do you not think your system of requiring additional stays might be carried even a little further. It is the opinion of many practical engineers that boilers are not sufficiently stayed? I do whatever I can to get them stayed properly, but great objection is made; I have to go into battle with them.

1535. You have a strong weapon to fight with—refusing a certificate? I always do it, but still it causes a very great deal of dissatisfaction. Very likely there would be a great many complaints about the way in which I insist on having boilers unnecessarily stayed; and perhaps another Commission to inquire into that. When the "Hero" came from Melbourne, I had to lay her up till she was stayed; the same with the "Barwon"; and the "You Yangs" was reduced in pressure. In fact, when the "Blackbird" came up this time, some of her stays were like harp strings, and some as loose as water.

1536. You see we have this fact staring us in the face,—that the boiler of the "Clarence" was not properly stayed, and in consequence of that an accident did happen, the imperfection not being detected? This was not in its weakest part by a long way.

1537. It was not perfectly stayed there? The stays were not bad in number, but the workmanship was bad, and that I cannot be expected to see; in fact, no man can unless it is taken out.

1538. *Mr. Moriarty.*] Still, it is plain the heads were not properly riveted? There is a very slight rivet upon them certainly.

1539. *President.*] The great bulk of the witnesses agree that these stays ought to have nuts on the outside, and that any stays without them should be condemned—Does that coincide

coincide with your opinion? A very great deal may be said on both sides. In locomotive boilers no such things as nuts are put on; and if the bolt had to stand the action of flame, the nuts would burn off.

Mr. D. C.  
Dalglish.

1540. These had not? They had when I surveyed the boiler; the alteration was made after I made the survey.

6 July, 1868.

1541. When you say you object to nuts, do you speak from your own experience? From my own experience, I have found nuts the very worst form of fastening for stays exposed to flame in furnaces. I have to be more careful over them than anything else. In the backs of the furnaces they have to be covered up with rings and fire-clay to protect them.

1542. Have you any objections to nuts where they are not exposed to flame? There are some objections, but they are only such as imperfect workmanship. Where the workmanship is good, and the bolts put in true, for places not subject to the action of flame, they are the best form of stay that can be used. For instance, when the "Lady Young" got new bottoms in her boilers, I recommended that the stays should be put in with nuts, and that was done. The difficulty is, that the holes require to be perfectly fair; because, if you put on a nut and tighten it up, when the holes are not exactly opposite one another, you strip the thread; and a dishonest workman, knowing he has stripped the thread, and that censure will follow, says nothing about it, and the nut to all appearances is sound.

1543. Even then it would be just as strong as it would be without a nut, because it would still have hold of the plate it was screwed through? Generally speaking, they are not so particular when they know they are going to put nuts on.

1544. *Mr. Russell.* In speaking of the examination of boilers previous to the test, you say you go inside and outside? I do.

1545. Does that refer to the flues and furnaces? The flues and furnaces, and inside.

1546. Through the man-holes? Through the man-holes and all; in many instances through the mud-holes also, where they are large enough to get in. I consider the furnace to be outside, and all within the manhole inside.

1547. And after the test do you pursue the same course? I do.

1548. Do you think it possible the bats might have been started off these stays, and you would not see them? No. I have had about seventeen stays taken out of the boiler of the "Florence Irving," and the only indication we could see was, a slight starting about the rivet.

1549. I have seen a rivet started, and yet it could not be knocked off with a hammer and chisel; still it was weakened? Yes, very much weakened. Of course in some instances, where a rivet has been caulked immediately before my inspection, it may have been started and yet escaped detection; it would defy it, in fact.

1550. Do you think it injures the stay at all, to hammer it cold to form the bat or button on these stays? If hammered too long, it makes the iron brittle; and although the iron is turned over, it is of little value.

1551. In fact, then, the bat or button or the end of the stay, is of little use? It is weakened in consequence of being hammered too long, and hammered cold.

1552. Caulking under those circumstances would not have a beneficial effect? No; supposing the iron was destroyed in its fibre, and full of cracks from the riveting, passing the caulking tool over it would close up the outside and make it appear to be good, whereas in reality it was crippled.

1553. When you first took office, did you make it a uniform practice to prove boilers by double pressure? Yes, the old boilers.

1554. How long did you continue that practice? I abated it, as they began to get new boilers in the ships. A very great number of these vessels have new boilers, or the old boilers have been taken out and thoroughly repaired.

1555. There has been such difference of opinion among practical men that we have had here, that I have asked the extent of their experience—Have you any objection to give the Board your practical experience in these matters? I was brought up to the trade in a shop where marine engines were being continually repaired—J. B. Maxton & Co., at Alloa and Leith—where your former partner, Mr. Dunlop, served his time.

1556. I understood you were apprenticed at Alloa principally for land engines? I worked in both shops, but principally in Leith. My apprenticeship extended over the whole term of the firm's existence. The firm was insolvent when a short period of my apprenticeship was unexpired. I was a premiumed apprentice, and had to go into the drawing office and pattern-making shop, and was made to take great interest in the work.

1557. Since then, what has been the extent of your experience? Since then I have been continually at the trade, with the exception of a few years in Sydney, and always at marine work; in London for Joyce, Rennie, & Spiller, and in Hull for Clifford & Brown, where they had the work for all the northern boats, and the St. Petersburg and Hamburg boats.

1558. As an engineer? As an engineer.

1559. Not employed on boiler work? Not on boiler work; but still, an engineer that does not take an interest in boilers, and a great deal more interest than boiler-makers do, as a rule, is very little worth. My experience of boiler-makers is, that they are the most dangerous class of men we have to do with; they will patch up anything.

1560. What has been your experience in Sydney? Even during the time I have not been working at the trade I have been continually taking an interest in it; and I think nothing has transpired that I have not been in.

1561. I suppose you have gained considerable experience since you took office? I do not think so; except that no man can ever learn enough. On the occasion of the boiler bursting at Waterview Bay, I gave some evidence which shews that before I held my present position I knew something about it. I expressed an opinion on that occasion which was different from that of the most eminent men of the time—Mr. Broderick, Mr. Moriarty,

Mr.

- Mr. D. C. Dalglish.  
6 July, 1868.
- Mr. Jaffrey, Mr. Evans, and in fact, I may say, Mr. McArthur, until he went to examine the boiler himself. Still the jury did me the honor to believe me; and the boiler that I said would not, in my opinion, stand more than thirty-five pounds, when tested with cold water, collapsed at thirty-four pounds. If it was only a guess, it was a very near one. Mr. Moriarty stated his conviction it was safe at fifty pounds; and Mr. Evans, that the collapsing strength was 240 pounds per square inch.
1562. Some of the engineers we have had here have told us that boilers could be kept in order without the use of the test at all. Do you think that could be done by an experienced officer? I should be very sorry to accept the responsibility of the office in that case. I prefer to have the use of the test when required.
1563. Up to what extent? To the extent of double the working pressure. I am in the habit of reducing the pressure on boilers; and if I reduce the pressure on a boiler to a certain extent, and the owners are not satisfied, and I wish to convince them, would you take the only power I have of convincing them away from me?
1564. You may refuse a certificate? The fact of the matter is, it is always in boilers that are dangerous and bad that any objection is made; I never knew the objection being made to any good boiler being tested yet. People that are going to sell their boats always like very well to get a certificate from me that their boilers have been tested to double pressure. I think I may venture to hand in an American certificate. Every State has its own law on the subject, but this is from the State of California, and will shew what the practice is there. (*The witness handed in the same.*)
1565. *President.*] I see they test up to a very small pressure? Twenty-eight pounds, and the maximum working pressure is twenty-one pounds. The test there is imperative.
1566. The certificate runs thus:—"That we have subjected the said boilers to a hydrostatic pressure of twenty-eight pounds to the square inch, and the maximum working pressure allowed is twenty-one pounds to the square inch, determined by the rule prescribed by law, which is three-fourths of the hydrostatic pressure for low-pressure boilers."—The steam pressure, therefore, is three-fourths the hydraulic pressure? Yes.

TUESDAY, 7 JULY, 1868.

Present:—

MR. PELL, PRESIDENT.

MR. MORIARTY,	MR. THOMAS,
MR. CARLISLE, R.N.,	MR. RUSSELL.

Mr. Charles Lang called in and examined:—

- Mr. C. Lang.  
7 July, 1868.
1567. *President.*] You were Chief Engineer of the "Clarence" at the time the accident took place? Yes.
1568. Were you Chief Engineer at the time she was tested, three months before? Yes.
1569. You were present on that occasion? Yes.
1570. Was the boiler stripped? Yes, everything was cleared out.
1571. Where were you at the time of the testing—what part of the boiler did you notice particularly—did you go into the furnace? Yes.
1572. Whilst the pressure was on? Yes.
1573. Did you notice any signs of weakness? Not the least.
1574. Did you examine the heads of the stays? I did not take particular notice of them, but I saw that everything looked tight.
1575. You did not see the plates spring? No.
1576. Did Mr. Dalglish examine the boiler whilst it was under pressure? Yes.
1577. If a rivet had broken off the head of a stay at the time the pressure was on, or anything of that kind had happened, do you think you would have heard the noise? Yes; and the water would have got out.
1578. Suppose a stay had started without actually giving away, would that have made a noise that you would have heard? I do not think so; but it would have shewn wet.
1579. Had you ever had occasion to do anything to the heads of the stays in that part of the boiler? Never; we never touched them.
1580. How long had you been in the vessel at that time? About two months before the testing which preceded the accident.
1581. Nothing was done to the heads of these stays all the while you were there? Nothing all the while I was in the ship.
1582. You never observed any leakage about the heads of these stays? Not the least.
1583. Is that part of the boiler apt to be wet—does any water come from the tubes, or anything of that sort? It might, and not be seen; there is brickwork there. There was very little, if any; if there was much I would see it.
1584. Did much refuse or ashes collect there? Yes, in course of time, if not cleaned out.
1585. Do you ever clear it out or strip the boiler except when the Inspector comes? I have done it in my time, but not in that ship.
1586. It was not cleared out or examined from the time of the testing till the time of the accident—three months? No.
1587. You were on board when the accident happened? Yes.
1588. Where were you at the time? In the engine-room.
1589. Could you see the steam-gauge? Yes.

1590.



1590. Did you look at it immediately before the accident? I looked at it about a minute or so before. Mr. C. Lang.
1591. And it stood at —? About eight and a half or nine pounds. 7 July, 1868.
1592. After the accident you cleared out the fire? We did, as soon as we could get it done.
1593. Did you find much refuse behind the bridge? Nothing was in it; it was quite clean.
1594. What condition did you find the plate in, the plate that sprung? The plate was right enough; one of the holes was cracked about a quarter of an inch in.
1595. Which side of the plate? Inside the boiler. You cannot see the outside of the plate, only the inside; where the stay went through was cracked round the hole—three small cracks about a quarter of an inch in.
1596. How deep were they? I think they were mostly through.
1597. Were you in the habit of blowing the water out of the boilers when you came into port? Yes.
1598. You drew the fire first? Yes.
1599. And immediately afterwards blew them out? Yes.
1600. How low down did you blow them? Till the steam gets out; I generally leave two or three pounds of steam in the boiler.
1601. Would that blow her below this plate where the accident happened? Yes, it is below that.
1602. After the accident, did you find there was any incrustation, any salt or caking about the plate that gave way? No, it was quite clean; the boilers were very clean.
1603. *Mr. Moriarty.*] Did you observe these stays before the accident? No, I could not say my attention was particularly drawn to them.
1604. Had your attention been drawn to them when the vessel was being surveyed by Mr. Dalgleish? No, never. It is not easy known what state they are in, to look at them; except you were to take them out, it would not be easy to ascertain what rivet was on them; you could have no idea what the size of the rivet might have been.
1605. Does this (*one of the stays*) look to you as if the plate had been for some considerable time almost drawn off the head of that stay—Look at the marking of the thread? There was no bulge in it. There seems to have been no rivet there.
1606. Does it not seem as if the plate had been partly drawn off—If you measure from the last thread that seems to have been in the plate, it would almost look as if a three-eighth plate would project above it? That is about the depth of a three-eighth plate, I think.
1607. Do you think it at all probable that a strain of fifty pounds on the square inch could have injured that stay when it was in that state—If you were in a boiler, and saw a rivet, the head of which was in that state, almost level with the plate, and no rivet on it, and you found you had a pressure of fifty pounds on the square inch, would you consider it safe? No, I would not, if I had had my attention drawn to it. These things, in my opinion, require nuts on them. The rivet is too small; and to rivet that up in a cold state, when the boiler is made up, will shake the hold of the small thread there is on it.
1608. Do you think that when that stay had a pressure of fifty pounds to the square inch on it, that might not have done it some injury? If it had been a particularly good fit in the plate, I have no doubt it would have been safe enough.
1609. Looking at it as it is, does it not look like an old corrosion—does it not look as if it had been a long time in that condition? Perhaps there was very little rivet ever on it.
1610. At all events, you do not consider stays fixed in that way are good, or would be safe under a pressure of fifty pounds? I do not.
1611. *President.*] How many threads were holding, do you think, on that stay? About three and a half.
1612. Do you not think it had been holding by those few threads for a very considerable time? Yes, no doubt.
1613. You attribute the accident, then, to the want of proper fitting of that stay? I do.
1614. If a nut had been there, you do not think the accident would have happened? I do not think so; although I greatly condemn the pressure that was put on the boiler, in the state it was in.
1615. On account of the state of the boiler? According to the age of the boiler it requires more care. But still I believe, if there had been a nut firmly on the top of that stay, it would have been right.
1616. Would you object to the hydraulic pressure, if it were limited to half as much again as the working pressure? I think, at all events, the water should be heated to one hundred and ten or one hundred and twenty degrees before the pressure is put on in old boilers.
1617. *Mr. Moriarty.*] If the water were warmed up, would you object to it? No.
1618. To what extent would you go? I would not consider double pressure is so much, if the water is about one hundred and twenty or one hundred and thirty degrees.
1619. And if the stays were all properly fixed? Yes.
1620. Would you not prefer examining stays like that with your own eyes, rather than trying them with double pressure, and if they stood that, saying they were right? Yes, certainly. If I was to be allowed to examine the boiler I could be quite satisfied without any test at all.
1621. Do you consider too much reliance has been placed on this test? I do.
1622. *President.*] Did you ever see Mr. Dalgleish test a boiler, except on that one occasion? Yes, often.
1623. Is he careful in the application of the pressure? Yes.
1624. And in watching for indications of weakness? Yes.
1625. You have no reason to complain in that way? No. His valve lets off the air before he puts the pressure on.

Mr.

Mr. William Lacey called in and examined:—

- Mr. W. Lacey. 1626. *President.*] You are an engineer and boiler-maker by profession? Yes.
1627. And belong to the firm of Vale & Lacey, carrying on business in Sydney? Yes.
- 7 July, 1868. 1628. Have you had much experience? I have been all my life amongst engines and boilers.
1629. You are accustomed to superintend the repairs of boilers? Yes.
1630. You are aware of the mode of testing by hydraulic pressure adopted here? Yes.
1631. That it is carried up very often to double the working pressure? Yes.
1632. Do you see any objection to that mode of testing boilers in use? No.
1633. You see no reason to suppose a boiler is liable to be injured by it? I should think forty pounds such a slight pressure, taking into account what a boiler should carry, that a boiler ought not to be injured by it.
1634. Do you think boilers as they actually are would be injured—not as they should be? If a boiler were badly constructed, possibly it might injure it.
1635. Suppose a boiler had that stay in it (*one of the stays on the table*), covering a square foot of surface, and it was subject to a pressure of fifty pounds to the inch, do you think that would be liable to injure the hold of that stay? I should not think, if that stay was put in properly, it would injure it in the slightest.
1636. I ask the question with reference to that stay as it is? This stay appears to have been drawn through the iron entirely.
1637. Do you think it would be safe to put a pressure of fifty pounds to the inch on that? I think it would, providing the plate was tapped to fit the screw.
1638. I mean as it was, not as it ought to have been? It would injure it, I should imagine.
1639. Can you form any opinion, from looking at that, whether it was originally a bad fit? It seems to me to be very evident that there never had been any fit—no thread to correspond with this in the plate.
1640. What makes you think that? Because if it had been a fit, and had been drawn out with any force or strain, it would have stripped the thread on the stay—what is technically termed, overhauled it.\*
1641. You do not think that has been forcibly drawn out? No; there has been no force used at all.
1642. Do you not think it possible the thread that originally fitted that might have corroded away? I should think not. I may mention that I have stayed very many boilers in this way, high pressure boilers too, and I never found the hole any worse. The boilers may have been worn out completely; but when the stay was a proper fit, I have never found the holes in the plate the worse for wear—the thread in the plate has been quite good.
1643. Do you think that stay was ever riveted over? It has been so cut about, that it appears to have been brought to a point; it seems to have been subjected to a chisel. That is not the usual way a bolt end is left when it is put in. I have never seen a bolt have that appearance.
1644. That would not have been done in what they call caulking? No. Bolts are never left in this fashion. The end of the bolt is generally left something like uniform, and there is no uniformity about this at all.
1645. That cannot have been cut since it came out of the boiler—it was drawn out by the explosion, and there was no occasion to cut it at that end? Then the stay has never been properly riveted at all. I never saw a stay with a head like that in a boiler. The ends of these stays are generally left very square—rather hollow, if anything; and by that means, when put through the plate, they are easily burred back. There would be no possibility of putting a burr on this, because the end is so small. Before you could burr it, you would knock it through the plate. If it was cut square off, there would be a possibility of riveting it down, and getting the edges chamfered over; but as it is, you could do nothing with it.
1646. *Mr. Moriarty.*] Do you think these are chisel marks, or are they not marks of corrosion, the fibre of the iron giving way more at one part than another? I do not think it is done by corrosion. That (*referring to another stay*) is evidently done by corrosion; but this has all the appearance of a stay-bolt that had been hacked about to get it out of the plate.
1647. Do you not think the probabilities are that it has been corroded—the stay-head eaten away—that the whole thing has been more or less corroded? I do not think that, if this was properly fitted, the stay would corrode; but the thread in the hole would still be perfect round this, and be a tight fit. I know we have taken stays out in the Railway Department, in boilers that have been running three years, and have had occasion to drill the whole of them out; and I have never known one but what the thread was quite perfect in the plate. The bolts may have been corroded away, and yet the thread I have always found perfect.
1648. That is, where it is a good fit? Yes.
1649. Where it is a bad fit? The water would get through, and cause corrosion.
1650. *Mr. Thomas.*] Even if warm riveted over? Even if warm riveted over, there would be nothing but the burr, and the water would be in the hole with the stay.
1651. Would there be a leak? There would be a leak if it was not properly fitted, because the burr of a stay is not sufficient to keep it tight—not for any length of time.
1652. *President.*] Do you think the safety of the public would be at all endangered—that  
boilers

\* ADDED (*on revision*):—There is no medium with a screw; when it is strained it will shake off the thread. If the hole or stay was injured by the pump, it would have leaked at the time.



boilers would be at all apt to be kept in worse repair, if the test pressure were limited, as a rule, to fifty per cent. above the working pressure? Of course there is another mode of inspection. A man may get into a boiler, and sound it all over with a hammer; but he cannot sound every place in a marine-boiler, because he cannot get at it; therefore it requires some kind of silent agency to shew where weaknesses exist.

Mr. W. Lacey.

7 July, 1868.

1653. Would not fifty per cent. above the working pressure be sufficient, as a rule, for that purpose? It may possibly do; but I do not think boilers suffer at all, when properly constructed, from being tested to double pressure.

1654. Still, would it not be as well not to subject them to that pressure? I do not think it does properly constructed boilers any harm. Seeing the great amount of pressure boilers are submitted to sometimes, I do not think our low pressure engines are subject to any pressure to injure them. The usual test for condensing-engines is about forty pounds, but very few of them carry more than twenty pounds. I do not think a test of forty pounds for a boiler carrying twenty pounds is anything excessive.

1655. Supposing you had to inspect boilers, do you think you could keep them in good order by examination, and testing to the extent of fifty per cent. beyond their working pressure? It may be done, no doubt.

1656. Mr. Thomas.] Do you not think that fifty per cent., with thorough examination, is quite sufficient? There is this much to be said, that many boilers which are supposed to carry only fifteen or twenty pounds of steam, have sometimes a great deal more; for instance, when a boiler is making steam very fast the engine may be stopped for a time, and it then makes steam faster than the safety-valve will allow it to escape.

1657. Mr. Moriarty.] Is not the safety-valve considered to be sufficiently large to allow the whole of the steam to escape? It is the rule, but it is not always followed out.

1658. Has your experience been principally with marine, or with locomotive boilers? I served my time with Mr. John Struth, of this city, and during that time he had a great deal of marine work.

1659. Within what limit of the strength of a boiler would you consider it ought to be safe to work it—supposing the chances were that a boiler would burst at a pressure of one hundred pounds, what pressure would you consider it safe to work that boiler up to? I think it would be safe to work it up to forty.

1660. Would you test that boiler up to eighty pounds—within twenty pounds of its breaking pressure? No.

1661. Do you consider it a good practice to test any structure within one-fifth of its breaking strain? No, certainly not.

1662. Then you would have to correct your answer? In what way?

1663. I asked you, if a boiler would about burst at one hundred, what pressure it might be worked to—you said forty, and that it might be tested up to eighty, that is, within one-fifth of its ultimate breaking weight; then I asked whether you consider it sound engineering to strain anything—I do not care what structure or piece of machinery—to within one-fifth of its ultimate strength? I do not think it would be wise to strain it to within a fifth of its bursting capacity; but I do not think even double the working pressure on our boilers at present working is anything near that, or is even half of their bursting pressure.

1664. You are speaking of marine boilers? Yes.

1665. Take this boiler of the "Clarence"; it was subjected to a pressure of fifty pounds—Do you think by any possibility it could have been made to stand one hundred pounds? I do not know the condition of the boiler.

1666. Looking at the obvious condition of these stays, do you think any man going into that boiler, and looking at that riveting over these stays, and knowing that the stays were a foot apart, would say that that boiler, as it then stood, could carry one hundred pounds? I should think not, seeing that the rivet is entirely gone in this way. I imagine the Inspector should have had them immediately repaired.

1667. President.] You think the defective state of these stays ought to have been observed on inspection? I think so.

1668. Supposing there had been caulking going on round it, might that have concealed the defect? It is quite possible it might have concealed the defect, because it would be hammered and caulked in such a way as to deceive a man.

1669. Do you not think it is a great objection to that mode of fixing stays, that they are liable to be so far gone as to have scarcely any hold, and yet you cannot, by looking at them, tell what state they are in? I should imagine that if these stays were properly fixed, if there had been a good thread in the hole, they would stand even without any burr at all, the thread in the hole would carry the strain without any burr at all.

1670. Not only was there no burr, but the screw was a bad fit, and yet neither of these circumstances was discovered by testing or examination? If there is bad workmanship in a boiler it is almost impossible for any person to detect it while the boiler remains together, carrying the working load. It is very difficult for a man to discover these things.

1671. Is not the mere fact that it cannot be done—that this defect was concealed, and not exhibited even by the hydraulic test—a strong argument against using that kind of stay altogether? No, I think not; I think these things will always arise. You may have a man staying these boilers that is very careless of his work, and it is impossible even for the foreman after him to know whether the stays are properly fitted or not. I know these are the stays used in locomotives, and they are subjected to the very highest test. I have put in stays like these myself, and tested the boiler to over two hundred pounds.

1672. Mr. Russell.] Do you consider the pressure put upon a boiler by the hydraulic test more severe than the same pressure under steam? Slightly, because of the thud of the pump.

1673.

Mr. W. Lacy. 1673. To what extent? Not to a very great extent.

1674. How much do you think, considering that the water is cold and the boiler is cold? It is a question I could not answer—not with any great certainty, at any rate.

7 July, 1868. 1675. I think I understood you to say you approve of testing boilers to double the working pressure? I do; I do not see how else you can form any idea of the state of the bottoms of your boilers or water spaces which you cannot get at. I know a pair of boilers now running, that have been running for some fourteen years, and they would stand double the working pressure at the present moment; I believe they would stand eighty pounds pressure.

1676. Without injury? Without injury.

1677. That is, a boiler working at forty would stand eighty? Yes.

1678. Mr. Moriarty.] How much more would they stand? I believe about a hundred.

1679. That is about the proportion you gave to me? Yes.

1680. Mr. Russell.] Suppose a boiler is in good working order, and the valves properly regulated, if the machinery is stopped for four or five minutes, will not the valves relieve the boiler? Properly constructed, they should do so; but many boilers are not made on very scientific principles; I have known boilers with the safety-valves not at all in accordance with the capacity of the boilers.

1681. Is it possible the steam could get up within half an hour to fifty per cent? Quite possible.\*

1682. Then, do you not think the valves might not relieve the boilers? Not always.

1683. Mr. Moriarty.] Do you think, as a rule, marine boilers are as strong as they ought to be, considering the increased pressure we are gradually going towards? I do not think they are. I think there is not sufficient attention paid to staying marine boilers.

1684. Do you not think marine engineers should take a lesson from locomotive boiler-makers? I do; I think they are the most perfectly stayed boilers there are. Marine boilers are stayed almost at random, I may say.

1685. You get a stay capable of carrying an enormous weight, but the imperfect mode of fixing adopted makes it capable of carrying only about five tons? Yes.

1686. Mr. Russell.] When you were foreman of the Railway Engine Works, what was your practice in testing boilers? We tested the boilers we made up to two hundred pounds.

1687. How much was the working pressure? One hundred and twenty.

1688. Considering that you only pressed locomotive boilers that had to work up to one hundred and twenty, to two hundred pounds, do you think marine boilers ought to be proved to double the working pressure, looking at the difference in the construction of the two boilers? The word "boiler" is a very general term; some boilers are very well made, others are badly made; some will carry the pressure easily, and others will not stand it.

1689. Taking the general run of marine boilers now made, and for some years past, do you not think that, to prevent any possible accident happening, a less pressure would be sufficient? I believe it would be sufficient, because a man could get inside and sound a boiler with a hammer; but for the places a man cannot get at, he must have some silent agency to shew him what they are made of.

1690. Mr. Moriarty.] If you should see stays like these in a boiler,—instead of putting on double pressure, and, if the stays stand it, passing them, do you not think it better not to pass them at all, if you are not satisfied with their appearance? If I had a serious doubt on my mind that these stays would not stand the pressure in this state, I should not destroy a boiler by putting the double test on it; I should say, take the stays out.

1691. President.] Supposing you saw stays in that defective state, and you tried them to double pressure, and found they stood it, would you be satisfied then? As I said before, it is so easy to deceive the eye in a matter of this kind, that possibly these stays, before they were taken out, may have appeared to be quite thoroughly riveted. No man could say, no matter what practice he had, but that these were properly riveted, until they were taken out. A man would require to go in and scrape these stays as clean as the day they were built, without being able to detect the insufficiency of the rivet.

1692. Mr. Russell.] We are told that the plate was caulked round these stays on board the "Clarence"—Unless there was a head on the rivet, do you see any advantage that would follow from that—do you not think it would only tend to weaken the plate? When they found out the deficiency, they would caulk the stay to fill up the plate. It would leave a mark the same as if a ring had been cut in it. The tool would make a slight recess round it, which would be filled up with dirt and could not be seen.

1693. President.] If we have evidence that it was caulked and was seen, would you consider that that shewed there was something wrong? Yes.

1694. Mr. Thomas.] You do not see any serious objection to the use of nuts? The objection is, that if they are put in the fire they burn off—if they are in the furnace, for instance. Anything that has a sharp edge projecting from the plate will burn away in a short time.

1695. Would it not be better to renew them? That is a very expensive operation, because the thread would become injured.

1696. President.] It is a great deal more expensive to have boiler accidents? Yes.

1697. Mr. Thomas.] You think these screw stays would answer the purpose? Yes, if properly fitted and riveted, there would be no danger of their giving way.

1698. Mr. Russell.] Have you, in your experience, come across boilers that have been "repaired" by putting a patch on the top of a leaky stay? Yes, I have known it done frequently. That was the way the boiler of the "Agnes Irving" was repaired before the accident on board of her.

1699. Mr. Thomas.] You do not consider that a proper mode of repair? No man in his senses would do it.

1700.

\* NOTE (on revision) :—Not unless the valves were locked.

1700. *President.*] Does it not amount simply to concealing the defect? It is a very stupid Mr. W. Lacey. thing, because the stay is destroyed—the very life and soul of the boiler.

1701. *Mr. Moriarty.*] Did you see that in the “*Agnes Irving*” yourself? I did not; but 7 July, 1868. I was credibly informed it was the case. I believe some boiler-makers, if left to themselves, would go on board a vessel and do such a thing. In fact, it did happen to me the other day. I sent a boiler-maker on board a vessel; a stay had given way, and the plate was cracked; and the boiler-maker repaired it in that way. When I went on board and saw it, I had it altered, of course. There is another thing I may mention. I think the thread of the stays (*referring to those on the table*) is entirely too fine. It may appear at first sight, that by having a fine thread you get more in the plate; but I think a coarser pitched thread, even though there are less of them in the plate, would be better than these. I think these are five-eighths pitch; locomotives are generally tapped with a seven-eighths pitch.

---

Sydney: Thomas Richards, Government Printer.—1868.



1868.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## SUGAR CULTIVATION.

(CORRESPONDENCE, ETC., RESPECTING MR. SCOTT'S INTRODUCTION AND MANUFACTURE OF SUGAR.)

*Ordered by the Legislative Assembly to be Printed, 14 October, 1868.*

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 24 April, 1868, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“Copies of all Memorials or Correspondence between the Government and Mr. Thomas Scott, of Brisbane Water, or other persons, relating to Mr. Scott's introducing the cultivation of the Sugar-cane, and the manufacture of Sugar in this Colony.”

*(Dr. Lang.)*

## SCHEDULE.

NO.		PAGE.
1.	Petition of Mr. Thomas Scott. 16 November, 1866 ... ..	2
2.	Mr. Thomas Scott to Colonial Secretary. 16 November, 1866 ... ..	2
3.	Ditto to ditto. 7 December, 1866 ... ..	3
4.	Ditto to ditto. 14 April, 1868 ... ..	3
5.	Under Secretary to Mr. Scott. 25 April, 1868 ... ..	3
6.	Ditto to ditto. 11 September, 1868 ... ..	3
7.	Mr. Scott to Colonial Secretary ... ..	3
8.	Memorial of Mr. Scott... ..	4

## SUGAR CULTIVATION.

### No. 1.

PETITION OF MR. T. SCOTT.

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

The humble Petition of Thomas Scott, of Point Clare, Brisbane Water,—

MOST RESPECTFULLY SHEWETH :—

That for these thirty-five years, he has used every exertion to awaken public attention to his practical discovery, that the sugar-cane attains to a far greater degree of perfection and profitable yield in this Colony than it is known to do in any other part of the world, including Queensland. That this national important fact has been practically proved at Kiama, by many of the leading men residing there, by tests of so conclusive a character as wholly to preclude any doubts upon the question, detailed in the *Kiama Independent* of the 18th October, and the *Sydney Herald* of the 30th October.

That your Petitioner, with his sons, are anxious to form a small model plantation, thereby practically and otherwise to convey to the colonists the required instructions to qualify them to embark in the industry. That therein he disclaims any present or personal interest beyond that of a far future one,—that the Government may extend towards his family a consideration commensurate to his late efforts and his now proposed services to advance the material interests of the Colony.

He therefore prays your Honorable House may be graciously pleased to afford him such aid as, considering the merits of his appeal and the great value the industry must prove to the Colony, in your wisdom may be deemed meet.

That in the year 1835 he incurred an outlay of £250, in the formation of a model sugar plantation practically to develop and thereby to prove his discovery. This expense and labour were at that time incurred with a view to benefit himself, and also to benefit his adopted country ; but for these many years past he has exerted himself solely to benefit the Colony, and without even the hope of any personal advantage.

That now, in his old age, he, as a parent, upon a wide and public principle, wishes to benefit his sons, and consequently the sons of all his fellow-colonists, by this his final effort practically to develop a latent science of colonial wealth, greatly exceeding that which sugar-producing has invariably bestowed upon every locality where it is carried on.

And your petitioner will for ever pray.

THOMAS SCOTT.

Sydney, Nov. 16, 1866.

### No. 2.

MR. THOMAS SCOTT to THE COLONIAL SECRETARY.

Sydney, 16 November, 1866.

SIR,

In reference to my petition, which you so graciously entertained, I learn that it is the intention of the Government to foster this embryo industry, by bestowing a handsome bonus upon the party who first produced a ton of sugar.

Hereon I most respectfully beg leave to submit that, while I freely admit the merits of that party to public commendation, I would remark, without any prejudice to his rightful pretensions, that it is I who put him in motion, and to whom I imparted public and personal instructions.

If such a central dispensation of reward be carried out, it would wholly exclude me, the first, an untiring pioneer, who, at considerable cost, practically discovered the great value of this industry, from any reward, simply and only because my means were too limited to enable me to reap its certain fruits.

In my petition I seek the notice of the authorities, the guardians of the public interests, agreeably there to its merits, and the conceived value of my long-continued efforts to benefit my adopted country, by pointing out another, but far more enduring and moralizing gold field, which has heretofore laid unheeded within her prolific soil. These form the basis of my hopes of being now countenanced.

I have, &c.,

THOMAS SCOTT.

### No. 3.

## No. 3.

MR. THOMAS SCOTT to THE COLONIAL SECRETARY.

Point Clare, Brisbane Water,  
7 December, 1866.

SIR,

I have the honor to forward, for the inspection of His Excellency the Governor and the Ministry, a sample of sugar, made partly upon the principle of my new invention, as published in the *Herald*. In its manufacture I had to contend with the rudest appliances.

This new process of desiccating the cane juice will make sugars of so superior a quality and quantity to that of the present, as in a great degree to supersede the refiner's vocation, and at the same time enhance the planter's profits fully thirty-five per cent.

To these facts I therefore most humbly beg to direct the attention of the authorities, and to the gift with which it has pleased Providence to bestow upon this Colony, by an industry which will elevate its material prosperity.

I have, &c.,  
THOMAS SCOTT.

## No. 4.

MR. THOMAS SCOTT to THE COLONIAL SECRETARY.

Brisbane Water, 14 April, 1868.

SIR,

In June last I had the honor of handing to you a memorial, which you most courteously promised to lay before the Executive Council, and to which I have not received a reply.

As the object of my continuous efforts for thirty-five years to benefit the Colony, in the manner indicated in that memorial, must now be admitted as having been consummated, I most respectfully beg the favour of your informing me if the Government intend to extend towards me any consideration, as the practical pioneer of an industry which evidently will signally augment the material interests of the Colony.

I have, &c.,  
THOMAS SCOTT.

## No. 5.

THE PRINCIPAL UNDER SECRETARY to MR. THOMAS SCOTT.

Colonial Secretary's Office,  
Sydney, 25 April, 1868.

SIR,

In acknowledging the receipt of your letter of the 14th instant, further respecting the cultivation of sugar in this Colony, I am directed by the Colonial Secretary to inform you that your case will be considered on an early day.

I have, &c.,  
HENRY HALLORAN.

## No. 6.

THE PRINCIPAL UNDER SECRETARY to MR. THOMAS SCOTT.

Colonial Secretary's Office,  
Sydney, 11 September, 1868.

SIR,

Referring to your further letter of the 14th April last, relative to the introduction and cultivation of sugar in this Colony, I am directed by the Colonial Secretary to inform you that the memorial which you therein state you presented in June, 1867, has been mislaid, and to request that you will be good enough to furnish a copy thereof.

I have, &c.,  
WM. GOODMAN.  
(For the Under Secretary.)

## No. 7.

MR. THOMAS SCOTT to THE COLONIAL SECRETARY.

Point Clare, Brisbane Water,  
18 September, 1868.

SIR,

I am in receipt of your letter of the 11th instant, wherein you require me to furnish a copy of my memorial, handed to you (I think) in January, 1867, the same being mislaid.

In reply, I have the honor to state, that I did not retain a copy thereof; but, in conformity to your desire, I herewith enclose another, which, to the best of my recollection, is substantially a repetition of the missing one.

THOMAS SCOTT.

No. 8.



## No. 8.

The Honorable the Members of the Executive Council of New South Wales.

The Memorial of Thomas Scott, Sugar Planter,—

HUMBLY SHEWETH :—

That on his passage to Calcutta, he arrived here in the year 1816; but from his experience as such in Antigua, and having visited the sugar plantations at New Orleans, he was so forcibly convinced of the suitability of this Colony as a sugar producing one, that he remained for the sole purpose of developing that never failing source of national prosperity.

That, at that time, local and other events precluded him from prosecuting his object; he therefore accepted an appointment from the London Missionary Society to establish that industry at Riatega, which he effected so satisfactorily, that the Agent, the late Rev. Mr. Marsden, awarded him a double salary. On his return from thence, in 1819, Major Goulburn, the then Colonial Secretary, sent for and offered him a salary of £250 per annum, to perform the same duties at Port Macquarie. That salary he declined to accept, but offered them, without any pay, and practically to prove that the climatic influences upon the cane in this Colony would mature it to high perfection; after which he relied upon the justice of the Government to reward him agreeably to his merits. That he commenced his duties at Prospect, on the Hastings River, in 1819, by erecting a model plantation. In 1822 he made sugars of a far superior quality to the imported, at the rate of four tons to the acre, for which he was rewarded by a bonus of £800, and received orders forthwith to form an estate capable of making two hundred tons sugar annually; for which a guarantee was given that one half of all the crops he made were to be handed over to him free of every expense. He accordingly formed that plantation at Rolland's Plains. In due time he made a requisition for works to take off his crop; and in reply thereto, was informed that "coppers only could be supplied." Therefore he was constrained to *invent* a motive power, and to make a wooden mill, the rollers of which had to be almost daily renewed. The boilers consisted of the thinnest sheet copper, which, as he foretold, gave way after making only seventy tons of sugar. At this juncture a bush fire ignited the canes. These events, and the penal character of the settlement being about to terminate, he retired from his ill-supported duties.

That after these grievous disappointments to his originally cherished object, he applied his faculties to their utmost extent to develop this industry; and, well knowing that, in propounding the suitability of the climate for its successful introduction, that its history was directly antagonistic to his practically ascertained facts that it is far superior to the tropical,—therefore, to neutralize this mammoth opponent to his object, at a cost of £250, in 1833, he erected a model plantation here by which he made sugars of very superior quality, which, with the canes from which they were made, he sent to the *Herald* Office and elsewhere for public inspection; and, in his published letters relative hereto, he invited the friends of the Colony personally to witness the practical proofs of the statements he had made in the public journals, as they related to his discovery. Not one solitary response was made to that public appeal—expressly prepared at so great an expense indelibly to prove his writings hereon, and thereby to remove the most universal scepticism with which his voluminous letters were received. Amidst these and other deadening discouragements, he wrote about one hundred and twenty published letters, pressing upon the colonists this certain source of national prosperity in all its features; and more than five thousand private ones, conveying instructions and replying queries.

In about the year 1851 he totally abandoned all hopes of receiving any personal advantage from his labours herein; still he relaxed not in his energies thus to benefit his adopted land.

At far past the eleventh hour of the longest period of man's existence he now enjoys the high gratification of knowing that the untiring energies which he has put forth to develop this valuable industry have resulted in the most ample success. He will not presume to shadow forth the prospective benefits which this industry will confer upon the Colony, further than by noting the fact that they will exceed those which are enjoyed by the residents within the tropics.

That he is now an unusually aged man, with eleven children, ten of whom are dependent upon him, and in narrow circumstances, which entail anxieties.

Therefore he humbly prays that his lengthy and expensive labours to benefit the Colony, as succinctly detailed, may receive your gracious attention, and induce you to award to him such pecuniary consideration as in your wisdom and the general features of his case may appear to merit.

And your Memorialist will, in duty bound, for ever pray.

I have, &c.,

THOMAS SCOTT.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

MR. THOMAS SCOTT—SUGAR CULTIVATION;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
24 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price*, 1s.]

339—A

# EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES, No. 35. TUESDAY, 9 FEBRUARY, 1869.

22. Mr. Thomas Scott—Sugar Cultivation :—Dr. Lang moved, pursuant to Notice No. 15, That the Order of the Day for the consideration in Committee of the Whole of the propriety of addressing the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for the present year the sum of £1,000, as a gratuity to Mr. Thomas Scott, of Brisbane Water, for his indefatigable and successful exertions, through the press and otherwise (during a period of forty years), in naturalizing the cultivation of the Sugar-cane and the manufacture of Sugar in this Colony,—which lapsed, from the want of a Quorum, on Friday, the 8th January,—be restored to the Paper, and stand an Order of the Day for Tuesday next.

Debate ensued.

Mr. Burns moved, That the Question be amended by the omission of all the words after the first word "That," with a view to insert the following words, viz.—"the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane and the manufacture of Sugar, be referred to a Select Committee for inquiry and report.

(2.) "That such Committee consist of Dr. Lang, Mr. Forster, Mr. Hoskins, " Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the " Mover."

Debate continued.

And the House continuing to sit until after midnight,—

WEDNESDAY, 10 FEBRUARY, 1869, A.M.

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

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

Whereupon, Question :—(1.) That the alleged services to the Colony of Mr. Thomas Scott, of Brisbane Water, in naturalizing the cultivation of the Sugar-cane and the manufacture of Sugar, be referred to a Select Committee for inquiry and report.

(2.) That such Committee consist of Dr. Lang, Mr. Forster, Mr. Hoskins, Mr. De Salis, Mr. J. Stewart, Mr. Farnell, Mr. S. Brown, Mr. Wilson, and the Mover,—put.

The House divided.

Ayes, 26.

Mr. Robertson,	Mr. Dignam,
Mr. Forster,	Mr. Windeyer,
Mr. Samuel,	Mr. W. Suttor,
Mr. Sutherland,	Mr. Byrnes,
Mr. Tighe,	Mr. Burns,
Mr. Driver,	Mr. Cunneen,
Mr. Morrice,	Mr. Farnell,
Dr. Lang,	Mr. Cummings,
Mr. Parkes,	Mr. Egan,
Mr. J. Suttor,	Mr. Burdekin,
Mr. Eagar,	<i>Tellers.</i>
Mr. Garrett,	
Mr. Oatley,	Mr. Hoskins,
Mr. Piddington,	Mr. S. Brown.

Noes, 3.

Mr. Tunks,

*Tellers.*

Mr. J. Stewart,  
Mr. De Salis.

VOTES, No. 61. WEDNESDAY, 24 MARCH, 1869.

4. Mr. Thomas Scott—Sugar Cultivation :—Dr. Lang, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes and Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this subject was referred on the 9th February, 1869.

Ordered to be printed.

## CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings ... ..	2
Progress Report ... ..	3
Proceedings of the Committee ... ..	4
List of Witnesses... ..	4
Minutes of Evidence ... ..	5

1868-9.

---

MR. THOMAS SCOTT—SUGAR CULTIVATION.

---

## PROGRESS REPORT.

---

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 9th February last,—“*to inquire into and report upon the alleged “services to the Colony of Mr. Thomas Scott of Brisbane Water, “in naturalizing the cultivation of the Sugar-cane and the manufacture of Sugar”*—have agreed to the following Progress Report :—

Your Committee have examined the witnesses named in the margin; but as additional evidence of importance in the case could not be procured before the close of the present Session, in consequence of the witnesses residing at Port Macquarie, your Committee have resolved to bring up this Progress Report, together with the Evidence taken, and recommend that the inquiry be resumed next Session.

Thomas Scott, Esq.  
Joseph Marshall, Esq.

JOHN DUNMORE LANG, D.D.,

Chairman.

No. 3 Committee Room,

Sydney, 24 March, 1869.

---

# PROCEEDINGS OF THE COMMITTEE.

---

THURSDAY, 25 FEBRUARY, 1869.

MEMBERS PRESENT:—

Mr. Burns, | Mr. Farnell,  
Mr. J. Stewart.

Motion made (*Mr. Burns*), and *Question*,—That Dr. Lang be the Chairman of this Committee,—*agreed to*.

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

[Adjourned.]

---

THURSDAY, 11 MARCH, 1869.

MEMBERS PRESENT:—

Dr. Lang, in the Chair.

Mr. Burns, | Mr. Farnell,  
Mr. J. Stewart.

Thomas Scott, Esq., called in and examined.

Witness withdrew.

Joseph Marshall, Esq., called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

---

WEDNESDAY, 24 MARCH, 1869.

MEMBERS PRESENT:—

Dr. Lang, in the Chair.

Mr. Burns, | Mr. J. Stewart,  
Mr. Farnell.

Clerk brought under the notice of the Committee several alterations made by Mr. Scott in his evidence.

Certain amendments allowed.

Chairman submitted Progress Report.

Same read and agreed to.

Chairman to report.

---

## LIST OF WITNESSES.

	PAGE.
Marshall, Joseph, Esq. ....	13
Scott, Thomas, Esq. ....	5

---

1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

MR. THOMAS SCOTT—SUGAR CULTIVATION.

THURSDAY, 11 MARCH, 1869.

Present:—

DR. LANG,  
MR. BURNS,MR. J. STEWART,  
MR. FARNELL.

THE REV. JOHN DUNMORE LANG, D.D., IN THE CHAIR.

Thomas Scott, Esq., called in and examined:—

1. *Chairman.*] You reside at Point Clare, Brisbane Water? I do. T. Scott, Esq.
2. What have you been employed in these many years? In this Colony as a private man—  
which I have not been always—I have devoted myself to disseminating information upon, 11 Mar., 1869.  
and awakening the attention of the colonists to the importance of, the culture of the  
sugar-cane here.
3. Where and when did you acquire your acquaintance with sugar cultivation?  
Originally in the Island of Antigua, where I managed my father's estate, Golden Grove,  
for nearly eight years. I was there one year as a novice, but I was afterwards gifted  
with the management of the property.
4. At what date might that have been? That was in 1796 or 1797.
5. It was in the West Indies, therefore, that you acquired your knowledge of sugar  
cultivation, in the first instance? Distinctly so.
6. Have you had occasion to observe the cultivation of the sugar-cane in any other  
country than the West Indies? I have, in my travels in America. I expressly went to  
New Orleans, where there are extensive sugar plantations, and there I acquired a know-  
ledge of the difference—the vast difference—between the management in that climate  
and what I had observed within the tropics.
7. When did you first arrive in New South Wales? In 1816.
8. Did you come as a settler to the Colony, or in what capacity? I was intending to  
join my uncle, Sir David Scott, in Calcutta. The ship in which I came to this Colony  
had convicts on board, and touched here on her way to Calcutta.
9. And you remained in this Colony? I have since remained in this Colony, with little  
exception. Shortly after my arrival here, I was employed by Captain Henry, on the  
part of King Pomare, to establish a sugar plantation in Tahiti.
10. What induced you to remain in this Colony, instead of proceeding on your way to  
Calcutta? Solely and only seeing the superiority of this climate to that of New Orleans,  
where the canes are destroyed by frost, and they are obliged to work night and day,  
Sunday included, to save them. I saw in this climate infinitely superior advantages.  
Perhaps, I may be permitted to state the motives I had in remaining. They were three:—  
Firstly, to develop an industry I knew would confer on this Colony as great national  
benefits as it has done on all other parts of the world where it is pursued; secondly, I  
had an ambition to be a public benefactor; and thirdly, I pressed and persevered in the  
matter with the vain hope, as it has proved, of bringing up my sons as sugar planters, in  
a country whose climate and soil are so well calculated to render the industry profitable.

T. Scott, Esq. 11. When did your engagement with Captain Henry take place—at what time after your arrival in the Colony? About eight months or less after my arrival here.

11 Mar., 1869. 12. In what year? 1816 or 1817.

13. How long were you absent on that engagement in Tahiti? Four months only. I may perhaps be permitted to state why I came back so soon. Pomare was engaged in trade, the machinery was at Riatea, and they paid no attention to the matter. I saw no prospect of the object being carried out, and I returned with the first vessel that came here, in company with the late Reverend John Williams.

14. You saw the object could not be carried out at that time? I saw it was impracticable. They were wholly engaged in trade, and the machinery was not at hand; but they satisfied me very liberally notwithstanding. They fulfilled their engagements amply with me; that is, Captain Henry did, who was agent for King Pomare.

15. What was your next engagement after returning to the Colony? With the London Missionary Society. As I have said, I was a passenger with the late Reverend John Williams, on board the "Westmoreland," on my return to the Colony. During the voyage he ascertained from me that I was willing to undertake the same office, to establish the cultivation of the sugar-cane at Riatea, where sugar works had been provided by the London Missionary Society.

16. How long were you on that second engagement at Riatea? About twenty months—not more than twenty months. I was engaged for three years, but having accomplished the object of my engagement, they remitted the residue, and paid me for the full period for which I was engaged, together with a bonus for performing an extra office I had not originally undertaken.

17. What was that office? The cultivation and curing of tobacco.

18. You carried on that branch simultaneously with the cultivation of the sugar-cane and the instruction of the natives? Yes; not only the growth, but the curing of tobacco. I received a very satisfactory bonus for that extra service.

19. What was your next engagement? Very shortly after my return from the Islands, the late Mr. Robert Campbell, of the wharf, and the late Reverend Samuel Marsden, who was agent for the Missionary Society, made some communication to Major Goulburn, the then Colonial Secretary, of the result of my services at Riatea; in consequence of which, I received a note from him desiring an interview. I saw him, and he offered me a Government appointment to proceed to Port Macquarie, then a penal settlement, for the purpose of testing the capabilities of the climate here for the growth of cane and its conversion into sugar. He offered me the highest salary that the Imperial Government then permitted the Government here to give to a civil officer—£250 a year, which I knew and felt was not commensurate with the services I could render. I therefore declined it; but at the same time I undertook the duty without salary, throwing myself entirely on the consideration of the Government, when I had proved the adaptability of the climate for the successful growth of the cane and the making of sugar, which I did so satisfactorily that I received a bonus of £800 and an official guarantee, which, if I had been supplied with machinery by the succeeding Government, would have been worth upwards of £3,000 a year to me. The guarantee secured to me one-half the sugar and rum I might make, landed in Sydney free of expense.

20. What induced Major Goulburn to enter into that speculation on the part of the Government? From what I could elicit, in various conversations with him, he had had an interview with the late Reverend Samuel Marsden and the late Mr. Robert Campbell, and had seen the sugar I had made at Riatea, and also some clayed sugar I brought, and some muscovado. I felt assured in my own mind, from what I elicited from him, that these facts induced him to ask an audience with me, and to confer the appointment.

21. You brought some of the produce of the industry you superintended at Riatea to this Colony? There was a good deal of it brought. I brought some of my own, and a great deal was sent to Mr. Marsden and Mr. Campbell. Major Goulburn showed me some of the sugars, and made inquiries. I advised him of those I had made, particularly the clayed sugar, which was like lump sugar.

22. Was Major Goulburn of a speculative turn in regard to the capabilities of the Colony and its productions? I cannot say that he was professionally qualified to pronounce an opinion. He had never been within the tropics, nor had he been in New Orleans. But I knew perfectly that he was a very zealous, faithful, public servant, and that he wished to get the convicts employed in some way that would both be beneficial to the Colony at large, and lighten the expenses of the Government in their maintenance.

23. How long were you at Port Macquarie? About\* eight years altogether—nearly eight years; but I was three years only there before I had practically demonstrated all that I had undertaken to perform, for which I received the reward to which I have alluded.

24. What was the result in point of production? The produce of the first or model plantation at Prospect, on the River Hastings, was at the rate of fully four tons to the acre; but I did not crop a whole acre—I wanted the canes for plants. I made only 500 pounds of sugar there. This was a model plantation, a preparatory one, established for the purpose of practically testing the adaptability of the climate for the successful culture of the cane and the production of sugar.

25. What quantity of sugar did you produce during the time of your employment at Port Macquarie? Afterwards there was a very large plantation at Rolland's Plains, where I made 70 tons.

26. What did you receive in compensation for your services at the close of your engagement

\* NOTE (on revision):—Seven years nearly; not eight, as stated by me.



ment at Port Macquarie? Prior to my leaving, I had ascertained that the Government T. Scott, Esq. were so lax or incapable of providing the machinery requisite to carry off the crop—of which I had grown sufficient to make 250 tons of sugar—that I acquiesced in a proposal made to me by the Government to simplify my engagement by the acceptance of a salary. Seeing that I could not get machinery, I accepted a salary for the last three years, yielding up an infinitely more advantageous agreement, under which I was to have received one-half of all I made. When General Darling came here to replace Sir Thomas Brisbane, and Major Goulburn had left the Colony, the sugar-growing establishment at Port Macquarie was not looked upon with the same spirit, and had not the same attention paid to it; and the total failure of the Government in supplying me with machinery induced me to accept a salary for the latter part of my engagement.\*

27. What did you actually receive from the Government for your services at Port Macquarie? Nearly £2,000 for the eight years.† The Government, in order to induce me to yield, as I was disposed to do, to their suggestion to take a salary in preference to having one-half of all I made, said they would date my salary from the time of my first leaving Sydney. These are facts which are on record in the Colonial Secretary's Office, and they could be referred to.

28. Your original engagement was under Sir Thomas Brisbane's Government, when Major Goulburn was Colonial Secretary? Yes, that was when I was first engaged to go down to Port Macquarie.

29. I understand that the subsequent arrangement, when you were induced to accept a Government salary, was made under General Darling? Yes.

30. When Major Goulburn had left the Colony? Yes; after Major Goulburn and Colonel Dumaresq left, there was not the same attention paid by the authorities to supply me with the only material requirements that I needed to successfully carry out my duties; that was, the machinery. In other respects, I received all appliances. In Sir Thomas Brisbane's time, I was supplied with money, men, and everything that could be obtained in the Colony; but it was not so when General Darling came.

31. Was the establishment broken up in consequence of this failure of the Government to carry it on with the spirit in which it was originally commenced? Yes; it was broken up in consequence of their not supplying the necessary machinery for the manufacture of sugar. The only material I received were some coppers. I had no mill—no motive power—not even horses‡; and these coppers were totally inefficient. I reported officially to the Government that I did not think they would work for one week; but they endured till I made seventy tons of sugar under the most herculean difficulties. I had to put new rollers in the mill, such as it was, almost every day—wooden rollers only, that were made by a mechanic I had there.

32. Do you mean to say the new Government under General Darling took no interest in the establishment at Port Macquarie? From all his official acts regarding the sugar plantation at Rolland's Plains, decidedly it appeared to me there was no interest evinced in it, either by the Governor or the officials at head-quarters,—not the least.

33. In these circumstances, you returned to Sydney, and gave up? I did; I gave up. In point of fact, with an establishment without machinery, and when the coppers gave way, I was as much disabled or prevented from carrying out my duties as a ship at sea dismasted and without a rudder, or without instruments to ascertain her position. I was totally helpless; and, of course, I stated so to the Government, and resigned.

34. Your correspondence with the Government will, of course, be in the Colonial Secretary's Office? All my correspondence with the Government should be among the public records; and it will bear out all the facts I have detailed in reply to your questions.

35. How were you situated after you returned from Port Macquarie, after giving up the sugar plantation? I then retired, as a private man, to a grant of land, a maximum grant of 2,560 acres at Brisbane Water; but I was afterwards in the Government employ.

36. That was the maximum grant that the Government were in the habit of giving to those who had claims? It was. My public position previously entitled me to 2,560 acres.

37. And you took the land at Brisbane Water? I commuted it; I took it on a reserved township; I commuted it for 360 acres on a Government reserve for a township; but, ultimately, I was given two separate sections of 640 acres each, in addition to the portion of the grant that they gave me on the Government reserve.§

38. When did you go to settle at Brisbane Water? In 1829.

39. And you established yourself there as an agriculturist, I presume? Exactly. It was the locality and the quality of the land for growing the sugar-cane that induced me to make the sacrifice I did. I had an idea that I would have been able to make a plantation there

\* NOTE (on revision):—When I discovered that the Government could not supply me with machinery to take off my crop, I accepted a salary instead of one-half of all I produced; and the £800 originally given to me as a bonus, in 1825, was then charged to me as part of my salary.

† NOTE (on revision):—It was £1,709, not £2,000, having been only six years and ten months under pay. During the three first years, when acting without any salary, as a matter of favour the Government loaned to me £200, which was afterwards debited.

‡ NOTE (on revision):—After having been refused either a mill to crush the canes, or motive power, I applied for horses. This also was refused. The Honorable and Reverend Chairman holds that official refusal.

§ NOTE (on revision):—My reply hereto requires the following corrective facts:—I commuted it for 360 acres on a township reserve. Afterwards, the Government requested me to surrender it. It having been a special favour conferred upon me to give me this reserve, after a long correspondence, I acquiesced upon those conditions, namely, that I was to retain my improvements, 25 acres, and two sections of land, only one of which I received, so that in fact I got only 665 acres; and, still worse, the township was afterwards removed to a very distant locality.

T. Scott, Esq. there; but, in myself, I had not sufficient funds, and it is an industry which never will pay on a small scale.

11 Mar., 1869. 40. Did you form a sugar plantation on your property at Brisbane Water? I did.

41. To what extent? Five acres only. May I be permitted to qualify that answer. At this time, and for many years afterwards, there was not, I believe, an individual in the Colony that gave credence to the possibility of growing the cane, much less its being profitable; and, in order to neutralize the scepticism that was universal, I went to the expense of £250 for a little machinery, to prove to the colonists the truthful recommendations that were contained in my various letters. I invited the friends of the Colony to come to Brisbane Water; and I stated, in letters published in the *Herald*, that I was prepared to cut the cane in their presence, and convert it into sugar, so that they might see the quantity and quality of the sugar; but I had not a single response to my repeated invitations. That model plantation was made solely and only for the purpose of practically convincing the colonists of the truthful recommendations that I held out to them. I knew I would lose by it, for I could buy sugar cheaper than I could make it on so small a scale.

42. Would a plantation of five acres be sufficient for profit in that branch of industry? By no means. A less quantity would have done—an acre or a couple of acres would have done—for the purpose to which I referred just now; but I planted five acres, expecting that, from the practical proofs I was prepared to afford, there would be a demand for plants, and therefore I planted more than was necessary.

43. I understand, then, that a plantation of five acres might be sufficient for experimenting, but not for profit? By no means. No profit can be made from a sugar plantation on so diminutive a scale.

44. And you had not the necessary capital, I presume, to embark on the requisite extensive scale? Had I had capital to obtain machinery, I would now have been as wealthy as any man in the Colony; and, ten years ago, we should have been exporters instead of importers of sugar. I had it not, and I vainly hoped to induce some enterprising person to find capital to put me afloat in it. But there was not the least heed or notice taken of me. I was disbelieved, except by my friends who knew me. I do not believe that, at the time to which I am alluding, there were five people in the Colony who gave credence to the truths I stated, and which are now fully and satisfactorily established.

45. Did you go on experimenting and giving information to the public through the Press, from the time of your commencing the small plantation at Brisbane Water? Unintermittingly; so much so that, in the *Herald* alone, exclusive of many others, there have been about 150 of my letters detailing the industry in all its parts.

46. What did you ascertain, in the process of your experimenting, in regard to the fitness of the sugar-cane for the soil and climate of Australia? I ascertained most clearly and satisfactorily, and it has been proved by those parties whom my efforts have set in motion, that this climate, on good soil, will produce four tons of sugar to the acre.

47. What is the produce of the West Indies and of New Orleans respectively? The maximum is three tons, and mostly only one crop. Here we have seventeen or eighteen crops from one planting.

48. You mean that the plant must be renewed? It must be renewed almost every year in the West Indies; the plants will only give one or two rattoons; and the lands have to be resuscitated by dressing and manuring; but here I have had seventeen crops from one planting.

49. You found that the produce per acre was much larger in this Colony than either in the West Indies or at New Orleans? Greatly; twenty-five or thirty per cent. more than in the West Indies, and about fifty-five more than in New Orleans.

50. Did you observe any other peculiarity in the plant in this Colony, as compared with the West Indies and New Orleans? The canes in the West Indies attain their maximum maturity in twelve months; here, from climatic influences, the plant canes do not attain their maximum maturity for two years, or nearly so; and ratoon canes in eighteen months. The causes are, as I have explained in the *Herald*, that winter checks them, and they are then of very sluggish growth. In the West Indies there is no check, but an unintermitted torrid heat. The winter here causes the plants to require a longer period to mature, and during that prolonged growth the saccharine matter becomes richer and denser, and of more value. Cane juice in the West Indies marks 9° or 10° Beaume; here it will reach 10° and 12° Beaume. That has been proved by those I have set in motion on the rivers to the northward.

51. Is there any other peculiarity in the canes of this Colony, as compared with those of the West Indies and New Orleans? They are larger, and attain to a greater length of cane. Under favourable circumstances, their joints are larger, and their juices, as I remarked just now, are richer and more valuable, caused by the longer period of growth.

52. What is the character of the cane in this country, as compared with those other two countries, in regard to its arrowing? In the West Indies the cane always arrows, and when it arrows it ceases to grow, and from that moment it deteriorates. Here it never arrows; the canes are constantly growing and maturing, and the longer they are in the ground the larger and more productive the crop. In New Orleans they have to cut them in ten months, and for that reason it never arrows there; but the canes do not mark more than 8° Beaume, and one ton and a half to the acre is about the medium or maximum yield of the canes in that climate.

53. What was the general impression of those of the colonists with whom you came in contact, as to the practicability of growing sugar-cane profitably in this Colony, when you commenced your experiments? I cannot refer to an instance but what they all gave a dissenting opinion—that it was an abortive attempt. It was considered a fallacy to attempt

attempt it—that it was only to be done within the tropics—and they did not give credence to it. The Rev. Mr. Holland, of Port Macquarie, was the first gentleman who practically tested my recommendations. Then that brought the colonists to notice my letters. Afterwards, at Kiama, some gentlemen took the matter up, and gave me a public dinner and a purse of twenty sovereigns. There the yield of the cane proved to be at the rate of four tons to the acre. The sugar I made there was sent to the Melbourne Exhibition, and was declared by the judges to be worth £36 a ton. I had only very imperfect machinery at Kiama—merely culinary utensils—to desiccate the juices.

T. Scott, Esq.  
11 Mar., 1869.

54. Was Mr. Holland the first who gave credence to your representations? The Rev. Edward Holland was the first gentleman in New South Wales that gave credence to, and practically tested, what I had stated; and in a letter which he sent to the *Empire*, he stated that he was at first sceptical. He had been seventeen years in the West Indies, and, from the difference of climate, he did not believe the cane could be profitably grown here. But perusing my letters, and seeing the cane grow well, it claimed his attention; and ultimately he went to some expense to prove the fact. He detailed the facts in a letter, with some remarks respecting myself.

55. Mr. Holland had been a missionary in the West Indies? Yes, at Jamaica, for seventeen years.

56. And he was incredulous at first as to the practicability of growing sugar in this country? Exactly; and it was only in consequence of reading my letters that he was induced to make a practical trial. He then, after some years, proved what he related to the public in his letter. He has written two or three letters on the subject. I have never seen that gentleman, but I have had a very long correspondence with him.

57. From that time, I understand, the idea has been making progress in the Colony? It has been gradually making progress. Mr. Holland's success, and the events that occurred at Kiama, removed the bias that was so rooted in the minds of the colonists as to the impracticability of producing sugar to a profit in this Colony.

58. You mentioned having sent a quantity of sugar, as a specimen, to the Melbourne Exhibition. What quantity did you send? I did not send it; it was the gentlemen at Kiama that sent it. There was a company formed to make a trial plantation, and it was they who sent the sugar. I saw it in the papers, and they communicated it by letter to me.

59. These gentlemen at Kiama, who had formed a company for the production of sugar, sent for you to give them instructions? Practically to operate to convert the cane into sugar. I had given them all necessary instructions, in innumerable letters, prior to my going there.

60. Do you know what quantity of sugar they sent to the Melbourne Exhibition? I am not perfectly aware of the quantity, but I think it was two or three, or it might have been four pounds. It was but little I made. The vessels I had to operate with were small, and I could not make above five or six pounds of sugar from them.

61. Did you make any communication to the Paris Exhibition? I only responded to the invitation of the Commissioners. They called upon the colonists to send to the Melbourne and Paris Exhibitions such products as they could procure. I sent 28 lbs to the Commissioners here for the Paris Exhibition, and 28 lbs for the Melbourne Exhibition.

62. Of your own produce? Of what I made myself, on my little model plantation. At that time, and for years before, I had not the least idea of being benefited for the labour I had put forward to benefit the Colony—never till 1867, when Dr. Lang kindly suggested it to me. I never applied to you, Doctor; you suggested to me to send a memorial to the Government. That was the first time I ever thought of such a thing.

63. You consider that the present state of sugar cultivation, throughout this Colony and Queensland, is in a great measure, if not exclusively, the result of your experiments and writings on the subject for thirty years? Naturally, from the deductions, I feel assured that that is the case. A neighbour of mine (Mr. Marshall) was induced, solely at my instance, to invest a capital of £6,000 in forming a sugar plantation at Brisbane Water. It has been the same at the Manning. I have heard from correspondence, that they nearly all state that they were induced to turn their attention to the culture of the cane, from the perusal of my letters which appeared in the *Herald* and *Empire*. I cannot say positively that it was so, but it is a natural deduction, for I was the first man, and for many years the only one, who wrote publicly on the subject. In Queensland, on my two visits there, they admitted that I set them in motion.

64. May I ask what is usually done with the refuse of the sugar-cane? It is converted into rum, otherwise it is totally useless; it is suitable for no other purpose; but the refuse of the boiling-house makes a sufficient quantity of rum to pay the current expenses of the plantation. In the West Indies the rum pays all the local expenses. Every impurity that is rejected in the manufacture of sugar is all converted into rum, which pays the current expenses of the plantation, and in Queensland double the expenses. Mr. Raff is more than doubling his expenses by the rum that he makes. The Queensland Government have given permission to the sugar planters, of whom there are a great many there now, to make rum, and have remitted two-thirds of the duty upon it. The duty is 10s., and the grower only pays one-third, or 3s. 4d. a gallon.

65. Supposing the cultivation of the sugar-cane were to become general in this Colony, what do you think the planters would require in reference to that part of their produce? The making of rum constitutes an essential portion of their profits; but here they will not be able to enjoy that under the existing law.

66. Do you think it will be necessary for the Government to grant the planters of this Colony the same privilege as is done in Queensland? I should decidedly say "yes." It would give an impetus to the more early introduction of the industry; it would draw

T. Scott, Esq. capital at once, and give confidence; and there is not a question but it would accelerate the industry so largely as, in a very few years, to render the Colony independent of the supply of sugar from abroad.

11 Mar., 1869.

67. Would not that affect the revenue? No doubt of it. If there were any remission of duty, it should be carefully done; it should be done under certain conditions.

68. What is done in the West Indies? There is no duty whatever there.

69. And at New Orleans? No duty whatever.

70. *Mr. Burns.*] Did you establish at Riata an industry of the kind which you were afterwards engaged by the Government here to establish at Port Macquarie? I was at Riata before I was in the Government employ.

71. Did you establish a sugar plantation at Riata? Yes, so far as this, that my engagement was to instruct the natives to make sugar. I could not speak the language, but I instructed Mr. Williams, and qualified him perfectly to do it. That accomplished the object of my engagement.

72. You established a sugar plantation there? I did in that regard.

73. Was it successful? In regard of qualifying Mr. Williams and some of the natives to make sugar. They were selected natives, to whom Mr. Williams interpreted my instructions, which were practically conveyed. A native could do it, and Mr. Williams could do it; and when they could both make good sugar without me, the object of my engagement was accomplished.

74. Was the result of the instruction you gave them the successful establishment of a sugar plantation at Riata? From that time onward they made sugar.

75. Did they while you were in the place? Not while I was there; they only made very little.

76. How long were you there? About nineteen or twenty months. I was to have been three years.

77. Was it under an engagement to the London Missionary Society you went to Riata? Under an engagement to the London Missionary Society, negotiated by the late Rev. Samuel Marsden. I had what I may call an official letter from the late Mr. Robert Campbell, of Campbell's Wharf, who was the mercantile agent.

78. Have you any documentary evidence of your engagement with the Government to go to Port Macquarie to establish a sugar plantation? A few days ago I got some fragments of my correspondence with the Government. Some few years ago I had the misfortune to have my cottage burnt down, and most of my papers were then destroyed; and beyond that, I had become so hopeless of deriving any benefit from, I may say, my immense labours, that I put no value on my papers. I did not even retain the newspapers with my published letters. It was only the other day that I saw some of my letters to the Government while at Port Macquarie, which had accidentally escaped the conflagration of my dwelling.

79. Can you obtain any documentary evidence showing that you declined to accept a salary from Major Goulburn, when you went to Port Macquarie? None. What passed between that officer and myself was only oral. The only public record on that head was a letter which Major Goulburn showed me, and I took it down with me—a recommendation to Captain Allman, the Commandant, stating my engagement, and requiring that I should be recognized in a way congenial to my views and position in life. That letter is, of course, on record in the Colonial Secretary's Office.

80. Did you engage to reside for any term at Port Macquarie, after having declined to accept a salary for your services? There was no stipulated time whatever.

81. Then what was the nature of your engagement with the Government of that day? When I declined the £250 a year, the understanding was, that I was to be remunerated by the Government, commensurate with the value of my services and the practical result I would produce, which I did produce in the most ample and tangible form, so much so that they gave me £800. I mentioned £2,000. The £800 was deducted from the £250 a year which I afterwards accepted as a salary. It was so stated in a public letter,—that the £800 would be debited to me, and counted as a portion of my pay for the whole period.

82. Did you not receive from the Government about £2,000 in all? Yes; I was nearly eight years there, for which I was paid at the rate of £250 a year.\*

83. From what time did your engagement at £250 a year commence? In 1821 or 1822.†

84. That would be about two years after you went to Port Macquarie? I went to Port Macquarie about 1822.

85. Then, when you went, you went under an engagement to receive a salary? By no means. I was offered a salary, but I declined it, and preferred leaving my remuneration to the consideration of the Government, when I had proved what could be effected in growing sugar there; feeling assured that I should receive not £250, but £500 or more.

86. The money you were afterwards paid was a computation at the rate of £250 a year from the time you went there? Yes.

87. You received about £2,000 altogether? I received, for the whole period of time I was at Port Macquarie, at the rate of £250 a year.

88. That, for eight years, would be about £2,000? Yes. The £800, which was at first given as a bonus, was deducted from that amount.

89. You also obtained a grant of land? Yes, 2,560 acres, to which I was entitled, by reason of my appointment at Port Macquarie.

90.

\* NOTE (on revision):—This response was erroneous. It was only £1,709, as shown in my note to a previous answer.

† NOTE (on revision):—I mistook this question, thinking it applied to the time I first went to Port Macquarie. The answer ought to have been—Shortly after I was refused the means of taking off my crop,—about February, 1826.

90. What appointment? As Superintendent of the Sugar Plantation at Port Macquarie. T. Scott, Esq. That dwindled down afterwards to 360 acres. I commuted my grant.
91. The grant of 2,560 acres was given to you in consideration of your services as superintendent of this projected plantation at Port Macquarie? I never understood that it was given in consideration of that, because all the officers and gentlemen who applied for grants received similar grants. I never considered, neither was it ever stated, that the grant was given me in consideration of my services, but simply on account of my position as a Government officer. It would have been the same had I held any other position in the service.
92. Did you hold any office under the Government besides that of superintendent of this sugar plantation? Not then. I did afterwards—after I left Port Macquarie.
93. Was it not at the close of this projected sugar plantation business that you received the grant of land from the Government? About eight or nine months afterwards.
94. Had you entered upon any other office under the Government after that? I was appointed Clerk of the Bench and Registrar of the Court of Requests at Brisbane Water.
95. Did you not obtain a right to select this land before you were made Clerk of the Bench? I had the right to select the land before I was appointed Clerk of the Bench.
96. Can you tell any reason why you should receive a grant of 2,560 acres, if it was not in consideration of your services at the sugar plantation? Only that it was the practice to give such grants of land to all Government officers of a certain standing. Previously to that, when I was in Sydney on leave of absence, Major Goulburn offered, and in a manner pressed upon me, a grant of 2,560 acres at the Hunter, which I declined, on the ground that my public duties sufficiently occupied me. He said all the Government officers were taking up grants of land there, and I might as well do the same—that I could take the land and let it lie; but I did not take it. It was never either orally or officially notified to me that the grant I received arose from any merits that I had meted to me as superintendent of the sugar plantation at Port Macquarie.
97. Had you held any office under the Government other than that of superintendent of this establishment at Port Macquarie, when you were allowed to select so much land as 2,560 acres? I held no office under the Government after leaving Port Macquarie, save that of Clerk of the Bench at Brisbane Water.
98. Was it the practice of the Government of that day to allow every one who thought fit to take it, to have 2,560 acres? It was a regulation in the Colony at that time, that all officers of the grade in which I stood were entitled to a maximum grant. Immigrants received grants according to their interest or position in life.
99. When did Mr. Holland first write to the *Herald*, testifying to the success of your efforts in producing and manufacturing sugar? At the latter end of 1866.
100. Do you know whether other parties had not successfully cultivated the sugar-cane in Queensland before you had moved in the matter? Not to my knowledge. The first gentleman who understood it there was the Honorable Captain Hope. He paid me a visit when he was in this Colony. Whether he came from Queensland purposely to get plants I cannot say; but he visited me at Brisbane Water to get instruction and plants.
101. Had Mr. Hope commenced his plantation before he paid you this visit? He was only beginning. He got most of his plants from me. He had a few from the Botanic Garden at Brisbane, he told me.
102. Had he not commenced his plantation before he had any communication at all with you? I believe not.\*
103. Are you aware that several parties at the Manning River have been engaged in cultivating the sugar-cane? Through my instrumentality. Not until after the publication of the events that took place at Kiama, and the Rev. Mr. Holland's practical illustration of the truthfulness of my published letters.†
104. When did this test take place at Kiama? At the latter end of 1865.
105. Had no canes been produced and tested before that in any part of the Colonies? They were growing canes as if for curiosity; but, as far as I know, no one had made sugar.
106. Who in Queensland told you you had first set them in motion? I went down to Queensland for the purpose of instructing and putting them in the line of enjoying the industry. At the time I went down, there was no cane in Queensland but a little that the Honorable Captain Hope had and some in the Botanic Gardens.
107. In what year was that? In 1863 or 1864. I supplied Queensland with sugar-canes. Captain Hope got about 200,000 plants from me.
108. Do you state that Captain Hope obtained his plants from you in the first instance? He had about 200,000 from me—a large quantity, at all events. I will not be precise, but a very large quantity.
109. Were the plants that Captain Hope first planted in Queensland obtained from you? When the Honorable Captain Hope first landed there I cannot say, nor can I say when he commenced; but, on my first visit, he had very few canes growing, and no machinery.

\* NOTE (on revision):—I replied,—“I believe not. When he was here, he did not tell me he had planted any canes.” On after-reflection, I find this reply was incorrect. He had planted canes before that event, but not until twenty-eight years after I had practically demonstrated the fact, and wrote perhaps fifty or seventy public letters upon my discovery that this Colony is, from a variety of favourable circumstances, better suited as a sugar-producing one than any other part of the world.

† NOTE (on revision):—This may or may not be correct; but certainly it was not until very many years after 1833, when I made several samples of sugar here, which were exhibited at the *Herald* office. In 1822 or 1823, the late *Sydney Gazette* published the fact of what I had done at Port Macquarie, and the unusual superiority of the sugar I made there.



T. Scott, Esq. I sent them samples of the sugar I made; and, the second time I went to Queensland, they admitted to me, in a semi-public manner and privately, particularly, that they were indebted to me for the benefit Queensland now enjoys.

11 Mar., 1869. 110. Who told you that? Mr. Raff.

111. Did the Honorable Captain Hope also admit that? That was the inference I naturally drew, seeing that there was no other party in the Colony that first mooted, and promulgated, and pressed it on the Colony for twenty years before any sugar was grown.

112. Mr. J. Stewart.] You were eight years superintendent of the sugar plantation at Port Macquarie? Yes.

113. And received £250 a year? Yes.

114. Did the Government supply you with assigned servants? The servants for the work were penal prisoners.

115. Did the Government pay your servants—the men employed on the farm? I had two servants—an ostler and a house-servant.

116. Who paid the farm-servants? The Government found all the farm-servants.

117. How many were employed? I had on an average about 150.

118. Did the Government find rations? Yes.

119. Where did you get the land from? Crown lands.

120. Did the Government find any utensils? Every requirement, save and except only the most important—that was, machinery to take the crop up—which they failed to do. Every supply was furnished, or nearly so, with the exception of machinery; and it was an utter impossibility for me —

121. Please to answer the questions. How much sugar did you produce during the eight years? I only made one crop—70 tons in the whole.

122. What is the cost of preparing cleared land for sugar-canes, per acre? The lands at Rolland's Plains had no timber; they were plain land ready for the plough; but the entire expenses were borne by the Government.

123. Have you ascertained what it would cost per acre to prepare land for sugar-canes at any place? That would depend upon the weight of timber on the land.

124. Suppose it was cleared land? If the land is cleared, to plant an acre would cost about £5.

125. What is the outlay until the crop is ripe? In the proportion of one labourer to every three and a half acres.

126. What is the cost of the sugar per ton yielded in this Colony? The entire cost upon a well-organized paying establishment is £10 per ton.

127. On the estate? On the estate. That includes interest of money, wear and tear, servants' wages—everything.

128. Please to confine yourself to answers to the questions. What size must a sugar plantation be to be profitable? Not less than to make 50 tons of sugar.

129. How many acres? Thirteen or fourteen acres of land at the northward, on the banks of the rivers, well tilled and cultivated, would make that quantity.

130. Then it would be a profitable investment if thirteen acres could be planted? Yes.

131. What is the size of your farm—the farm you live on just now? I have none.\*

132. Have you no sugar plantation? I have no sugar plantation. I have a model plantation, but it costs me double as much to make sugar as I can buy it for.

133. You never had a sugar plantation? Only a model plantation.

134. You never grew sugar for market? The Government sold a great deal of sugar I made.

135. Did you ever make sugar for market yourself? No, I had not the capital.

136. What capital is required to be invested in a sugar plantation of fourteen acres. At least £2,500.

137. What was the cost of the machinery used at Kiama? That was only a practical test to see what could be effected on a large scale.

138. This sugar was made without investing any money in costly machinery? No money whatever was invested in machinery.

139. And you are still of opinion that it would not be safe to go into sugar planting without a capital of how much? £3,000. You would lose money with less.

140. To bring fourteen acres at least under cultivation? Yes. To clear land on a proper plantation would cost £10 an acre, with labourers' wages at £75 a year.

141. Have you ever applied to the London Missionary Society for a bonus for introducing sugar cultivation? I never conceived the idea. They paid me very liberally.

142. Do you mean to apply to the Queensland Government for compensation? I do not. If they have not the moral principle to do it voluntarily, I will never apply to them.

143. Sugar-cane ought to be as profitable in Queensland as in New South Wales? It is not. They only get two tons to the acre there. Their canes will oftentimes arrow.

Here the land will produce four tons to the acre.

144. Is that the fault of the climate? The canes there arrow.

145. What is that owing to? It is the termination of the growth. From that time they decline in value—the density of the saccharine juices becomes weakened and degenerated.

146. You mean to say cane will not arrow in New South Wales, but it will in Queensland? I have seen it in Queensland, but I never saw it in New South Wales.

147.

\*NOTE (on revision):—To this question I replied "I have none," conceiving, at that moment, as I am defective in my hearing, that it referred to the size of my sugar plantation.

147. You are practically convinced it does not arrow in New South Wales? I am T. Scott, Esq. persuaded it does not.
148. Are you sure it always arrows in Queensland? I learn that there are some kinds of cane in Queensland that do not arrow. 11 Mar., 1869.
149. It seems Dr. Lang first put it into your head to apply to this Government for compensation? Dr. Lang applied to me for my views on the subject of sugar growing. He submitted to me that he had an idea of moving the Legislature for a bonus to the first grower of sugar-cane who should produce a crop of sugar. I replied to his communication, and I think he thanked me, and said if I came to Sydney he would like to see me. I called upon the Doctor, and he proffered to introduce me to Mr. Parkes. I then conceived the idea of applying to this Government. But, sir, I felt conscientiously in my mind that, after having spent upwards of £300 solely for the benefit of the Colony, and after the labour I had performed in urging the importance of the matter on the colonists, I was due a money consideration for the services I had done; for I had consummated my objects, and the truth of my statements in my letters have now been verified by innumerable and practical proofs by many gentlemen.
150. Where did sugar-cane first come from—what part of the world was it first found in? There are various kinds of sugar-canes, and they come from different parts of the world, but mostly all from the torrid zones.
151. Have they not got it in Spain? They had it in Spain 120 years ago.
152. Did the Government compensate the person who introduced it into Spain? I cannot say. I have read of the canes having grown there, but never of any act of the Government arising out of the growth of the cane. I have ascertained that they can make no profit of it.
153. Did you ever hear of any Government in the world compensating any one for the introduction of the sugar-cane? In New Orleans, Mr. Du Boir got a very handsome compensation. He was the first cultivator of sugar there.
154. It was not for introducing the sugar-cane, but for improving the mode of extracting the juice? No man made sugar there till Mr. Du Boir entered into it, and he was considered a madman in his first essays.\*
155. *Chairman.*] You have mentioned that the grant of land you received from the Government was not given on account of your services at Port Macquarie? Distinctly not. The records will show it.
156. Was it the practice of the Government at the time to give such grants to officers, on their ceasing to be connected with the Government? It was a practice—a universal public practice—to give these grants, not only on ceasing to hold, but during their possession of office. For instance, all the Government officers got grants of land at the Hunter, and still retained their offices.
157. *Mr. Burns.*] What office did you hold under the Government (if any) previous to receiving this appointment at Port Macquarie? No office whatever.

Joseph Marshall, Esq., called in and examined:—

158. *Chairman.*] You are engaged in the cultivation of sugar at Lake Macquarie? I am. J. Marshall, Esq. 11 Mar., 1869.
159. To what extent, may I ask? I have 50 acres planted.
160. What induced you to engage in that branch of cultivation? Seeing Mr. Scott's letters, and having conversation with other parties respecting the growing of sugar.
161. You had no idea beforehand of the practicability of growing the sugar-cane profitably in this Colony? None at all. I never saw a cane in my life until I saw one on board the "Black Swan," coming from Brisbane Water. I had then some conversation on the subject with Mr. Flett, who was a passenger along with myself, and was going to see Mr. Scott. I then put myself in communication with Mr. Scott, asking him questions respecting it.
162. Your engaging in that branch of cultivation was suggested by Mr. Scott? Yes; I asked him if my place was suitable, and he wrote me a letter saying it was. I therefore tried the cane, and finding that it was not injured by the frost, I progressed.
163. What is your experience as to the suitableness of the plant for the soil and climate of this country? The plant is suitable in all flat alluvial land adjoining salt water; inland it will not grow.
164. What was the amount of produce you have realized? I have only made experiments as yet.
165. *Mr. J. Stewart.*] You have sold no sugar? No; I have used it in my brewery.
166. How long has your plantation been made? Four years in August.
167. When will you have a crop ready for market? I expect to make sugar next August.
168. How much? I could not say. I have not been up there lately. I intend going next month.
169. *Mr. Burns.*] You say you have 50 acres planted? Yes, but it does not all come into crop.

170.

\* NOTE (on revision):—Previously to Mr. Du Boir's introduction of the growth of sugar in New Orleans, the lands were worth only from four to seven and eight dollars per acre. Subsequently to his discovery, they rose to 300 dollars. The cane wholly superseded the growth of all other products; and the Commissioners appointed by the Senate of the United States to report upon the sugar plantations there, officially stated that 700,000,000 of dollars were invested upon them.



- J. Marshall, Esq.  
 11 Mar., 1869.
170. *Mr. J. Stewart.*] Do you know of any one who has sold sugar? Mr. Meares, of Port Macquarie.
171. Do you know who was the first that made sugar for market? Mr. Meares. Mr. Scott did so many years ago, I believe, before I came here.
172. Do you believe Mr. Meares makes sugar at a profit? He is able to sell sugar. I could not answer for his affairs.
173. *Mr. Burns.*] Are your plants all healthy? Yes.
174. And some are maturing? Yes.
175. So that you will be able make some sugar in August next? Yes.
176. Do you think sugar-growing will be profitable? It will be profitable, provided we get encouragement from the Government.
177. What encouragement? Encouragement to follow out the business properly. We want labour, and permission to keep a still.
178. Do you expect the Government to provide labour? No; but they can put such plans in force as at Mauritius, that we can get some black labour to assist us.
179. *Mr. J. Stewart.*] The same as in Queensland? The same as in Queensland; but in Queensland it is spoilt by coming in communication with white labour.
180. *Mr. Burns.*] You do not think the production of sugar will be profitable unless the Government import black labour? Not unless they give us the encouragement of the still, and likewise the encouragement of black labour. It consumes a vast quantity of labour, and white labour will not go to it. But the Government are going the right way to make the white labourers work; that is, by not importing emigrants. That will reduce wages, and make them work.
181. Supposing the Government resume immigration as hitherto? Wages will rise.
182. *Mr. J. Stewart.*] And then sugar-growing will become unprofitable? We must follow it out into every detail; there must be nothing lost.
183. *Mr. Burns.*] You think the Government ought to introduce some of the labourers of Polynesia? We ought to have cheaper labour than we are getting.
184. Have the labourers of Polynesia been imported into Queensland by private individuals? Yes.
185. Have not private persons here the same facilities as in Queensland? Yes; but I know we have the prejudice of the papers against us; and any man who does it will be run down.
186. How could the Government prevent this prejudice existing? I do not see how they could. It would take many years to remove it.
187. Still you think the Government ought to import labour of that character? It makes very little difference what colour it is, so long as we get labour.
188. But without a fresh supply of labour, you think sugar-growing will not be profitable? No.
189. *Chairman.*] You spoke of distillation as a necessary accompaniment of sugar-growing? Yes, it will yield as much spirit in value as what it will in sugar.
190. Do you think that that is indispensably necessary to sugar-growing in this country? It is.
191. Would it not affect the revenue very injuriously? Not if we paid duty. It makes no difference how you get your revenue.
192. What privilege then would you ask for the planter? I would ask to be allowed a still for those who put up machinery, and not to be larger than a sufficient size, so that they may make it available for their property. A thousand-gallon still (which I believe is the law at present) would be ridiculous, unless on a plantation of a thousand acres.
193. Would you ask any remission of the duty on spirits? I would not ask that; it must pay the duty; but you may make a difference between imported and colonial spirits which I believe now exists—a small difference—I am not well up in duties.
194. You would be willing to pay duty, but you think the duty should be less than that on the imported article? Yes.
195. To be determined, of course, by the Legislature? Yes.
196. You think that indispensably necessary? Yes; because the megass, which is the cane crushed, has a vast quantity of spirit in it; and unless distilled it can be made no use of except as manure, for which purpose it is equally valuable after the spirit is taken from it.
197. *Mr. J. Stewart.*] What sum have you invested in this 50 acre plantation of sugar-cane? £5,420.
198. On 50 acres of cane? Yes, and clearing other land ready for cultivation.
199. As yet, you have had no return? No return, further than merely a sample.
200. That includes the cost of the land and clearing? Yes.
201. Was it heavily timbered land? Yes. No land is suitable unless it is heavily timbered, and near salt water. Even in Moreton Bay they are touched with frost.
202. *Chairman.*] The frost is not sufficient to destroy the cane, as in America? No, it only touches the top leaves. Last winter was a severe winter, but it only touched mine on the top leaves, and they began to grow again in August. The growth stopped in the winter.

1868.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## OYSTER BEDS ACT.

(REGULATIONS UNDER.)

---

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

---

Department of Lands,  
Sydney, 20 October, 1868.

THE following Regulations, which have been made by His Excellency the Governor, with the advice of the Executive Council, for carrying into effect the Oyster Beds Act of 1868, are hereby published for general information.

J. BOWIE WILSON.

---

1. Leases for the purpose of Oyster Fishing for any term not exceeding ten years, may be granted, either at auction or otherwise, as may be deemed expedient by the Government, of any Crown Land not exceeding in area fifty acres, and being part of the shore and bed of the sea, or any estuary or tidal water above or below, or partly above and partly below, low water mark.

2. Applications for such leases, which must be accompanied by sketches shewing with accuracy the position of the lands applied for, shall be addressed to the Minister for Lands; and shall state definitely the areas sought to be leased, the rents offered, the term for which, in each case, the land may be required, whether it is a natural Oyster Bed or otherwise, and such further information as may tend to facilitate the disposal of the applications.

3. In the event of a lease being granted without recourse to auction, the applicant will be apprised of the fact, and of the rent which he will be required to pay; such rent must, for the first year, be lodged in the Treasury within two months from the date of a notice to that effect in the *Government Gazette*, and thereafter within the month of September for each ensuing year.

4. Should it be considered expedient to submit to auction sale the lease of any Oyster Bed or portion of an Oyster Bed, the purchaser will be required to pay the first year's rent on the fall of the hammer, and thereafter within the month of September the rent for each ensuing year during the term of the lease. Any lease bid for, but the price of which may not be forthwith paid, shall thereupon be again offered for sale at auction, unless the Minister for Lands may otherwise decide.

5. Leases shall in all cases end on the 31st December, and should the rent be not paid within the time specified in these Regulations, or should any land leased, not being a natural Oyster Bed, be allowed to remain uncultivated for the space of three years from the date of the lease, such lease will be liable to forfeiture.

---



1868.

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

ST. ANDREW'S CATHEDRAL CLOSE BILL.

(PETITION—MR. JAMES POWELL.)

---

*Ordered by the Legislative Assembly to be Printed, 23 December, 1868.*

---

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

SHEWETH,—

That your Petitioner (one of the Trustees of the Old Burial Ground) having seen, by the report of the proceedings of your Honorable House, that a Bill has been introduced and read a first time, to enable the Trustees in whom this said land is vested for the benefit of the public, and set apart for health and recreation, to alienate a portion of the said land,—most humbly, on the part of the public at large and himself as one of the Trustees, protests against such alienation as is therein contemplated by the powers sought to be vested in them by the said Act.

Your Petitioner therefore humbly prays, that the said Bill may not be passed into law without being submitted to the investigation of a Select Committee of your Honorable House.

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

JAMES POWELL.

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT ON THE PREVENTION

OF

FLOODS IN THE HUNTER,

BY THE

ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

12 *January*, 1869.

---

SYDNEY:

THOMAS RICHARDS, GOVERNMENT PRINTER, PHILLIP-STREET.

---

1869.

[*Price*, 1s. 6d.]

152 [406]—A





## REPORT ON THE FLOODS IN THE HUNTER.

---

THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVER NAVIGATION to THE UNDER  
SECRETARY FOR PUBLIC WORKS.

Department of Public Works,  
Harbours and Rivers Branch,  
Sydney, 9th July, 1868.

SIR,

In attention to the verbal instructions of the Honorable the Minister for Public Works, that I would examine the subject of the overflows of the Hunter River at and about West Maitland, with the view of devising, if it be possible, some means of mitigating the injuries and losses they cause, I have now the honor to submit, for his consideration, the following Report, in which I have endeavoured to set forth such information as I have been enabled to procure bearing upon it, as well as the reasonable inferences as to the practicability of any drainage scheme which seem to be deducible therefrom.

The subject of the inundation of the low-lying lands of the Hunter has, since the formation of the Department of Harbours and Rivers, engaged my most serious attention; and I have from time to time collected and endeavoured to classify and arrange all the authentic information bearing on the matter that was procurable, and am thus in a position to give a brief outline of most of the floods which have occurred since 1820. I am mainly indebted to the columns of the local and metropolitan Press for my information; and would here, "*in limine*," observe that, without the careful and patient search for facts which they have made, and the clear, correct, and valuable records they have preserved of each flood, any project of improvement must have been, to a great extent, based on conjecture.

Not that it can be asserted that we are now in a position to declare positively what amount of relief will result from any project of improvement that may be considered advisable, but with a better knowledge of the nature and extent of the forces to be contended against, we can with a more reasonable prospect of success attempt to deal with them. The utmost uncertainty must always attend on attempts to curb and control great rivers, in order to bring them into subjection to what man may consider to be his interest or his comfort, and to look for perfectly certain results from any proposed scheme of improvement is futile. We can only look for approximations, and those none of the closest. Professor Robison, one of the ablest writers on this subject, says—"As to the uniform course of the streams which water the face of the earth, and the maxims which will *certainly* regulate them agreeably with our wishes, we are in a manner totally ignorant. Who can pretend to define the velocity of a river, of which you tell him the breadth, the depth, and the declivity? Who can say what levels will be produced in different parts of its course if a dam or weir were made across its stream, of any given dimensions, or a bridge be carried over it; or to what extent its waters will be raised by turning another stream into it, or how much sunk by diverting a branch for driving a mill? Who can say with confidence what must be the dimensions or slope of this branch in order to furnish the water that is wanted; or, the dimensions and slope of a canal which shall effectually drain a fenny district? Who can say what form will cause or will prevent the undermining of banks, the formation of elbows, the fouling of the bed, or the deposition of sands? Yet these are the most important questions."

Every deep pool in a river's bed, every shallow and every bend, every contraction and every widening of its banks, affect more or less its velocity of discharge. Every whirlpool and eddy, every surge and wave on the surface of a swollen river, is evidence of the existence of some force which is retarding the onward passage of its waters.

waters. The flow of a river being due solely to the difference of level on its surface, we can easily calculate what its theoretical discharge, if influenced merely by the action of gravity, should be; but flowing in irregular and tortuous channels, trending now to the north, again to the south, the east, and the west, it can be readily understood how great and how many must be the retarding influences to which it is subject—influences which are sufficient to deflect the mass of its waters, destroy their momentum in one direction, and divert them into another. And when it is remembered that these retarding influences increase or decrease as the square of the velocity of the current which is ever varying, it will easily be understood how impossible it is to attempt to estimate them exactly. The utmost we can hope to do, is to devise some means by which, knowing the depth of the channel of a river, and the rate of the fall of its surface, we can compute approximately the mean velocity of the whole of its waters.

This has been attempted by Dubuat, Venturi, Eytelwein, Robison, Young, Ellet, and a host of other writers on hydrodynamics, who have endeavoured to construct formulæ with which, having certain data given, such as the cross sectional areas of a river, its hydraulic mean depth, and the ratios of inclination of its surface, they professed to calculate, within moderate limits of error, its approximate mean velocity and discharge. But it is evident, from the very nature of things, that these formulæ, when applied to the ever varying and endless irregularities of a natural river bed, must be received with a good deal of caution.

In each formula the retarding forces are represented by constants, which we know cannot be the case in nature, however accurate when applied to uniform channels.

Venturi has shewn conclusively, that when water flows in a channel of irregular width, widening out at one place and contracted at another, the eddies and counter-currents produced by these irregularities greatly diminish the mean velocity of discharge, and maintain the water permanently at a greater height in the river than would be the case were the whole channel reduced to one uniform section of the area of its most contracted part; and as these contractions and enlargements are endless in their variety and dimensions, so must be their retarding influences.

We are, therefore, compelled to accept these formulæ merely as approximations, approaching nearer to, or being further from the truth, as the channel to which they are applied approaches nearer to or is further from uniformity of section.

In calculating the approximate discharges of the Hunter River at the different points in its course, from Oakhampton, above Maitland, to Newcastle, where cross sections have been taken, I have used the formulæ of Dubuat, Eytelwein, Ellet, and Rankine.

Ellet's formula, which was framed on the results of his measurement of the Mississippi and Ohio Rivers, gives lower velocities than that of either Dubuat or Eytelwein; but although in taking the extreme depth, instead of the hydraulic mean depth, his formula may be open to question, still, when applying the calculation to such rivers as the above, whose cross sections are uniform, and where, besides, the influence of the atmosphere on their broad surfaces may be supposed to form a larger item in the amount of the retarding forces than would be the case in rivers of less magnitude, it is probably correct enough. I yet think that in the present calculations we are safer in using the formula of Dubuat, which is that generally relied on by engineers in calculations of this kind, as it has been found to give results approaching very closely to the velocity of the Po and other large rivers, as proved by actual measurement.

On looking at the accompanying plan and section, it will be seen that there is a fall of 18 feet in the general level of that part of the valley of the Hunter lying between West Maitland and Hinton. The fall on the surface of the river in times of flood is 17 feet, and the average fall of the land is  $4\frac{1}{2}$  feet per mile. The river, it will be observed, in its windings, seeks every point of the compass; thus, whilst the general fall of the valley is from west to east at the rate of  $4\frac{1}{2}$  feet per mile, we find the river in places running in the very opposite direction. This makes but little difference while the flood waters are confined within the banks, and are compelled to travel in the natural channel, having the effect of merely diminishing the ratio of fall, by distributing the actual fall  
over

over a greater length. But the condition of things is entirely altered when the river attains to such a height as to cause it to overflow the banks, which in very heavy floods it does to the depth of from 4 to 6 feet. We then have this anomalous state of things:—A strong surface current, with a velocity due to its mean depth and inclination of surface, flowing down the valley from west to east, while in parts the under-current of the river proper is flowing in the very opposite direction, or nearly west. It is plain that at such times the river is, as it were, thrown out of gear, and its velocity of discharge considerably reduced.

The correct estimation of the value of this retarding influence is, in my opinion, the most difficult part of the problem, and yet on it depends to a great extent the question of the possibility of affording relief to Maitland and the surrounding country from inundations, because, necessarily, it must so materially affect the question of the mean velocity and discharge.

I think, indeed, that probably even Dubuat's formula may give too high a rate of discharge when applied to the Hunter; for although it was found to agree with sufficient closeness to the actual velocity as measured on the Po, still it must be remembered that that river for a considerable length of its course is confined within its banks by extensive levées, and that therefore it would not be subject to the same retarding influence which we find in operation on the Hunter, and which, I believe, militates very considerably against the easy discharge of the flood waters.

It will be seen, when we come to examine more in detail the cross sections of the river, that many of those below Maitland are not half the area of those above the town; and with their diminished hydraulic mean depth and slope of surface they must be utterly inadequate to carry off the waters as fast as they come down in heavy floods; thus the waters are pent up until they break over the banks and inundate the low country, part flowing away into the swamps about Louth Park, Dagwood, and Hungerford Swamp on the one side, and Bolwarra on the other, while another large stream sweeps down towards Morpeth, Phoenix Park, and Dunmore, over-running and, as I have said, partly neutralizing the current within the channel proper of the river itself.

#### PART I.

THE earliest great floods in the Hunter of which we have received any authentic accounts seem to have been those which occurred between the years 1818 and 1820, the highest being that of 1820, a short account of which is given in the *Maitland Mercury* of 3rd September, 1857, from which I extract the following description said to have been given by an eye-witness:—"A large portion of the present site of East Maitland, then a bush, as well as the country around, was flooded." "A small rise at the back of Ogg's was dry, and a small piece of the present Melbourne-street, near the Hunter River Hotel, was also just dry; but, with these exceptions, all the lower parts occupied by the present town were flooded."

"In West Maitland the only houses then existing were a hut nearly opposite the site of the present Waterloo Hotel"; another hut, "nearly on the site of Messrs. Dickson & Co.'s present stores, and a hut built in the rear of the present Angel Inn. The flood was up to the wall-plates of the first hut, touching the shingles, up to the window-sill of the second, and was in the third; but the top of Bourke land, and the high ground extending back from the river near the Fitz Roy Hotel towards St. Mary's Church, were dry," although Mr. Eckford (the gentleman from whom the information is derived) does not speak positively as to how broad or long the dry land was.

The next highest flood after this was that of 1832, which Mr. Eckford thinks attained a height of within 8 feet of that of 1820.

The article then goes on to say, "that if, as we believe, the present flood (*i.e.*, the great flood of August, 1857) was, at West Maitland, 29 feet above high water mark, the June flood (of 1857) was over 26 feet, the 1840 flood was about 26 feet, the flood of 1832 was 29 feet, that of 1826 was less than 29 feet, and the flood of 1820 was 37 feet," the respective heights of the above-named floods may be thus recapitulated, viz.:—

At

## At Maitland—

* 1857—Flood of August	... ..	29 ft. above high water.
" Do. of July	... 26 ft. 8 in. to 27 ft.	" "
" Do. of June	... ..	26 " "
1840—Do.	... ..	26 " "
1832—Do.	... .. about	29 " "
1826—Do.	... .. less than	29 " "
1820—Do.	... .. nearly	37 " "

## At Morpeth—

1857—Flood of June	... ..	10 ft. above high water.
" Do. of August	... ..	14.9 " "
1840—Do.	... ..	8 ft. " "
1832—Do.	... ..	Not given.

Proceeding with the extract, we find it stated, "every old resident we have conversed with is quite positive that more water came down in each of the 1857 floods than during any former flood within their remembrance; and they account for the lesser height of the river by the great extent of land now cleared as compared with the then densely wooded country, and by the river also being now more clear of obstructions in the way of snags, &c." This explanation of the probable cause of the river not attaining the same height now as formerly is perfectly reasonable, and may, no doubt, be received as correct. When the river now overflows its banks, it has an open valley to spread over; formerly, the dense growth of trees and underwood, bound together and intertwined in an almost impenetrable mass by the vines, offered a barrier to the waters on either side; so that the discharging section of the river being strictly confined to the channel proper, the waters were pent up until they attained such a height as was sufficient to restore the equilibrium. And, in point of fact, supposing the river to attain a height of 8 feet at Maitland above the flood of 1857, as the flood of 1820 is said to have done, and assuming that it rose to 5 feet above that of 1857 at Morpeth, which would be a fair allowance, taking into account the extent of the level country, I find that, with the increased area, hydraulic mean depth, and slope of surface thus allowed, the natural channel would be almost sufficient to carry off all the waters of a flood like that of 1857, as fast as they came, down to Maitland. The calculations give four-fifths; the remaining one-fifth would probably have drained back into the swamps of Bolwarra and Dagworth, as at present.

There is, of course, some difficulty, in the absence of actual measurements, carefully recorded, in determining the precise heights of former floods; but Mr. Eckford's reminiscences of the flood of 1820 may probably be relied upon; and, as referring to the highest known flood since the settlement of the Colony, are very important—because, if it can be shewn, as has been asserted, that in the flood of 1857 more water came down in a given time when the flood was at its height than was the case in 1820, we have the experience of forty-seven years instead of ten to guide us in our computations. It is a consideration of very considerable importance in dealing with a subject of this kind, or when designing works on large rivers, to know what height has the highest known flood attained to—a question which we very often find it difficult to get satisfactorily answered.

We are in possession of very full information as to the height, duration, rate of rise and of fall of the more recent floods of 1857, 1861, 1864, and 1867; the last of which is generally admitted to have been amongst the highest since that of 1820. And it will be important, when we come to consider what would be the effect if the river were again rigidly confined within its banks by partial embankments, or by "levées," as they are technically termed, to have these accurate measurements as to floods which there is good reason to believe have been the severest that have occurred within the last half-century.

Reverting

* The correct heights, as given by subsequent measurements, are—						ft. in.
At Bolwarra	...	...	...	...	...	32 3
At the Bridge	...	...	...	...	...	30 0
At High-street	...	...	...	...	...	27 2
Mean height, say	...	...	...	...	...	29 10

Reverting to the accounts of floods as published in the *Maitland Mercury* and other local papers, we find that the years 1856 and 1857 were unusually wet, and that in the month of June in the latter year the Hunter River district was visited by the heaviest flood which had been seen since 1832. The rain commenced to fall heavily on Tuesday afternoon, June 17th, and continued falling during Wednesday. The water rose with unusual rapidity at West Maitland, "commencing at 1 or 2 feet above high water mark, at 5 o'clock on Wednesday morning, the 18th June,—it reached 26 feet before 5 o'clock on Thursday morning, that is in little more than twenty-four hours." The current is described "as vastly more rapid and more sustained than in any previous flood, bringing down a considerable quantity of large timber, much exceeding the ordinary amount of flood timber."

After receding a few inches at West Maitland on Thursday and on Friday in the forenoon, it commenced to rise again on Friday afternoon, continuing until past midnight, when it attained to one inch higher than on Thursday.

By daybreak on Saturday it had again fallen from 1 to 2 inches; by Sunday morning it had fallen 2 or 3 feet; from which time it continued steadily falling till, on Monday evening, the waters had receded about 8 feet.

It may be as well to recapitulate here the substance of the information as above given in connection with the rise and fall of the flood of June, 1867,\* at West Maitland:—

On Wednesday, 17th June, at 5 a.m., flood level above h.w., 2'.†

On Thursday, 18th June, at 5 a.m., level above h.w., 26'.

Friday, 19th June, say 25'.

Do., midnight, say 26' 1".

Saturday, 5 a.m., 25' 10".

Do., 6 p.m., say 25'.

Sunday, 6 a.m., 23' to 24'.

Monday, 22nd evening, 18'.‡

The Hunter, the Paterson, and the Williams were all in flood about the same time, and the water attained its greatest height at Morpeth, namely, about 10 feet above high water mark, before 8 o'clock on Thursday afternoon. The crest of the flood-wave would thus seem to have taken from twelve to fifteen hours to travel from Maitland to Morpeth, being at the rate of about one and a quarter mile per hour.

At Morpeth, the water rose rapidly till 6 p.m. on Wednesday, 17th June. From 6 p.m. to 10 p.m. it rose 6 inches. From 10 p.m. to 4:30 a.m. on Thursday it rose 3 feet. From 4:30 a.m. to 6 a.m. it rose 8 inches, and continued rising throughout the day; at 8 p.m. commenced to recede, at 10 p.m. had lowered 2 inches; on Friday, at 10 a.m. had fallen 9 inches, at 3 p.m., 11 or 12 inches.

It was noticed that the more rapid rise took place between 2 a.m. and 4 a.m. on Thursday, which was about the time, or shortly after, that the water had attained the greatest elevation at Maitland.

This rapid rise must, I think, be solely attributable to the flood water; the backing up of the tide could have had very little (if any) influence on it, as the tides were at this time at the neaps, and it would have been low water at Morpeth about 2 a.m., and high water about 8 a.m.

By Monday afternoon the waters had receded at Morpeth to within about 2 feet of high water mark, spring tides.

It may be noted then, that on—

Wednesday the 17th, the river was rising rapidly at Morpeth till 6 p.m.

6 p.m. to 10 p.m., it had risen 6 inches.

From 10 p.m. to

Thursday ... 4 a.m., 3 feet. 4 a.m. to 6 a.m., 8 inches; at 8 p.m., was 10 feet above high water; commencing to recede. 10 p.m., had fallen 2 inches.

Friday ... 10 a.m., 9' 3" above high water.

3 p.m., 9' 1" above high water.

Monday, 22nd ... 2' above high water.

Raymond

\* Full Moon, 8th June, 3:27 a.m. † Moon, last quarter, 15th June, 7:14 morning. ‡ New Moon, 22nd, 8:8 morning.

Raymond Terrace was flooded, and the water rose to the floor of Mr. Portus mill.

At Singleton, on Wednesday the 17th,\* it was raining heavily; on Thursday, the weather is reported as being fine, but the river was rising rapidly—on Thursday evening it had risen very high. Detailed measurements of the height of the flood at Singleton and the other towns on the Upper Hunter are not given.

On Thursday, the Wollombi Brook was running fearfully high.

The foregoing dates and heights would afford the means of calculating approximately the amount of the water brought by the river down to West Maitland, as well as the amount discharged past Morpeth—the difference between the former and the latter being the quantity spilled over the banks between these places, and which went to inundate the adjoining low-lying lands; but I have not made these calculations, it being unnecessary to do so, as the subsequent flood of August, 1857, and the last flood of June, 1867, were higher, and we have more detailed information as regards their levels, velocity, and the quantity of water discharged.

At the time of which I am writing, but few attempts had been made to protect the town of Maitland from the effects of floods, and what had been done seems to have had but little effect, so that when the waters rose to about 20 feet, they commenced flowing in many places over the banks; and as the ground generally falls as it recedes from the river, the flood soon commenced to inundate the swamps and low ground at the back. The Horse-shoe Bend, it is said, was the first point submerged; next, the river overflowed the bank at High Street nearly opposite the Queen's Arms; and as it continued to rise, it found other outlets into the low land about the Race-course, and up the valley of Wallis' Creek.

By this flood a considerable part of West Maitland was laid under water, and nearly one half of the houses were more or less submerged, some having the water up to the eaves. The dam at Hall's Creek burst, allowing a large body of water to flow up that creek and flood the back land. By the waters flowing up Wallis' Creek "the whole of the flat lands on Louth Park, Dagworth, Hungerford Swamps, and for miles further up, were submerged; and so rapid was the inundation, that a great many persons were surrounded by water and cut off from all hope of escape."

At Bolwarra immense loss was sustained. The rapid inundation completely covered hundreds of acres, and while some families who were on the alert escaped, others were surrounded by the flood before they could do so, and were lost.

At East Maitland the damage done was comparatively slight; but from East Maitland to Morpeth the road is said to have been bordered on the left by an almost unbroken sheet of water, while at Morpeth the damage done was said to have amounted to £15,000.

Such is a short account of the first, or June flood of the year 1857, taken from the files of the *Maitland Mercury*, in which paper nearly every fact of interest or importance connected with the floods of the Hunter seems to have been carefully collected, and clearly and ably set forth.

The first rapid rise in the Hunter, was clearly due to the flooding of the Wollombi and its other lower tributaries; for we find it bank high at West Maitland on Thursday morning, at which time it had only commenced rising rapidly at Singleton; but the second rise at Maitland at midnight on Friday was probably due to the arrival of the crest of the flood wave which had culminated at Singleton on Thursday evening, and which had thus travelled down the river at the rate of about  $1\frac{1}{4}$  mile per hour.

The next flood in the Hunter was that of July, 1857.\*

It commenced raining on Sunday evening the 26th, continued raining all that night, the following day, and all Tuesday, and in the early part of Tuesday night came down in furious driving showers.

At

---

\* New Moon, 21 July, 4:17 a.m.

At 8 a.m. on Tuesday the 28th, the river stood at about 1 foot above high water mark\*—

By noon it had risen to 3 feet.

5 p.m., 10 feet, being at the rate of 17 inches per hour.

9 p.m., from 17 to 18 feet, or 22 inches per hour.†

11 p.m., to 19 feet, rising at the rate of 6 inches per hour.‡

Wednesday, July 29th, at 4 a.m. had risen to 23 feet.

7 a.m., 24 feet 6 inches.

Noon, 26 feet.

Thursday, July 30th, still rising.

Friday, July 31st, height 26 feet 8½ inches to 27 feet, at which level the water continued from 9 a.m., to 12 o'clock. By 2 p.m. on Friday, the water had fallen ¼ of an inch, by 5 p.m., 2 inches, by 9 a.m. on Saturday, 3 inches. During Saturday night the waters continued falling fast. From Sunday to Monday morning, the fall was inconsiderable, and at noon of the latter day the river was almost at a standstill, there being scarcely any current.

It was remarked that while this flood was at its highest, the rate of current was about 5 miles per hour at Maitland, which is a close approximation to the calculated velocity as given by Dubuat's and the other formulæ.

At Morpeth, at 12:30 on Wednesday, the 29th July, the river stood about 6 feet 6 inches above high water. On Wednesday evening it had risen to 8 feet above high water. On Thursday night it attained its highest level, namely, 10 feet 7 inches above high water. For a short time, about 2 o'clock on Tuesday, the current at Morpeth was running (if any thing) up stream, caused by the flood in the Paterson; but about 4 p.m. the greater body of water rushing down the Hunter bore the smaller stream before it, and re-established the downward current.

It will be observed here, that this flood attained its greatest height at Morpeth earlier than it did at West Maitland. This is, I think, to be attributed to the backing up of the Hunter by the Paterson in the early part of the flood.

In this, as in the former flood, I am unable to observe that the tides had any influence on the rise of the water or the time of the greatest height of the flood at Morpeth, as it would have been low water of neap tides about 11:30 p.m., on Thursday (about the time that it is said the flood attained its greatest height), so that the flood was falling while the tide was rising.

I have been careful to see if there be any connection between the state of the tides and of the flood at Morpeth, but without being able to discover the slightest.

At Singleton, on Tuesday the river commenced rising; on Wednesday it continued to do so with great rapidity; on Thursday the 30th, at 8 a.m., it was at its highest, being 4 feet above last flood, and 5 feet below that of 1832. At 8 p.m. of the same day the river had fallen 4 feet, or at the rate of 4 inches per hour.

The crest of the flood-wave leaving Singleton at 8 a.m. on Thursday, arrived at Maitland on Friday between 9 a.m. and 12 a.m., shewing its rate of descent to be nearly 2 miles per hour.

On the occasion of this flood, the waters broke at West Maitland over all the points of overflow of the former flood, inundating the back country to a greater extent than had then occurred, the back water having reached to within 1 foot of the height of the river; and it is surmised that if the river had continued at its full height for another day, the backwater would have risen fully to its level.

On Wednesday morning the water had commenced to pour across High-street at various points, and continued running in a strong stream for two days, till as we have seen, the back water on Friday evening rose to within a foot of the level of the river, which at that time had receded 2 or 3 inches. We thus gain some idea of the enormous capacity of the flooded back country as a compensating reservoir to the river.

In

\* *Maitland Mercury*, 30 July, 1857.

† Broke over the low land at Horse-shoe Bend. ‡ Moon, first quarter, 29 July.



In this flood the waters fell faster than they did in the June flood—the river continued falling at the rate of about  $1\frac{1}{2}$  foot per day; on Wednesday having fallen to 16 feet, on Friday, August 7th, to 19 feet, from the highest point attained, being then about 8 feet above high water mark. The back-water was then fast receding, being rapidly drained off by Wallis' Creek.

We now come to the August floods of the same year (1857), the highest by which the country had been visited since 1820, and which caused such wide-spread desolation over the Lower Hunter.

The rain commenced falling on Wednesday evening, the 19th August,\* on a country thoroughly saturated by the two preceding floods, which had filled every water-hole and swamp, and spread over every plain. Thus, all the natural reservoirs being already filled to overflowing, it is not to be wondered at, when the unusually heavy rainfall is considered, that this flood should have come down with unprecedented rapidity, and have attained to the extraordinary height it did. The flood diagram attached to this Report shows that the total quantity of water which passed down the river, from the commencement to the termination of the flood, amounted to over 88,000 millions of cubic feet, a quantity which would account for nearly 5 inches of rainfall over the entire valley of the Hunter. The total rainfall for the months of August and September was 6.1 inches.

It commenced raining, as I have said, on Wednesday evening, and continued through Thursday and Thursday night, raining heavily, and blowing a gale of wind from the south-east; but it was not till about sundown of the latter day that the river commenced to rise at West Maitland, and a gentle current was perceptible

On Friday, the 21st, at daylight, the river was seen to be rising, but was not yet very high. At 7.30 a more rapid rise took place, the water being then 11 feet above high water.

Continuing to rise rapidly, it had reached, by 11 a.m., 19 feet above high water; by 12.30 it had risen to 22 feet; and by 2.30 p.m., it was about 25 feet. So rapid a rate of rise had never before been observed at Maitland.

Early on Friday, the 21st, the river had commenced flowing through Hall's Creek, on to the low lands on the south and west of the town, which were already partly submerged by the heavy rain. At about 5 p.m. on Friday, the water was running in a strong stream across High-street, opposite the Queen's Arms Hotel, the water being then 26 feet above high water mark; but the current in the river at this time was not so rapid as it had been during the June flood. By 7 p.m. the water was pouring into High-street, near the Wesleyan Chapel; by 8 p.m., still raining, though not so frequently, the water had nearly crossed the road; at 10 p.m., it had risen to the level of the July flood, namely, about 27 feet above high water, and was still rising. On Saturday morning, at 9 o'clock, it had reached to 1 foot above the level of the July flood, or 28 feet above high water, with a very rapid current in the river. A pause then occurred, and no perceptible rise took place for several hours, till about .5 p.m. on Saturday it commenced rising very slowly, and continued rising until Sunday evening about sundown, when it attained its greatest height, namely, 29 feet above high water. Shortly after, or about 7 p.m. on Sunday, a slight decrease was perceptible; and by midnight it was obvious that the overflow had diminished. On Monday morning it had fallen 4 inches, and continued to fall steadily during that day and the next; and by Wednesday, the 2nd September, it had fallen  $19\frac{1}{2}$  feet from its highest point.

In this, as in the former floods, it was observed that, with a rise of about 20 feet, the water commenced to overflow at one or two points at the Horse-shoe Bend; at 24 or 25 feet, it commenced to overflow at High-street—first below the Rose Inn, then near Russell's; at 26 to 27 feet, it commenced to overflow the dams or levées at the Falls, and the line of the bank along the Free Church street and at the foot of Hunter-street.

The

---

\* New moon, 20th August, 2.30 a.m.



river on the following day (on Monday at noon), when the water was still 13 feet 11½ inches above its ordinary high water level, I am unable to perceive that there was any alteration of level which could indicate that the flood was at all affected by the tides; and we also find that lower down the river, at Raymond Terrace, Hexham, and almost as far as Newcastle, even the tidal action seems to be neutralized by that of the flood.

Recapitulation of rise and fall at Morpeth:—

Friday, Aug. 21—From 6.30 a.m. to 3 p.m. river rose 6 feet = 7' 5" above high water.

Rate, 8 inches per hour. 9 p.m., 10' 7" above h. w.

Saturday .....Rising slowly.

Sunday .....11 p.m., 14' 9" above high water. 12 o'clock, commenced falling slightly.

Monday .....8 a.m., 14' 6½" Noon, 14' 5½".

At Raymond Terrace this flood rose with unusual rapidity, and attained a height of about 5 feet above that of the last flood, or 7.82 feet above high water.

Tracing this flood downwards from the head waters of the Hunter, we find that at Musclebrook the water reached its greatest height on Friday night at 10 o'clock. At Singleton, Thursday, August 20th, there was no appearance of rise in the river. On Friday, Aug. 21, the river had risen during the night with unprecedented rapidity, about 3 feet per hour. On Saturday it was still rising rapidly, the water breaking over the banks above the town. On Sunday morning, at 4 o'clock, it attained its greatest height, (46 feet above summer level), and commenced to fall. On Monday, at noon, the river was falling.

It would thus seem that the crest of the flood or wave was, at—

Musclebrook—on Friday, at 10 a.m.

At Singleton (about 85 miles)—on Sunday, at 4 a.m., having come down at the rate of about 2 miles per hour; the fall being say 3.8 feet per mile.

At West Maitland (49 miles)—on Sunday, at 5 p.m., about 3.8 miles per hour; fall being at the rate of 2.088 feet per mile.

Morpeth (17 miles)—on Sunday, at 11 p.m., 2.8 miles per hour; fall, at rate of, say 1 foot per mile.

Such are the salient features of the great flood of August, 1857, which I have dwelt on at some length, as it and the flood of 1867 form the ground on which I base my calculations as to the quantity of water to be dealt with in any scheme which may be proposed for abating the injuries done by these floods.

By these floods it was estimated that 35,000 acres of land were inundated, four hundred families reduced to destitution, and injury to the amount of £150,000 inflicted on the district, from loss of crops and stock and damage of various kinds.\* These last-named injuries and losses were not caused, however, by the floods alone, for it is pretty generally admitted that during wet seasons even when there has been no flood of importance, that the rain falling on the surface, added to the drainage from the adjoining ridges, is sufficient to lay under water a considerable extent of the richest and best land in the neighbourhood of the Maitlands; the land in the immediate neighbourhood of the river having been raised by the alluvial deposits of ages to a higher level than that of the back lands, a feature of all large rivers, it follows that the drainage into the river from the back lands is rarely perfect in its natural or unimproved state.

From 1857, to February, 1861, there were occasional freshes in the Hunter, but nothing of sufficient importance to warrant further notice; but on the latter date the Hunter was visited by another high fresh.

On

\* See debate, Legislative Assembly.

On Wednesday\* and Thursday, the 6th and 7th of February, it came on to rain very heavily, and early on Friday night, February the 8th, the river commenced to rise; on Saturday morning, the 9th, at 6 o'clock, it had risen 8 feet above ordinary high-water mark; by 6 p.m. it had risen to 12 feet. At 6 a.m. on Sunday morning† it had risen to 15 feet, with a very rapid current, and by 2 p.m. on Sunday it attained its greatest height, being then about 16 feet above high water. The water commenced to recede about 4 p.m., and by Sunday it had gone down about 4 inches.

At 6 a.m. on Monday the water had receded 3 feet, or to 13 feet above high water, and on Monday evening it had gone down to 11 feet above high water.

Little or no damage was done to the town by this flood, but a considerable extent of the low-lying land back from the river was inundated by the water, which for some two or three days continued flowing up Wallis' Creek.

We thus observe that a flood 16 feet in height, while it does no injury to the town, is capable of doing considerable damage to the crops on the low lands, in consequence of the absence of any proper system of drainage.

Early in the following month of March, there was another fresh in the Hunter, which rose to 15 feet 6 inches above high water. Commencing to rise on Friday at sundown, it attained its greatest height on Sunday the 3rd, about mid-day,‡ and commenced falling slowly about an hour or two after; it had gone down 6 inches by sundown, and 2 feet 6 inches by Monday morning. But a second rise took place during the day, and by sundown the river again stood at its highest point—15 feet 6 inches.

This second rise was attributed to the arrival of the flood wave of the Goulburn River—the largest tributary of the Upper Hunter.

The effects of this flood were similar to the last. The town sustained no damage, but the flat country towards the head of Wallis' Creek was again laid under water.

About the latter end of April—barely two months after the last described fresh—the Hunter was visited by another flood.

There had been a good deal of rain for the preceding ten or twelve days; but on Saturday and Sunday, the 27th and 28th of April,§ it came down with great violence, still further flooding the low lands about West Maitland and Hexham, from which the water left by the flood of March had not drained off.

On Sunday evening, the 28th, the river shewed symptoms of a rise. After midnight it commenced rising rapidly; and by 8 o'clock on Monday morning, the 29th, it had risen from 13 to 14 feet above high water. By noon on Monday the river had risen to 16 feet, and at about 8 p.m. it had risen to 19 feet, when it became stationary. It then commenced falling slowly, and by 7 a.m. on Tuesday, the 30th, it had gone down nearly 2 feet. But about 9 a.m. it recommenced to rise, and at 2 p.m. had again risen to 19 feet, and continued rising slowly, with a rapid current carrying down much heavy timber, till about 3 a.m. on Wednesday, when it attained its greatest height of 21 feet above high water. At this level the water remained stationary all day, and until about 7.30 p.m. (16½ hours), at which time it recommenced falling, and at 8.15 p.m. had gone down 1 inch.

On Wednesday night it fell 1 foot. By noon on Thursday it had fallen 2 feet; by sundown, 3 feet; and by daylight on Friday morning, nearly 6 feet; at 1 p.m., 7 feet; at sundown, 8 feet. The river being then confined within its proper banks, no further record of the rate of fall seems to have been kept.

It

\* Moon in last quarter, 2nd Feb., 8.4 p.m.

† New moon, 10th, 9.8 a.m.

‡ Moon in last quarter, 4th, at 5.20 a.m.

§ Full moon, 26th, 8.23 a.m.

It was observed of this flood, that, although on all former occasions a rise of 21 feet would have seriously flooded the flat lands in and near the town on the right bank of the river, on this occasion, in consequence of the dams which had been thrown across the creeks leading into the back lands, comparatively little injury was caused by the river water, except by that which flowed up Wallis' Creek, and thence out over the low lands at its head.

On the left bank of the river it was different, the low lands about Bolwarra being all overflowed.

We thus find that, at this time, a rise of 21 feet in the river, although still inundating all the low-lying lands, had ceased to cause any injury to the town, in consequence of the measures which had been taken by the inhabitants to embank it out.

Some notice was taken of the time which the flood-waters took in travelling from Singleton to West Maitland, on this occasion, and it was estimated that the rate of speed was from 3 to 5 miles per hour.

The first rise during this flood at Singleton stopped at 10 feet on Monday morning; but as the first rise at West Maitland culminated at 8 a.m. at 19 feet, it must have been caused mainly by the waters of the Black Creek, Anvil Creek, and other creeks joining the Hunter below Singleton.

The second rise at Singleton commenced on Monday afternoon, and continued until Tuesday morning the 30th. At 8 a.m., it was 18 feet above the usual height, and by 1 p.m. on the same day attained its greatest height.

The second rise at Singleton is attributed to the arrival of the flood-waters of the Goulburn, which, passing on, also caused the second rise at West Maitland. The second rise, as we have seen, commenced at Singleton at about 5 o'clock on Monday afternoon, and at Maitland at about 8 a.m. on Tuesday, or about 15 hours later, and attained its greatest height at Singleton at 1 p.m. on Tuesday, and at West Maitland about 3 a.m. on Wednesday—about fourteen hours later; which, the distance being, as I have said, about 49 miles, gives a velocity of about  $3\frac{1}{2}$  miles per hour.

It will be observed that, in this flood, as well as in each of those of 1857, there was a second rise in the river after it had attained its first elevation and had commenced falling, and during this last-described flood, it reached a greater height by 2 feet during the second rise than it did during the first.

The next flood that occurred during 1861 was that of July.

It commenced raining over the valley of the Hunter on Tuesday, July 23rd,<sup>†</sup> and continued almost without intermission for the remainder of the week.

The immediate consequences of the local rain was, the accumulation of sheets of water in all the hollows about the town, but the river itself did not shew any symptoms of a rise till Wednesday night.

At 7 a.m. on Thursday, it had attained a height of 7 or 8 feet above its ordinary high water level; at about 3 p.m. it had risen to 10 or 11 feet, and early on Thursday night it had risen to 14 feet above high water. During the night it continued to rise rapidly—3 to 6 inches per hour, and at 10 a.m. on Friday it had attained a height of 22 feet.

Continuing to rise slowly, at midnight on Friday it commenced flowing over the river bank at High Street, near Messrs. Hall and Co.'s stores; and by 5 a.m. on Saturday it had reached to 24 feet above high water, and continuing to rise more slowly, it reached its maximum at about 3 p.m. on Saturday, when it stood at 25 feet 4 inches above high water mark, being nearly at the same level as the June flood of 1857.

Shortly after 3 o'clock on Saturday it commenced to fall slowly at first, but then more rapidly. At 3 a.m. on Sunday it had receded 1 foot 4 inches; at 9 a.m. on Sunday it had fallen 2 feet 4 inches from its highest. At 5 o'clock on Monday afternoon it had gone down 8 feet, being then about 17 feet above high water; and by Wednesday, August 6th, it had receded to within 4 or 5 feet of its ordinary level.

An

<sup>o</sup> New Moon, 6th, 10<sup>58</sup> p.m.

<sup>†</sup> Full Moon, 22nd, 8<sup>10</sup> a.m.

An unusual feature in this flood was the height attained by the river at so early a stage of the rain; and that, when it commenced falling, it went down almost as rapidly as it rose.

*Heights at West Maitland.*

1861—July 24—Wednesday, river stood at h.w.\*

„ 25—Thursday, 7 a.m., say at 7' 6"

„ 25— „ 3 p.m., „ 10' 6"

„ 25— „ 10 p.m., „ 14' 0"

„ 26—Friday, 10 a.m., „ 22' 0"

„ 26— „ midnight „ 23' 0"

(Over bank at High-street.)

„ 27—Saturday, 5 a.m., „ 24' 0"

„ 27— „ 3 p.m., „ 25' 4"

„ 28—Sunday, 3 a.m., „ 24' 0"

„ 28— „ 9 a.m., „ 23' 0"

„ 29—Monday, 5 p.m., „ 17' 0"

Aug. 7—Wednesday, 4 to 5 feet above h.w.†

*Heights at Singleton.*

July 25—Thursday, 4 a.m., river commenced to rise.

25— „ Evening, had risen 12 feet; rising at the rate of 1 foot per hour.

26—Friday, 9 a.m., 18' 0"

26— „ noon 22' 0"

27—Saturday, 3 a.m., 26' 0"

27— „ 10 a.m., 24' 0"

28—Sunday, 9.30 a.m., 14' 0"

29—Monday, 7 p.m., 4' 0"

*Musclebrook.*

July 26—Friday, forenoon, river at its greatest height.

26— „ noon, had commenced falling.

27—Saturday, 10 a.m., fallen 12 feet.

*Morpeth.*

July 26—Friday morning, river over Queen's Wharf.

27—Saturday, midnight, 9' 0" above h.w.

28—Sunday, subsiding rapidly.

29—Monday, noon, 2 feet above ordinary h.w. springs.

This flood, which rose with unusual rapidity, subsided almost as quickly. This perhaps is in some measure attributable to the rain having ceased to fall heavily after Saturday morning, as well as to the circumstance of the Paterson and Williams being but slightly flooded, thus allowing the waters of the Hunter to drain off more rapidly than they would have done had they been pent up by the back water of those rivers, as occurred in some of the former floods.

The rapid subsidence of the water prevented much injury being done to the crops, "even the young wheat was in many cases saved." This fact should be borne in mind when we are considering the question of drainage.

The waters of the Hunter had not returned to their ordinary level after the flood of July, when they again commenced to rise. On Tuesday morning, August 6th,† it commenced raining slightly, gradually increasing to a steady continuous rain on Tuesday night, Wednesday, and Wednesday night, and the following day and night.

*West*

\* Full Moon at 9.10 a.m., 22nd.

† New Moon, 6th, 10.58 p.m.

*West Maitland.*

- August 7—Wednesday, noon, the river commenced rising slowly, being then 4' or 5' above its ordinary level.
- „ 7— „ at sundown, it had risen to 5' 6"
- „ 8—Thursday, morning, within 3' or 4' of the level of last flood, and rising 5" or 6" per hour.
- „ 8— „ 1 p.m., flowing over High-street.
- „ 8— „ at nightfall, rising very slowly—almost imperceptibly.
- „ 8— „ midnight, 25' 6" above ordinary level.
- „ 9—Friday, 6 a.m., commenced to fall at rate of  $\frac{1}{2}$ " per hour.
- „ 9— „ 8 p.m., the water stood at 25' 2"
- „ 10—Saturday, morning, about 25'
- „ 11—Sunday, River falling steadily and uniformly.
- „ 12—Monday, evening, about 13 feet above h.w.

*Singleton.*

- August 7—Wednesday, 5.43 p.m., river had risen 3 feet.
- „ 8—Thursday, 9.16 a.m., rising 1' per hour, was then 20' above ordinary level.
- „ 8— „ 11.38 a.m., 21'.
- „ 8— „ 5.52 p.m., rising 3" per hour.
- „ 9—Friday, 10.14 a.m., 24' 9".
- „ 9— „ 4.55 p.m., commenced falling, having reached 25' above ordinary level.
- „ 9— „ 5.47 p.m., 24' 8".

*Musclebrook.*

- August 7—Wednesday, 5.41 p.m., river risen 3' or 4'.
- „ 8—Thursday, 5.52 p.m., at standstill.\*
- „ 9—Friday, 10.14 a.m., falling.

*Morpeth.*

- August 9—Friday, 2 a.m., river had risen to 11' 2" above h.w., and then commenced falling.
- „ 9—Friday, sundown, 10' 10" above h.w.

*Raymond Terrace.*

- August 9—Friday, 2 a.m., river attained its greatest height, being 3 feet below flood of August, 1857—5' 07" above h.w.

By this, as by the preceding floods, the whole of the low land on both banks of the river were laid under water. Louth Park and Dagworth are described as seas, and Phoenix Park, Bolwarra, and Dunmore as being one sheet of water; considerable damage was done to the standing crops, and the town also suffered somewhat, the water rising to the eaves of many of the houses in John-street.

A considerable amount of damage was also caused by this flood to the residents of the Paterson and Williams, on both of which the alluvial flats were flooded.

The rains on this occasion seem to have been principally confined to the coast line and not to have extended very far or very heavily inland; hence, probably, the reason why we find the flood culminating at Maitland before it reached its highest at Singleton.

On this, as on the occasions of former floods, the state of the tides, whether at flood or ebb, springs or neaps, seems not to have had any influence on the height, duration, or rate of rise or fall of the flood-wave at Maitland or Morpeth. In fact, when it is remembered that at Newcastle, during heavy floods, the range of tide is only altered about

\* This gave 2.9 miles per hour as the rate of speed of the flood when between Musclebrook and Singleton.



about 1 foot, it is difficult to imagine that it can have any influence on the height of the water at Maitland; and although there is a sensible increase in the velocity with which the flood waters rush out through the narrows at the entrance to Newcastle at the latter part of the ebb, the tide is not found to affect very sensibly the level of the water as far up as Hexham and Raymond Terrace; between which places and the out-fall at Newcastle there are capacious areas for the water to expand over afforded by the river itself, the low-lying land upon its margin, and the wide estuary of Fullerton Cove, all of which act as compensating or regulating reservoirs, and are capable of receiving many hours' discharge of the river without sensibly affecting its level.

It will be observed as an unusual thing, in this flood, that the highest rise at West Maitland, Morpeth, and Raymond Terrace was almost coincident—the times being at Maitland, midnight, on Thursday, August 8th; at Morpeth, 2 a.m., on Friday; and, at Raymond Terrace, the same as at Morpeth.

Such was the last flood of the year 1861; and from that till the year 1864, the district seems to have remained undisturbed by flood alarms.

In the early part of the year 1864, the cycle of wet seasons again came round, and the week previously having been showery, on Wednesday, February 10th,\* a close, steady rain commenced to fall, which soon made itself felt in the river. Towards the close of that day the water had risen about 1 foot, and continued rising at the rate of 1 foot per hour during the night.

By 9 a.m. on Thursday, the river had risen 17 feet above its ordinary level, with a rapid current, bearing on the surface large quantities of heavy timber. The rise continued during Thursday at the rate of about 6 inches per hour, causing successive overflows of the lower portions of the banks and at Wallis' Creek. By Thursday evening it had broken over the bank at High-street. This overflow relieved the river and checked its rapid rise, but nevertheless the water continued steadily, though now slowly, to rise during Thursday night and Friday, and by Friday evening it had attained a height of 28 feet above its ordinary level, being then about 1 foot below the flood of August, 1857, still rising, but very slowly, and running rapidly.

It was remarkable that some houses and some parts of the town which escaped in the great flood of 1857 were flooded on this occasion (though, as has been stated, the general level was 1 foot lower in this than in the former), and others which on both occasions suffered, were invaded at different periods, as regards the times at which the waters broke over the banks at High-street and at the Falls.

The water still continuing slowly to rise, by sundown on Saturday, the 13th February, the greatest height, namely 28 feet 4 inches, was attained, or 8 inches below the height of the flood of August, 1857.

On Saturday night the river commenced to fall, and continued falling through Sunday; and Sunday night the river again returned within its banks, and by 8 o'clock on Monday morning it had fallen fully 10 feet from the highest level. The fall continued to Wednesday, the 17th, when the water had receded 18 feet.

Although considerable injury was done in the town by the water flowing over the river bank, and the low-lying lands in the vicinity of the river were submerged to nearly the same extent as during the great flood of 1857 (indeed, in some places of the Horse-shoe Bend it was said to have attained a greater height)—looking across over Phoenix Park from Morpeth, it is asserted that the water was seen, in an unbroken sheet, extending for 4 or 5 miles—yet the much dreaded backwater in rear and to the south of West Maitland did not rise to within some 4 feet of the level of that flood, in consequence of the empty state of the lagoons and swamps previous to the occurrence of this latter flood.

The

\* New Moon, 8th February.

The following will shew approximately the time at which the flood attained its maximum height at the undermentioned places:—

*West Maitland.*

February 10th.—Wednesday afternoon. River commenced to rise, being then 1 foot above high water mark.

11th.—Thursday morning. River 17 feet above high water; evening, breaking over High-street, 22 feet above high water.

12th.—Friday evening. 27 feet above high water.

13th.—Saturday morning. 27 feet 6 inches above high water.

Do., about sundown. 28 feet 4 inches above high water.

Do., at night. Commenced falling gradually.

14th.—Sunday night. Continued falling—the river being within its banks.

15th.—Monday, 8 a.m., it had fallen 10 feet, or 18 feet 4 inches from high water mark.

17th.—Wednesday, the river had fallen 17 feet, being about 11 feet 4 inches above the ordinary height.

*Singleton.*

10th.—Wednesday, 5.15 p.m. River rising 1 foot per hour.

11th.—Thursday, between 6 a.m. and 2.15 p.m. River, which had risen at the rate of 2 feet per hour, had attained a height of 25 feet, and continued rising at the rate of about 1 foot per hour. 6.15 p.m., river rising at rate of 6 inches per hour.

12th.—Friday, 7.45 a.m. River within 2 feet of flood of August, 1857, or 44 feet 8 inches above ordinary level.

3.15 p.m. Risen 6 inches since morning, or within 18 inches of August flood, 1857—44 feet 6 inches.

6.47 p.m. River just commencing to fall, being within 16 inches of last-named flood, or 44 feet 8 inches above ordinary level.

15th.—Monday evening. River had fallen 35 feet.

*Musclebrook.*

12th.—Friday, 3 a.m. River commenced to fall, being then 1 foot above level of flood of 1857.

Had commenced to fall at *Singleton*, as before stated, at 6.47 p.m.

*Morpeth.*

13th.—Saturday, 12 p.m. River commenced to fall, having attained to within 2 feet of the height of the flood of August, 1857, or 12 feet above ordinary high water, and 8 feet above the Steam Company's Wharf.

16th.—Tuesday. River had fallen 8 feet.

17th.—Wednesday. Fallen 11 feet, and continued falling steadily.

In the following month there was another flood in the Hunter. The river commenced rising on Tuesday, the 23rd March,\* and by Friday, the 26th, had risen to about 21 feet above its ordinary level.

On Wednesday, March the 30th, the river, which had receded to about 5 feet above its ordinary level, again commenced to rise, and by 7 p.m. on Thursday, 31st March, had risen 20 feet.

Another flood commenced in June of this year.

The rain commenced to fall on Thursday night, June 2nd,† and early on Friday morning, the 3rd, the river was found to have risen 6 feet above its ordinary level, and continued through the day rising at the rate of about 1 foot per hour; and on Friday evening it had reached to 20 feet above its ordinary level. Continuing slowly to rise, by 2 a.m. on Saturday it commenced flowing over the banks, and by noon it had reached its

\* Full Moon, 23rd. † New Moon, 4th.

its greatest height, and then stood at from 23 to 24 feet above high water mark; and the backwater continuing to rise, by Sunday evening it had spread over every acre of cultivation between Maitland and the range of hills to the southward. "From the Morpeth Road, on Saturday, an extensive view of the flooded land was obtained, the expanse of water gradually increasing as one approached Morpeth, whence for miles nothing but water and partly submerged houses could be seen."

On this occasion, both the Williams and Paterson were likewise in flood, and the latter overflowed its banks at various points, submerging all the low lands.

At Morpeth, on Saturday at noon, the water had risen to within 14 inches of the February flood, or (say) 11 feet above high water.

One of the peculiarities of this inundation was, the great length of time the water remained at its greatest height at West Maitland, namely,—from noon on Saturday, till near Monday morning, at which latter time it had fallen but 2 feet, and was then subsiding very slowly.

At Singleton, the flood culminated at 9 p.m. on Saturday, when the river stood at 28 feet above its ordinary level.

The flood having reached its greatest height at West Maitland, 9 hours before it attained its full height at Singleton, shews that the rise at the former place was mainly due to the local rainfall, and the flooding of the Wollombi, and the creeks entering the river between those two places.

It was observed on the occasion of this flood, that the Paterson rose with a rapidity never known before. The river, which on Thursday evening was at its usual level, had risen about 17 feet on Friday morning, and continuing to rise during that day with fearful rapidity, by midnight it had attained its greatest height, and then stood at 40 feet above its usual level, or within 3 feet of the great flood of August, 1857. About two hours afterwards it commenced to recede, and at daylight on Saturday had gone down about 2 feet, and by the evening about 6 feet.

The flood in the Williams, on this occasion, rose to within 3 feet of the height of that of August, 1857.

On the following week to that referred to in the foregoing account, and before the river had had time to go down to its ordinary level, the district was visited by another flood, of even greater severity than the last.

At dawn on Saturday, June 11th, the river, which had subsided to within about 9 feet of its ordinary level, was observed to be again rising (having risen 2 feet during the night); it was then at 11 feet above its ordinary level. It continued to rise rapidly during Saturday. From 6 p.m. on Saturday to 10 a.m. on Sunday the river rose 3 feet 10 inches at the Wallis' Creek embankment; and from that time to 8 a.m. on Monday, June 13th, the river had risen 1 foot 10 inches—a mean average rate of 1 inch per hour. At 10 a.m. the river was 23 feet 6 inches above high water mark. At 4 p.m. it had risen to 24 feet 3½ inches, or at the rate of about 1½ inch per hour. At 9:30 p.m. it had risen to 24 feet 9 inches, or about 1 inch per hour. At 6:45 a.m. on Tuesday it had risen 7 inches more, or (say) to 25 feet 4 inches; from this time till about 9:30 the river remained stationary, but it then commenced to rise again at the rate of about ¼ inch per hour until 6 p.m., after which it continued to rise more slowly till at 6:30 a.m. on Wednesday the 15th, when the river stood at 26 feet above high water.

Continuing still to rise very slowly, at a little before midnight on Wednesday the water was about 26 feet 2 inches above its ordinary level, being then about 2 feet 2 inches below the flood of 1864 (February), and about 2 feet 10 inches below the August flood of 1857. Shortly after midnight the waters commenced to recede.

At Singleton, the river rose slowly till about Sunday evening, when it commenced to rise more rapidly; and at about 9 a.m. on Monday, was rising at the rate of 1 foot per hour, being then about 34 feet above the usual level. At 1 p.m. it had risen to 36 feet, having been rising at the rate of 13 inches per hour. At 4 p.m. it was at 37 feet above the level, rising 4 inches per hour. At 7:3 p.m. it was 38 feet.

On

On Tuesday evening at 8 p.m. the river commenced falling, having reached to within 2 feet 8 inches of the February flood, or 41 feet 10 inches above ordinary level.

On Wednesday at 11 a.m., it had fallen about 3 feet.

At Musclebrook it had commenced falling on Tuesday morning; at Singleton, on Tuesday evening; at West Maitland, Tuesday midnight.

During this flood, two houses at the Bend in High-street, which had been partially undermined by former floods, were swept away, the inmates of one just escaping but those of the other house (Mr. Fairfield and his family) were swept away with their house into the swollen river. His wife and another woman were drowned; he himself, with two of the children, were rescued from the wreck, after the house had grounded among some trees.

Scarcely had the flood of June subsided, when, about the middle of the following month, another flood swept over the district.

On Friday, 15th July,\* the river again began to rise, and continued rising slowly through Saturday, 16th; and about midnight on Sunday the flood attained its greatest height at West Maitland, being then about 25 feet above high water mark. For about two hours it remained at that level, and then commenced slowly to recede.

Again, in the following month occurred another flood, though not so severe a one as the last.

On Tuesday morning, August 9th,† the river began to rise at the rate of about 11 inches per hour. By Wednesday morning, the 10th, it had risen to 19 feet, and by Thursday evening reached to 24 feet above ordinary high water mark, and continuing to rise slowly till Friday evening at 8 o'clock, when it reached to within a few feet of the height of the last flood, or about 24 feet 9 inches above high water.

At Singleton, at 11:45 a.m., the river had risen to 36 feet above its ordinary level, and shortly afterwards commenced falling.

It was my intention to have given a brief summary of all the important floods which have occurred in the Hunter River since the year 1857, at which time public attention began to be drawn to the subject, but I find that my space will not permit me to do so; and as the year 1865 and the following year were comparatively dry—no serious flood occurring until the last year of 1867—I shall pass them over, and come to the last flood of June of that year, which, for height, duration, and amount of injury inflicted, has only been equalled by the great flood of August, 1857. And it is a curious coincidence, that the decennial periods of 1857 and 1867 should be marked by floods of unusual severity, number, and magnitude.

On Monday evening, June 17th, it commenced raining slightly, and continued falling with increased force throughout Tuesday, Wednesday, and Thursday. During Thursday night and Friday morning the rain fell in torrents, accompanied by a heavy south-easterly gale.

Up to Wednesday evening there was little apparent change in the river at Maitland, but on Thursday morning it was found to have risen 9 feet, and at 4 p.m. on the same day had reached to 18 feet above tide level, and at the same hour on Friday afternoon the river had attained a height of 27 feet above its ordinary high water level: it was then rising at the rate of about 3 inches per hour, and continued to do so till about 7 a.m. on Sunday, when it reached its greatest height, being then generally about 4 inches above the great flood of August, 1857, or say generally 30 feet above ordinary high water; in some places it was considerably more, in others less.

It then, after remaining stationary for some time, commenced falling slowly. By 11 a.m. the water had fallen  $\frac{3}{4}$  inch: at 1 p.m. it had fallen  $1\frac{1}{2}$  inch: at 8 p.m. 4 inches, and by 8 a.m. on Monday had fallen about 10 inches.

All this time the river continued steadily pouring over the levées which had been erected at various points to keep it out, deluging the town, and steadily adding to the great backwater which covered the country to the south, on both sides of Wallis' Creek.

Many

\* Moon, first quarter, 12th.

† Moon, first quarter, 11th.

Many causes, such as the great height it attained, the rapidity of its rise, the peculiar inclemency of the weather, and the prevalence of sickness amongst many of the poorer inhabitants of the town and surrounding district, combined to render the effects of this flood peculiarly disastrous. It was likewise marked by an unusual amount of injury done to the banks of the river, the caving or slips, from the Falls downwards, being frequent.

At Singleton, at 10 a.m. on Thursday, June 20th, the river had risen 12 feet; at noon, 13 feet 6 inches; at 3 p.m., 14 feet 9 inches; at 6 p.m., 15 feet. At 8 a.m. on Friday, 30 feet; at 12.20 p.m., 37 feet above the ordinary level; at 5 p.m., the river still rising 9 inches per hour; 9 p.m., rising slowly. On Saturday, at 7 a.m., rising 4 inches within the hour, being then above the level of the flood of 1857. About noon on Saturday, it must have attained its maximum, when the water stood at 1 inch above the last-named flood.

At Dunmore, on the Paterson, this flood was stated to have risen to a height of 15 inches above the flood of August, 1857; and at Raymond Terrace, to 8 inches above the same flood.

When a river breaks over its banks, it leaves the heaviest particles of the drift mud and debris on the immediate banks; and it is only the lighter matter which passes on into the swamps and flat lands in rear. Thus the river banks are always receiving addition to their height in a more rapid ratio than the back lands. Whence it is that large rivers in a flat country are generally bordered by extensive tracts of swampy land, more or less under water after each flood. In such cases, the mere banking out of the river is not sufficient; it becomes necessary to have recourse to some system of artificial drainage to facilitate the discharge of the water, whether received from the river or from the smaller creeks. And if a judicious system of local drainage be undertaken, I can imagine that, so far from the inundations caused by overflows of the river being injurious, they would, on the contrary, be in the highest degree beneficial. By the flood deposits those rich alluvial soils have been in the first instance formed, and it is by this same process only that their richness can be maintained. The banks of the Nile, without their annual inundation, would soon be reduced to a desert; and the height of the river in times of flood has for ages been the measure of the favourableness or otherwise of the season, of plenty or scarcity to the people.

In many parts of England the most careful arrangements are made to admit the mud-charged water of the floods to the low lands, where it is allowed to stand until it has deposited the alluvial matter held in suspension, and is then permitted to drain off. There is no reason why the same thing should not be done on the rich alluvial lands of the Hunter; it is the only means by which their extraordinary fertility can be preserved, and, if judiciously carried out, the whole of the advantages of this natural process of "top-dressing" may be secured without very much injury to the growing crops.

On the flood plan of the Hunter, which accompanies this Report, I have sketched out generally the system of drainage I would recommend. It is only a sketch, and does not profess to lay down the exact direction, number, or capacity of the subordinate drains, as I am not in possession of sufficiently detailed information as to the levels of the various parts of the country to enable me to do so.\*

The urgent necessity for some such system of drainage will become obvious on examining the flood plan made immediately after the flood of 1857, by Mr. Adams, who reported the feasibility of preventing a recurrence of the inundations, by excavating a canal which should divert the course of the Hunter through the Bolwarra Estate, and discharge the water again into the river at Largs. I do not question that such a canal might in a slight degree relieve the upper parts of the river, but the extent of relief it would afford is, as I shall endeavour to shew when I come to that part of the subject, much over-estimated.

\* The necessity for some such system of local drainage is indicated by the following remarks in the *Maitland Mercury* of the 19th October, 1858:—"It has now, we imagine, been proved beyond a shadow of a doubt that nearly all the low lands in the Hunter River district are flooded, more or less, after rainy weather, and that a few days' rain only has the effect of turning many localities, containing some thousands of acres of crop, into large inland seas, and this irrespective of any addition which may be received from the rivers in times of high flood. It is, therefore, highly necessary, if the district is to be an agricultural one, and its rich soil is to be tilled by the industrious settler, that some scheme of drainage should be devised."

## PART II.

HAVING in the foregoing pages given a brief history of the different floods which have devastated the lower portion of the valley of the Hunter, as far as the facts can be collected from the only records I have been enabled to obtain access to, I shall now pass to the consideration of that branch of the subject which more immediately concerns the object of this Report,—namely, as to the quantities of water passing different sections of the river in given times, and also, as nearly as it can be estimated, the total quantity of water discharged by the river during flood. It is only by a careful consideration and comparison of these that we shall be enabled to gain any clear ideas as to the practicability of applying any remedies to lessen the inundations, as well as of the nature and extent of such remedies.

The quantities of water passing down the river per second at different places, commencing at Singleton and terminating at the entrance of the harbour of Newcastle, during the great floods of 1857, 1861, and 1867, carefully computed by the different formulæ of Dubuat, Eytelwein, and Ellet, will be found in the accompanying tables.

The floods of 1857 and 1867 are so nearly of the same height, (as may be seen on the longitudinal and cross sections,) that the calculations of the quantities for the former may, without sensible error, be taken as well for the latter; I have, therefore, only given one column for both.

Commencing at Singleton, which is the highest point of the river at which I have been enabled to obtain any authentic measurement as to its cross section, the height of the floods, and the rate of fall of the surface of the water, I am enabled to get the discharge per second with considerable accuracy. Dubuat's formula gives 131·416 cubic feet per second; by that of Eytelwein it would be 132·260 cubic feet per second; and by Ellet's, 141·819 cubic feet per second.

On the last-named formula I do not, as I have before stated, place much reliance; as, although it may have been found to approximate very closely to the observed velocities in such large rivers as the Mississippi and Ohio, it does not contain the corrections which Dubuat found it necessary to introduce when seeking a formula for smaller rivers, such as the Po, which, in some respects, resembles the Hunter in its lower parts, indeed Ellet himself states that he found it necessary to modify Dubuat's formula, as he has done, to suit the case of such rivers as the Mississippi and Ohio. In this Report I shall therefore continue to use Dubuat's formula, as probably giving the closest approximation to the actual discharges.

I may here observe, that the flood of 1861 afforded a very interesting confirmation of the accuracy of this formula. During that flood I caused very careful measurements to be made of the surface velocities, by means of floats, which gave velocities varying from 6·88 to 8·30, or a mean of (say) 7·60, at the site of the Bridge of West Maitland and a little above; lower down, where the channel widens, the velocity was found to diminish. Dubuat's formula, with the observed fall and hydraulic mean depth, gives 7·97 feet per second for the mean velocity, say  $5\frac{1}{4}$  miles per hour—which is a sufficiently close approximation to the measured velocities.

The tables and diagram accompanying the plans, which have been constructed from the admirable records contained in the *Maitland Mercury*, shew the rate of rise, duration, and rate of fall, of the flood of August, 1857. From these I have had an approximate calculation made of the whole amount of water discharged during any given time, from the commencement to the termination of the flood at Singleton, Maitland, and Pitnacree.

The water commenced to rise at Singleton about mid-day of August, the 20th; it attained its greatest height at 7 p.m. on the 23rd, having risen 46 feet. The calculation makes the total quantity of water discharged up to that time about 26,000 millions of cubic feet.

The water did not recede to its ordinary level until about the last day of September, and the total quantity discharged up to that date is shewn to be about 88,000 millions of cubic feet.

At



At Maitland Bridge section the river commenced to rise on the evening of the 20th August, at 7 o'clock; on the 23rd it had attained its highest, and to that time the calculation shews that about 18,500 millions of cubic feet of water had passed down. The difference between these estimates, namely, about 7,500 millions of cubic feet being taken up partly in filling the channel of the river, which would absorb about half the quantity, or say 3,500 millions of cubic feet; the remainder, 3,500 or 4,000 millions of cubic feet, being lost by overflow of the banks. This latter quantity would give a depth of about 3 feet over the whole of the flooded lands on Wallis Creek and in the flat country between Maitland and Morpeth.

From August 23rd, when the flood began to fall, until the last day of September, when it had returned nearly to its ordinary level at Maitland, the total quantity of water which had passed down the river was about 56,500 millions of cubic feet, shewing that in the first three days of the flood about one quarter of the whole quantity, which amounted to 75,000 millions, had run down.

The total drainage area of the Hunter and Goulburn is 7,320 square miles, and the discharge of the river at Singleton, during the flood, which, as I have shewn, amounts to about 88,000 millions of cubic feet of water, would represent a rain fall of about 5 inches over the entire area.

The rainfall of the months of July, August, and September, for that year (1857), was  $11\frac{1}{2}$  inches; and, as the rains of July, when there was also a flood, would have thoroughly saturated the country and filled up the water-holes and river-channel, it would seem as if the nearly whole of the rainfall of August and September, or (say) five-sixths of it were carried away by the river during those two months.

Using Dubuat's formula, we find that the quantity of water passing down the Hunter at Singleton, when the flood is at its highest, is, as I have stated, 131,416 cubic feet per second; and coming down the river to Oakhampton, the place where the next section was taken (about 2 miles 34 chains above the site of the new bridge), the quantity of water discharged per second is found to be 132,283 cubic feet, being but a very slight increase (867 cubic feet, or (say) .066 per cent.) in the quantity found passing Singleton Bridge. The accessions which the river receives between those places from tributary creeks would seem to be small, and to be nearly balanced by the overflow which takes place about a mile above Oakhampton, on the south side.

At the next section of the river, at Bolwarra House, one mile lower down, the discharge per second is 125,664 cubic feet, shewing that between the former and the latter points 6,619 cubic feet of water per second have been spilled over the banks. The overflow would seem, from Mr. Adams' flood survey, to take place principally on the south side of the river; and most of it, no doubt, goes to form the much dreaded backwater which causes so much injury on the low-lying lands on the south of the town.

Coming down to the falls, at the site of the bridge, I find the quantity discharged by the river to be 105,626 cubic feet per second, shewing that between Bolwarra House and this point 20,038 cubic feet of water per second had overflowed the banks and passed away into the flooded lands, partly towards Bolwarra, and partly by Hall's Creek towards Dagworth and Louth Park. A reference to the plan will shew the great extent of the flooded land in this direction.

The sections from Maitland down to Morpeth have been taken at distances of about a mile apart, in order to shew approximately the quantities of water spilled over the banks at the intervals between them, so that the heights and distances back from the banks at which levées or other protective works (if such be undertaken) must be formed, may be determined.

At section 6, which is opposite the High-street embankment, the discharge per second is 74,682 cubic feet, shewing a loss between the bridge and this of 30,944 cubic feet per second; and at section 7, which is about a mile below Wallis Creek, the discharge per second is given at 68,013 cubic feet; the difference, namely, 6,669, being probably the quantity which is received up the channel of Wallis Creek, directly from  
the



the river. To this extent, that is, about one-tenth of the discharge, Wallis Creek would seem to act as a sort of safety-valve to the lower parts of the river; and if the project be carried out which has been suggested, of shutting out the floods from Wallis Creek by means of gates, the effect will be that one-tenth more water will have to be discharged by the river below the junction. I shall refer hereafter more particularly to this part of the subject, and consider more in detail the probable effects of this augmentation, as well as of that which would result from wholly excluding the water which finds its way into the Wallis Creek basin by other channels.

Proceeding downwards from section No. 7, it is found that, with three exceptions (Nos. 11, 12, 13), there is a steady and very rapid diminution in the cross sectional areas of the river, and in the estimated values of their discharges. At Pitnacree Bridge the sectional area of the river is reduced to 6,516 feet—about half what it is at Singleton Bridge and West Maitland Bridge; and the ratio of fall of the surface of the water, which in the two former were 1 in 2,495 and 1 in 3,246 respectively becomes reduced to 1 in 9,359—not quite 7 inches to the mile; and the discharge per second has fallen from 131,416 and 105,626 to 26,129 cubic feet, or to between one-fourth and one-fifth of the whole quantity of water brought down the river.

This is a fact which must be kept prominently in mind, when considering any scheme for the partial protection of the flooded lands above this point; and care must be taken that, when adopting any measures for their relief, proper provision has been made for carrying off from the lower lands the additional quantity of flood water which will thus be sent down on them, or the consequence to the latter must be most disastrous.

Probably the reason why sections 11, 12, and 13 are greater than the others immediately above and below, is that the water which at other places had spread over the banks is partly confined at these points to the channel, by the piece of high ground which is shewn on the plan as extending along the right bank; and the increased scour thus created would seem to have produced a corresponding increase in the capacity of the channel.

At Pitnacree Bridge, as I have stated, we find that not only is the sectional area of the channel reduced to less than half what it is at Oakhampton, but the inclination of the surface of the water, which at the former place was 1 in 2,500, or about 24 inches to the mile, at the latter has been reduced to 1 in 9,359, or about 7 inches to the mile; and as a consequence of this diminished sectional area and rate of inclination, the quantity of water discharged per second is reduced from 132,283 cubic feet at the former to 26,129 at the latter; or (say) about one-fifth of the quantity of water which passes down the river at Oakhampton is carried away by the channel at Pitnacree, the remaining four-fifths having overflowed the banks between these points.

Continuing still further down, we find that section No. 21, at Narrowgut, is only 4,417 feet, or about one-third of that at Oakhampton; so that not more than one-seventh of the quantity of water running down every second of time past Oakhampton is carried off by the channel of the river at Narrowgut.

From Narrowgut down to Morpeth and thence onwards to Newcastle, with a few unimportant exceptions, the capacity of the channel steadily and almost uniformly increases, caused of course by the tidal action.

At Morpeth, the sectional area will be seen to have increased to nearly double what it was at Narrowgut, and to be about one-third greater than it is at Pitnacree, the discharge of water per second which is proportionally augmented, has increased to 33,161 cubic feet. I wish to draw particular attention to this, as the capacity of the channel for discharging the flood-water at Morpeth should be the limit of improvement sought for the upper parts of the river. It would of course be quite possible to relieve Maitland wholly from danger of floods, if a channel sufficiently wide, straight, and deep, could be made to carry off the whole of the flood as rapidly as it is brought down; but then, unless the channel at and below Morpeth be sufficient also to carry it off, we should merely transfer the evil from the former to the latter; and while relieving Maitland, should be swamping Morpeth.

It

It may be said that even now Morpeth is sufficiently afflicted, and that the people of that district should therefore oppose any projected improvements to the river above them, until a corresponding degree of improvement shall have been effected in the river below, so as to ensure the discharge of the additional quantity of water which will thus be brought down on them; and I quite hold with their view, for I believe that any straightening of the channel above Morpeth must have the effect of raising the flood level there, more or less; and it becomes a question of the balance of interest between the two places, as to how far, while seeking to lower the flood-levels at Maitland, it will be safe to raise them at Morpeth. It must result from straightening the channel, that there will not be a damming up of the water at Maitland to the same extent as at present, and Maitland would probably be relieved to a greater extent than Morpeth would be injured by such works; nevertheless, as I have said, some increase in the height of the floods must be looked for at Morpeth, which, unless protective measures be adopted, such as the construction of levées and the deepening of the river, must be attended with more or less injury to the town as well as the adjoining low lands.

The probable increase of height for any given amount of discharge may be calculated, but I must again guard myself against being supposed to give exact results. The question is not one capable of mathematical accuracy, and I only profess (and no one can do more) to answer it approximately.

At section 31, a short distance below the junction of the Paterson with the Hunter, the capacity of the channel is still not equal to that of the Hunter at Oakhampton, and with an inclination of only 7 inches to the mile. Hence, the channel being still unable to discharge the floods brought down by both rivers, the waters rise above the banks, and inundate the country for miles on either side.

Coming on down to Raymond Terrace, at section 34, where the river has widened considerably, it will be seen that even here the discharge per second, after the water of the Williams has been received, is less than the quantity passing Oakhampton.

From Raymond Terrace down to Hexham, and thence to Newcastle, the river widens and deepens considerably, and branches out below Hexham into two considerable channels. The sectional area has increased to 18,438 feet, and the discharge per second to 67,751 cubic feet; so that from this latter point to the sea, the channel may be considered of sufficient capacity to carry off the floods, if moderately improved by dredging. I may here observe, that the dredging operations, which for some years past have been going on in the Hunter, in removing the shoals at Morpeth, Eals' Flat, Raymond Terrace, and the lower flats, have materially contributed to the freer discharge of the floods, and in so far have been productive of much good in this respect, irrespective of the benefits resulting to the navigation.

It will be seen from the foregoing, that at no part of the river between Oakhampton and Hexham is the channel of sufficient capacity to discharge the whole of the flood-waters as rapidly as they are brought down; hence, their overflow of the banks, and inundation of the flat lands on either side.

West Maitland may be considered to be at the head of the delta of the Hunter. The fall of the river, when in flood, from Singleton to Bolwarra, is 102.33 feet. The distance being about 49 miles, gives an inclination of 2.088 feet per mile. At Bolwarra the fall per mile rapidly diminishes to 1.63 feet, and to 0.56 feet per mile where the river is most tortuous, between West Maitland and Morpeth. Below the junction of the Paterson, and between it and the junction of the Williams, the fall per mile again increases to 0.78 feet.

The rapid decrease in the slope of the river below Bolwarra accounts at once for the rapid contraction in the sectional area of the channel. The tidal action is not sensibly felt so far up, and the greater abrading action of the water in the higher parts, due to the velocity acquired from its more rapid fall, which had cut away the sides and bottom of the channel till it established a fixed regimen, or in other words, an equilibrium between the action of the water and the resistance of the channel here ceases.

Below Bolwarra, therefore, the sudden diminution of fall is followed by a corresponding diminution in the velocity and scouring power of the water; and being no longer able to excavate a channel sufficient for itself, every obstruction, however slight, tends to divert the current to one side or the other, till ultimately the channel becomes so tortuous as in many parts to be running in a direction opposite to that of the fall of the country. Hence it is, that in high floods which rise much above the banks, the main upper current, which flows over them and across the bends, is, in many cases, in direct opposition to the under-current in the bed of the river. The river is thus neutralized; and it is obvious that, at such times, the waters must rise until the flat country becomes submerged, and the whole valley is converted into a broad shallow river. That this process has been going on for ages is obvious from the depth of the alluvial deposit about Maitland and on the lower parts of the Hunter; and that such must continue to occur, from time to time, and for all time, is, I think, equally certain.

It has been sought to attribute the great height of some floods to the action of the tides and wind on the lower parts of the river; but it will have been observed that even at Morpeth and Hexham the rise seemed to be independent of the state of the tide—that the floods rise as rapidly on the ebb as on the flood, and fall as slowly during one state of the tide as in the other. The great loss of fall and of sectional area of the river below Maitland are of themselves quite sufficient to account for the damming up which takes place, and we need seek for no other cause; however we may improve the river, this damming up must take place to a greater or less degree, unless indeed the whole course of the channel from Maitland to Hexham were widened, straightened, and deepened to a sufficient extent to carry off the whole of the flood-water—a project which, on account of the enormous cost, it is useless here to discuss.

Some of the evil effects of the floods may, as I shall endeavour to shew, be greatly mitigated; but to prevent inundation wholly I look upon as impossible, even if it were desirable, which I do not consider it would be. Without these inundations, the rich alluvial lands of the Hunter had not existed; and without their occasional recurrence, the wonderful richness of the soil could not be preserved. The question then would seem to be how far is it practicable to diminish the evils produced by the floods, while retaining the benefits derived from their fertilizing action on the land?

In reference to this part of the subject, I think it may be laid down,—

- 1st.—That as respects the town of Maitland, it is indispensable, on every consideration of the welfare, health, and comfort of the inhabitants, that the flood-waters be excluded from the houses and streets—in fact, from the entire inhabited area of the town.
- 2ndly.—That measures should, if possible, be taken to diminish the height and duration of the floods, so that the backwater may not rise so high, or remain so long on the submerged land.
- 3rdly.—That proper means be taken to facilitate the drainage of the submerged land as the floods subside, so that the water shall not be allowed, as at present, to stand for months on the flats, generating malaria, destroying the crops, and rendering the land useless while it remains on it.

With reference to the first part of the question, it will be necessary to consider what will be the effect upon the river of damming back, by means of levées, the large body of water which has hitherto found a vent at this part. Between Bolwarra House and Wallis Creek, a distance of about 3 miles, the river loses 50,982 cubic feet of water per second. I have no means of estimating the proportion of this which used to overflow, or still does overflow on the Maitland side; but judging from the circumstance of its having cut a channel for itself at Hall's Creek, I think we shall not be far wrong in estimating that at least half the above quantity overflowed on that side. If, then, by the construction of levées along the right bank, it be sought to exclude the water from the town, it is evident that, unless proper provision be made for its discharge by the river, by so much must it increase the flooding at other places. If to the 25,400 cubic feet

feet of water be added the amount received up Wallis Creek, 6,670 cubic feet, we would have in the river an additional discharge of 32,070 cubic feet per second to be provided for,—a quantity considerably greater than that which passes under Pitnacree Bridge at present, and nearly double the quantity passing Narrowgut. These figures will give some idea of the danger of attempting any partial measures, such as those which have been suggested for placing flood-gates at Wallis Creek, and erecting levées along the whole river bank at Maitland. If anything effectual is to be done, it must be dealt with as a whole; and before embanking off the water to any considerable extent from one part, care must be taken that provision has been made for the discharge, in the proper channel of the river, of the additional quantity which will thus be thrown into it. If such be not done, the water so excluded must find an outlet in some other direction, and perhaps cause as great evils as those which it has been sought to prevent.

That these objects may be attained to some extent (not a very great one, however,) I am led to think, from one leading peculiarity of the floods in this river:

On reading over the accounts given in the early part of this report, of the great floods of 1857, 1861, 1864, and 1867, it will be seen that in every instance the flood consisted of two distinct waves, the first being due to the lower tributaries—the Wollombi Creek, the Black Creek, Cockfighter's Creek, &c.—which rising nearer the coast, get the rains sooner than the upper heads, and having shorter courses to run, send down their water with greater rapidity. They produce the first flood-waves, which, though rising sometimes very quickly, rarely attain a dangerous height, and soon commence to subside; but before they have had time to flow away, through the contracted and tortuous channel below Maitland, they are overtaken by the second waves coming down from the main heads of the river,—the Goulburn, the Hunter, and the Dart. The result is, that the already gorged channel is utterly inadequate to carry off their united waters; and hence the second rapid and great rise which is observed, by which the banks are everywhere overflowed, and the river channel rendered still less capable of performing its duty. The height to which the waters must rise is simply a question of the continuance of the rains; for the higher the water rises over the banks, the more completely does the channel proper of the river become neutralized and inoperative. In this view, it would be clearly beneficial, as far as Maitland is concerned, to straighten and shorten the channel, so that it may act as perfectly as possible at all heights of the flood, and get the first flood-wave away, as far as it may be practicable to do so, before the second comes down. It is mainly owing to this circumstance of the whole of the flood-water not coming down in one wave, that we may look to being able to effect any beneficial results by straightening and shortening the channel. The quantity of water passing by Singleton per second, and arriving at Oakhampton, being as I have shewn more than the channel can discharge in the flat country of the delta, the surplus must find vent somewhere. It must be allowed partly to escape as at present, but it may I think without much risk be excluded from the space occupied by the Town of West Maitland, if we facilitate the discharge of the remainder by cutting off some of the bends, so as to diminish the danger of the overflow to the inhabitants of low-lying land on the river banks.

## PART III.

ASSUMING, then, that the cuts-off before spoken of, and which will be hereafter described more in detail, have been in the first instance completed, and that due provision has thus been made for discharging safely the additional body of water which may be confined within the channel by levées, we come to the consideration of the best means of excluding the flood-waters from the entire area of the town. In this the people of Maitland will have to follow the example set by the inhabitants of many towns and villages of the Netherlands, as well as of the Mississippi, Po, and other large rivers subject to similar inundation. As regards Maitland, nature has very clearly indicated the line of circumvallation. A reference to the map will shew that the town is almost wholly surrounded by water, having the Hunter on the north and north-east, Wallis Creek on the east, south, and south-west, and Hall's Creek on the north-west. The line of the river frontage is even now protected to a considerable extent by the levées thrown up by the Corporation. These will probably require to be raised, strengthened, and puddled at such places as the currents impinge upon. They should be kept as far back from the margin of the channel as circumstances will admit, so as not unduly to contract the available sectional area of discharge. The channel of Wallis Creek should be straightened, deepened, and brought to a more uniform section, to facilitate the more rapid and free drainage of the lands on its banks on the subsidence of the floods. The material excavated in improving the channel should be formed into a substantial levée along the left bank, or that next the town.

The line of circumvallation will, therefore, be somewhat as follows:—Commencing at the upper end of the town, where Hall's Creek joins the river, the line of the levée would follow the right bank of the Hunter down to the junction of Wallis Creek, thence crossing the railway and running up the left bank of Wallis Creek to the junction of Fishery Creek, and continuing along the left bank of Fishery Creek to the point where George-street crosses it. Here it might leave the creek and follow the line of George-street, which might be formed into a raised causeway for the purpose, to the head of Hall's Creek, thence down the right bank of Hall's Creek to the starting point at its junction with the Hunter. It may be that the space here proposed to be enclosed is unnecessarily large; but besides the advisability of having ample room for the future extension of the town, it would probably be found that the facility for procuring material to form the embankment or levée which would result from the deepening and improving of the channel of the creek, would render it cheaper if the two works were combined, than would be the enclosure of a smaller area without these advantages. The surface drainage of the town might be discharged either direct into the river, or, following the natural slope of the ground, into Wallis Creek, if found safer and more convenient; but in either case, the greatest care should be taken in the construction of the outlet sluices through the levées, so that there should be no risk of leakage or of bursting up under the pressure of the floods. As the only material obtainable for the levée is a loose friable alluvium, care should be taken to have a core or wall of well puddled clay in the centre of each, which should be carried down to such depth in the natural soil as may be deemed sufficient. The line of the levées and the space proposed to be enclosed by them, are shewn approximately on the accompanying plan. I am not in a position, nor do I profess to give the exact lines the levées should follow, that being a question which must be determined hereafter on more careful detailed surveys of each locality than I am in possession of. I merely venture to indicate, generally, the directions I think they should take.

I have before shewn that there is a difference of between 6,000 and 7,000 cubic feet per second in the quantities of water passing those sections of the river next above and next below the junction of Wallis Creek, the discharges being 74,682 cubic feet and 68,018 cubic feet, respectively, per second; and that it acts fully to that extent as a sort of safety-valve or compensating reservoir to the river, is shewn by the circumstance of the water always flowing up the channel of the creek for two or even three days during heavy floods. The 6,000 or 7,000 cubic feet of water received by Wallis Creek per second might not, perhaps, of itself very materially raise the level of the water in the river if confined to it by the proposed flood-gates; but, if to it be added the 25,400 cubic feet which

which it has been estimated is now spilled over the south bank of the river between Oakhampton and it, the effect on the height of the already swollen river will be very great. Greater height implies greater velocity—not only must the water rise higher, but it must flow faster in the channel and over the other submerged lands; and this, as I have said, unless means shall have been adopted in the first instance to secure the discharge of this additional body of water by the channel proper, must find its way by a more rapid and deeper current over the surfaces of the already submerged land. A complete change in the existing regimen must follow—new channels will be formed, lands which are now enriched by the deposition of alluvium will have their soil swept away or be destroyed by a deposit of sand or gravel, the whole condition of things along the banks of the river will undergo a complete revolution. A slight difference in the velocity of the water flowing over the land makes a most material difference in the character of the deposit, a few feet per second making the difference of fine sand, coarse sand, or gravel. I would again observe that too much caution cannot be observed in dealing with this branch of the subject; the equilibrium which nature has established should not rashly be disturbed; if the swollen river cannot find the outlets it has hitherto used, we must be careful to provide others in their stead, or it will take the matter into its own hands in a way that perhaps we should not like, and end by causing incalculable mischief.

Maitland being protected, I repeat that I think Wallis Creek should still continue to act as a relieving channel to the river; and that the low lands of Dagworth, Louth Park, Hungerford Swamp, and Booth's Swamp should still receive its mud-charged waters. With a proper system of drainage, so far from the floods doing injury, I believe that they would be attended with considerable benefit. What is required is, that on the subsidence of the floods the water shall drain freely and rapidly away—with proper drains they need never be submerged more than a few days at a time; and I believe I am correct in stating that few crops would be injured by a few days' submersion, while the soil would in nearly every case be benefited and enriched.

Towards a proper system of drainage the first step would be the improvement of Wallis Creek and its outfalls, straightening, deepening, and bringing it to a uniform cross section, and next the formation of such secondary drains as may be required thoroughly to relieve the land; these latter I have approximately sketched on the flood plans, but I do not profess to give either their size or exact number or direction, not being in possession of the detailed levels and other information necessary to do so; these details are besides better left for settlement to the local bodies which under the Drainage Act would have the control of such local works.

I now come to the consideration of that part of this question on which everything may be said to depend, namely, as to the best means of improving the channel of the river itself at those places where it is now so contracted and tortuous as to be unable to carry off the water with sufficient rapidity to prevent its overflowing its banks. Various suggestions have been made to this end which I shall now shortly refer to, setting forth as clearly as I can their merits or demerits, their practicability or otherwise.

The first and boldest, and at the same time the least practicable, is that of cutting a new channel from Singleton to Lake Macquarie; a glance at the map of the County Northumberland will shew what such a work would involve. Leaving the Hunter at Singleton, the new channel would have to be excavated through at least five ranges of mountains, forming the watersheds of as many creeks—first through the ridges separating the waters of Munnimba and Jump-up Creek from Black Creek; thence across the valley of Black Creek, which would be throughout on a higher level than the new channel; and on through the range separating the waters of Black Creek from those of Wallis Creek, across the Wallis Creek Valley, through the Sugarloaf Ranges, and so down into Lake Macquarie. It will be readily admitted that the cost of cutting a new channel of (say) the same size as the Hunter at Pitnacree, for about 50 miles, through ranges of mountains from 500 to 1,000 feet in height in many places, is very much more than the country could afford; and were there not, as there are, other almost equally insurmountable difficulties in the way, such as the disposal of the drainage of the intervening country, the scheme might still be pronounced impracticable.

The



The next project is that of cutting a subsidiary channel from some point on the river above Maitland to Hexham, leaving the channel at Oakhampton or Bolwarra, and sweeping round to the southward of the town, across the low lands bordering Wallis Creek, and on through the range dividing that creek from Hexham, finally entering the river at the latter point. This scheme, at first sight, has the apparent merit, which some others have not, of supplementing the natural channel where it is deficient in sectional area; but then again, the consideration of cost, as well as the effect on other places, comes in the way. To afford any sensible relief to the river, the new channel would require a sectional area and hydraulic mean depth of 9,600 feet and 27ft. 4in., respectively, for a distance of about 11 miles. Assuming that the level of floods be raised 4 feet at Hexham (which must be done to enable the channel at this point to discharge the whole of the flood-waters of the Hunter, Paterson, and Williams), we should have a fall from Bolwarra by the new channel of about 24 feet, or say 1 in 2,031, and should require, as before stated, a sectional area and hydraulic mean depth of 9,600 and 27.4, respectively, to carry off the difference between 125,664 and 17,623, the discharges per second at Bolwarra and Narrow Gut, that is, in point of fact, to carry off the flood-waters of the Hunter as rapidly as they come down, and prevent accumulation. But then we must consider what would be the effect of this altered condition of levels on the other rivers. If the present flood-level were to be raised 4 feet at Hexham, the effect would be to pen back the Williams and the Paterson to nearly the same extent; so that the inundations which at present occur on the banks of those rivers must be proportionally augmented, and they again would react on the natural channel of the Hunter about Morpeth, and raise the flood-levels there to a greater height than at present. The height to which such a flood as that of 1857 would be raised at Raymond Terrace, would be about 4 feet higher than it then reached, and about the same at Hinton and Morpeth. I have only gone into the calculation of the heights to which the waters would be dammed back, if this scheme were carried out, approximately, the objections to it being so patent as to prevent its ever being attempted, to say nothing of the cost, which could not be estimated at less than 2½ or 3 millions sterling. It will be seen from the foregoing, how dangerous are all partial measures in so-called river improvements; that the effect of shortening and straightening the channel by cutting off bends, is simply to bring down into the lower reaches of the river a greater body of water in a given time than was the case before, and unless those lower reaches are sufficiently capacious to carry it off, the inundations will be merely transferred from one place to another. Hence it is, that in all river improvements, operations should be commenced at or as near the outfalls as may be necessary, and be thence continued upwards, taking care that the lower section shall be sufficient to carry off without injury the waters which would be brought down more rapidly by improvements in the upper parts.

A third plan I have heard suggested, is that of cutting a branch channel from Bolwarra to Largs or somewhere thereabouts; but this, as I have endeavoured to shew, would be merely to partially relieve Maitland at the expense of the country about Largs. The tables of discharges shew that in the 1857 flood, while the river at Largs was discharging 31,368 cubic feet of water per second, at a place lower down called Fisherman's Point the discharge was reduced to 27,181 cubic feet—so that, if to the 31,368 cubic feet any considerable quantity be added by means of the proposed cut, the overflow at Fisherman's Point and lower down must be proportionately increased. It will be obvious from this, that the new cut to be of any avail must be carried to some point lower down, where the channel will be of sufficient capacity to carry off the water brought down by the new cut as well as by the present channel, regard being had to the difference of level which would result from the change; and, as the table of discharges will shew, we shall have to go a long way down before we reach such a point in the river as will meet this condition.

Other suggestions have from time to time been made, with a view to diminish the injury arising from the floods, but they are not, I think, of sufficient importance to require further notice; I now, therefore, come to the consideration of how far it may be possible to effect that object at all.

Referring



Referring to the tables of discharges, we find that while 132,283 cubic feet of water per second was coming down past Oakhampton, not more than 37,730 cubic feet per second was flowing away past Morpeth, the difference having been spread over the flat country; and it is obvious that, without raising the flood-level to a dangerous height at the latter, we cannot expect sensibly to lower it at the former. Morpeth is clearly interested in having the river allowed to remain as it is, unless the channel below it be improved to the full extent of any relief afforded to Maitland; and for this reason as little interference with the river as possible should be permitted, and the operations at Maitland should be purely confined to the protection of the town, which alone will throw some 25,000 cubic feet of water per second into the river. This, if the channel between the two be rendered capable of carrying it, will increase the discharge at Morpeth to 62,730 cubic feet per second, which would, probably, if all confined to the channel, raise the level of such a flood as that of 1857 or 1867, about 3 feet. It is a subject for very serious consideration whether this can be safely allowed. The channel below Morpeth is of course capable of improvement, and the dredging operations which have been occasionally undertaken, by removing the shallows and sand-bars, have been so much in the right direction, but they have not, and could not have been sufficient to make up for the increased quantity of water which would be confined in the river by the circumvallation of Maitland. On the supposition, however, that the river below Morpeth shall have been improved to a sufficient extent to warrant the undertaking, and that levées and such other protective works as may be made have been completed, the works I would propose for the intermediate section of the river are as follows:—

The first cutting would commence at Morpeth, a little above the Queen's Wharf, and be continued nearly in a straight line to the Ten-mile Bend below Pitnacree; then the present channel of the river would be followed, widening and deepening it where required, to the bend just above the Pitnacree Bridge; from this a new cut would be made through the narrow neck of land below Mr. Macintyre's house; thence, following again the natural channel to No. 12 section, the new channel would be taken in a gentle curve to the lower part of the Horse-shoe Bend, crossing the river about half a mile below Wallis Creek. The length of new channel required would be about 1 mile 30 chains; and the total length by river between Oakhampton and Morpeth would be reduced from 16 miles 65 chains to 6 miles 12 chains, effecting a saving of 10 miles 53 chains in the length of the channel.

Another plan by which the shortening of the channel may be effected differs but slightly from that just described, it also would commence at the upper end of the Morpeth reach, but would be carried direct to the Nine-mile Bend, just below the Pitnacree Bridge; thence upwards the new cuts would be similar to those of the first plan. The length of cuttings would be 1 mile 74 chains, the length of river from Oakhampton to Morpeth would be 5 miles 76 chains, and the distance saved would be 10 miles 69 chains. This plan would be more expensive than the first, as it would involve about half a mile more cutting for the new channel.

A third plan would, at the lower part of its course, be somewhat similar to the first, but would differ materially in the upper portions. It would involve considerably more cutting, and a much greater interference with the natural course of the river. By it the length between the points before referred to would be reduced to 5 miles 71 chains, the distance saved would be 10 miles 74 chains, and the length of new channel would be 1 mile 67 chains.

A fourth plan would be a combination of Nos. 1, 2, 3. The distance saved would be somewhat greater than by any of the foregoing, but the length of cutting for the new channel would be 2 miles 31 chains.

Two other means are shewn on the accompanying plan by which the channel might be shortened, but they would both involve considerably more cutting than Nos. 1, 2, besides necessitating the construction of new bridges at Pitnacree.

Plan

Plan No. 1 is that which seems to combine the greatest number of advantages with that of being the least costly. Taking the floods of '57 and '67, and assuming that the natural channel and the new cuts were made equal in section, to that at Pitnacree, I find that the new channel would, with the increased rate of inclination which would result from shortening it by 10 miles 53 chains, be capable of discharging about 61,800 cubic feet per second, thus more than doubling the present rate of discharge at Pitnacree, and bringing up the capacity of the channel from 26,129, or (say) under one-quarter, to nearly one-half the whole quantity of water passing Oakhampton. The effect at Pitnacree Bridge would be to raise the flood-levels about 3 feet 6 inches, and at Morpeth, about 3 feet. Supposing the channel, then, to remain unaltered at Eales' Flat, a rise of about 6 inches above the present flood-level would probably take place. As was shewn in a former part of this report, 61,800 feet per second is about the additional quantity of water which will be confined to the river by the embankment of Maitland, and is the full extent to which, in my opinion, relief should be attempted; but we must not forget that the increased rate of fall in the channel which would tend to drain away the water more rapidly from Maitland, would also the more rapidly precipitate it on to the low country near Pitnacree and Morpeth, unless the increased height attained at these latter places should in their turn so increase the rate of fall from them onwards, as, coupled with the greater sectional area and hydraulic mean depth, would enable them in their turn to carry off the increased quantity brought down from above—in other words, a more rapid and at the same time more uniform rate of slope would be established from some point on the river near Oakhampton, in fact, as high up as the improved drainage would be felt, to some other point on the river lower down, where the greater capacity of the channel would enable it to carry off, without sensible increase in height, the additional body of water brought down. This, on the plan I have sketched, may be considered to be about Hexham.

The flood would be lowered by about 6 inches at Maitland, and the town saved from inundation, but the country between it and Hexham must be inundated to a greater or less degree as a consequence, probably, however, not more than I have stated.

The probable cost of shortening the river by the cuts-off shewn on the first plan, may be estimated at about £137,000, and for the second plan, about £192,000.

In these amounts are not included the cost of the general scheme of minor drainage, which I have described as being necessary to carry away the flood-waters from the submerged lands on Wallis Creek on the subsidence of the floods, and which should, in my opinion, be immediately commenced; their cost would be inconsiderable, and the benefit to the land would be certain and immediate. I have not gone into the details of this scheme, believing it, as I have before stated, to be more a matter for local or municipal action than for the central Government; but if it be desired by the Honorable the Secretary for Public Works, with the information now at my disposal, and a few more levels, I could do so.

In conclusion, I would again observe that, in contemplating changes, we must not lose sight of the fact that any violent interference with the regimen of the river above Morpeth must materially alter the existing condition of things, certainly as far down as Hexham, and that no one can predict with certainty what those alterations will be. We must anticipate that the sand-bars at Morpeth and Eales' Flat will be shifted further down, as will probably be also that at Raymond Terrace; but no one can undertake to say positively where they may be redeposited; and one thing is certain, if the cuts-off I have described are made, that we must be prepared for steady and continuous dredging for many years to come, until the river shall have re-established itself. Indeed the whole subject is one of extreme difficulty; no problem in engineering can perhaps be more so. Once we interfere with the existing order of things, we call into operation forces and causes, the effects and consequences of which may be so varied, and at first sight apparently contradictory, as to be difficult of explanation, and impossible of certain prediction.

These

These observations must be taken as only applying to the very highest floods. In floods of moderate height the relief which would be afforded to Maitland would probably be unaccompanied by very serious, if any, injury to Morpeth; as the first flood-wave being enabled to get away before the second should come down, by reason of the increased discharging capacity of the improved channel, that penning up of the waters which now takes place would not occur. And as the smaller floods are almost annual, while those like the August '57 or '67 are of rare occurrence, I think a case may be considered as made out in favour of undertaking the works referred to. But I have considered it to be my duty to point out as clearly and fully as I could, what would probably be their effects during very great floods; as were they rashly undertaken, without due regard to the precautions which are necessary to guard against or mitigate the dangers which they may occasion, the consequences may be very disastrous.

I have the honor to be,

Sir,

Your very obedient Servant,

E. O. MORIARTY,

Engineer-in-Chief for Harbours and Rivers.





## HUNTER RIVER

TABLE shewing approximately the Quantities of

Number of Sections.	1857.		Number of Hours.	Total number of Days and Hours since commencement of Flood.		Singleton Bridge.						
	From	To		Days.	Hours.	Areas of Sections in square feet.	Hyd. mean Depth.	Inclination of surface of water, 1:	Velocity in feet per second.	Quantity in cube feet per second.	Quantities discharged within certain periods, cube feet.	Total quantities discharged since the commencement of Flood in cube feet.
1	.....	20 Aug., 0 p.m.	...	.....	...	148	1.72	2,923	2.24	331	.....	.....
2	20 Aug., 0 p.m.	20 " 7 "	7	0	7	298	2.05	2,917	2.44	730	18,390,000	18,390,000
3	20 " 7 "	20 " 12 "	5	0	12	958	4.45	2,812	3.67	3,043	54,772,000	73,162,000
4	21 " 0 a.m.	21 " 1 a.m.	1	0	13	2,090	9.33	2,070	5.45	11,399	41,035,000	114,197,000
5	21 " 1 "	21 " 2 "	1	0	14	2,773	11.85	2,605	6.22	17,254	62,114,000	176,311,000
6	21 " 2 "	21 " 3 "	1	0	15	3,408	13.85	2,549	6.80	23,180	83,449,000	259,760,000
7	21 " 3 "	21 " 4 "	1	0	16	4,131	16.14	2,495	7.42	30,652	110,310,000	370,100,000
8	21 " 4 "	21 " 5 "	1	0	17	4,894	17.99	2,450	7.90	38,694	139,300,000	509,400,000
9	21 " 5 "	21 " 6 "	1	0	18	5,750	19.24	2,416	8.33	47,897	172,430,000	681,830,000
10	21 " 6 "	21 " 7 "	1	0	19	6,533	21.01	2,402	8.62	56,363	202,910,000	884,740,000
11	21 " 7 "	21 " 8 "	1	0	20	7,237	22.06	2,405	8.84	63,960	230,250,000	1,114,990,000
12	21 " 8 "	21 " 9 "	1	0	21	7,978	23.19	2,409	9.05	72,221	260,000,000	1,374,990,000
13	21 " 9 "	21 " 10 "	1	0	22	8,582	24.11	2,423	9.20	78,985	284,350,000	1,659,340,000
14	21 " 10 "	21 " 11 "	1	0	23	9,173	24.93	2,438	9.33	85,566	308,040,000	1,967,380,000
15	21 " 11 "	21 " 12 "	1	1	0	9,707	25.61	2,459	9.41	91,394	329,020,000	2,296,400,000
16	21 " 12 "	21 " 1 p.m.	1	1	1	10,062	26.06	2,480	9.47	95,252	342,910,000	2,639,310,000
17	21 " 1 p.m.	21 " 2 "	1	1	2	10,396	26.45	2,482	9.49	96,373	346,940,000	2,986,250,000
18	21 " 2 "	21 " 3 "	1	1	3	10,658	26.91	2,517	9.54	101,690	366,070,000	3,352,320,000
19	21 " 3 "	21 " 4 "	1	1	4	10,810	27.03	2,524	9.55	103,200	371,510,000	3,723,830,000
20	21 " 4 "	21 " 5 "	1	1	5	11,039	27.26	2,522	9.59	105,890	381,190,000	4,105,020,000
21	21 " 5 "	21 " 10 "	5	1	10	11,307	27.65	2,522	9.66	109,230	1,906,100,000	6,071,120,000
22	21 " 10 "	22 " 9 a.m.	11	1	21	11,856	28.30	2,514	9.79	116,040	4,595,200,000	10,663,320,000
23	22 " 9 "	22 " 5 p.m.	8	2	5	12,180	28.73	2,507	9.88	120,290	3,464,400,000	14,127,720,000
24	22 " 5 p.m.	23 " 7 a.m.	14	2	19	12,431	28.98	2,505	9.92	123,350	6,216,700,000	20,344,420,000
25	23 " 7 a.m.	23 " 7 p.m.	12	3	7	12,866	29.64	2,497	10.05	129,330	5,587,000,000	25,931,420,000
26	23 " 7 p.m.	23 " 12 "	5	3	12	12,823	29.62	2,497	10.05	128,840	2,319,000,000	28,250,420,000
27	23 " 12 "	24 " 12 "	24	4	12	11,933	28.34	2,519	9.79	116,780	10,090,000,000	38,340,420,000
28	25 " 0 a.m.	25 " 12 "	24	5	12	10,555	26.72	2,539	9.47	99,907	8,632,000,000	46,972,420,000
29	26 " 0 "	26 " 12 "	24	6	12	8,056	23.22	2,681	8.59	69,157	5,975,100,000	52,947,520,000
30	27 " 0 "	27 " 12 "	24	7	12	6,341	20.45	2,651	8.10	51,390	4,440,100,000	57,387,620,000
31	28 " 0 "	28 " 12 "	24	8	12	5,509	19.06	2,673	7.79	42,924	3,708,600,000	61,096,220,000
32	29 " 0 "	29 " 12 "	24	9	12	4,866	17.89	2,698	7.51	36,568	3,158,600,000	64,254,820,000
33	30 " 0 "	30 " 12 "	24	10	12	4,440	17.14	2,715	7.33	32,552	2,812,400,000	67,076,220,000
34	31 " 0 "	31 " 12 "	24	11	12	4,155	16.23	2,720	7.12	29,609	2,558,300,000	69,634,520,000
35	1 Sept., 0 "	1 Sept., 12 "	24	12	12	3,754	15.02	2,741	6.83	25,636	2,215,000,000	71,849,520,000
36	2 " 0 "	2 " 12 "	24	13	12	3,469	14.04	2,749	6.60	22,874	1,976,300,000	73,825,820,000
37	3 " 0 "	3 " 12 "	24	14	12	3,165	13.13	2,764	6.36	20,127	1,739,000,000	75,564,820,000
38	4 " 0 "	4 " 12 "	24	15	12	2,912	12.29	2,776	6.14	17,874	1,544,300,000	77,109,120,000
39	5 " 0 "	5 " 12 "	24	16	12	2,707	11.57	2,785	5.95	16,097	1,390,700,000	78,499,820,000
40	6 " 0 "	6 " 12 "	24	17	12	2,512	10.92	2,794	5.75	14,490	1,252,000,000	79,751,820,000
41	7 " 0 "	8 " 12 "	48	19	12	2,191	9.70	2,809	5.42	11,875	2,052,000,000	81,803,820,000
42	9 " 0 "	10 " 12 "	48	21	12	1,899	8.63	2,824	5.10	9,686	1,673,600,000	83,477,420,000
43	11 " 0 "	12 " 12 "	48	23	12	1,605	7.64	2,837	4.79	7,686	1,328,100,000	84,805,520,000
44	13 " 0 "	14 " 12 "	48	25	12	1,305	6.49	2,849	4.40	5,747	993,130,000	85,798,650,000
45	15 " 0 "	16 " 12 "	48	27	12	1,053	5.46	2,865	4.02	4,239	732,570,000	86,531,220,000
46	17 " 0 "	18 " 12 "	48	29	12	778	4.28	2,881	3.55	2,765	477,770,000	87,008,990,000
47	19 " 0 "	23 " 12 "	120	34	12	534	3.10	2,894	3.02	1,614	697,110,000	87,706,100,000
48	24 " 0 "	28 " 12 "	120	39	12	298	2.06	2,913	2.45	730	315,450,000	88,021,550,000
49	29 " 0 "	30 " 12 "	48	41	12	148	1.85	2,920	2.32	344	59,390,000	88,080,940,000

## REPORT ON THE FLOODS IN THE HUNTER.

37

FLOOD, 1857.

Water discharged within certain Periods of Time.

West Maitland Bridge.							Iitnacree Bridge.						
Areas of Sections in square feet.	Hyd. mean Depth.	Inclination of surface of water, 1 :	Velocity in feet per second.	Quantities in cube feet per second.	Quantities discharged within certain periods, in cube feet.	Total quantities discharged since commencement of Flood, in cube feet.	Areas of Sections in square feet.	Hyd. mean Depth.	Inclination of surface of water, 1 :	Velocity in feet per second.	Quantities in cube feet per second.	Quantities discharged within certain periods, in cube feet.	Total quantities discharged since commencement of Flood, in cube feet.
2,517	11-87	125,861	0-90	2,255	.....	.....	1,300	5-75	448,800	0-30	429	.....	.....
2,724	12-61	51,325	1-45	3,939	99,274,000	99,274,000	1,412	6-22	99,733	0-72	1,029	25,926,000	25,926,000
2,850	13-01	33,034	1-83	5,218	93,937,000	193,211,000	1,479	6-49	63,257	0-93	1,381	24,872,000	50,798,000
2,998	13-50	23,775	2-20	6,592	23,732,000	216,943,000	1,548	6-76	44,880	1-13	1,752	6,310,000	57,108,000
3,104	13-86	20,002	2-43	7,537	27,136,000	244,079,000	1,583	6-91	37,400	1-25	1,985	7,148,000	64,256,000
3,255	14-34	15,752	2-78	9,060	32,590,000	276,669,000	1,631	7-09	28,955	1-44	2,354	8,477,500	72,733,500
3,409	14-82	13,377	3-07	10,469	37,696,000	314,365,000	1,708	7-40	24,259	1-59	2,719	9,790,600	82,524,000
3,649	15-06	10,981	3-49	12,714	45,770,000	360,135,000	1,825	7-73	19,513	1-81	3,351	12,067,000	94,591,000
4,010	15-54	8,688	3-90	15,648	56,330,000	416,468,000	1,964	8-12	14,960	2-15	4,220	13,857,000	108,448,000
4,532	16-48	7,106	4-44	20,136	72,489,000	488,957,000	2,174	8-84	11,810	2-53	5,486	19,752,000	128,200,000
5,140	17-25	6,081	4-91	25,256	90,922,000	579,879,000	2,493	9-93	9,756	2-94	7,338	26,419,000	154,619,000
5,849	17-94	5,399	5-32	31,108	112,000,000	691,879,000	2,792	10-90	8,389	3-33	9,287	33,437,000	188,056,000
6,589	18-83	4,890	5-72	37,719	135,790,000	827,669,000	3,120	11-95	7,357	3-72	11,603	41,770,000	229,826,000
7,427	19-96	4,495	6-15	45,667	164,400,000	992,069,000	3,480	13-08	6,552	4-13	14,347	51,650,000	281,476,000
8,291	21-70	4,182	6-64	55,107	198,390,000	1,190,459,000	3,813	14-07	5,905	4-50	17,172	61,818,000	343,294,000
8,986	23-10	3,993	7-02	63,058	227,010,000	1,417,469,000	4,080	14-78	5,507	4-67	19,056	68,613,000	411,907,000
9,649	24-43	3,753	7-44	71,821	258,560,000	1,676,029,000	4,350	15-48	5,024	5-06	22,047	79,374,000	491,281,000
10,080	24-46	3,711	7-47	75,373	271,350,000	1,947,379,000	4,536	16-03	4,905	5-20	23,923	86,123,000	577,404,000
10,443	25-66	3,714	7-67	80,082	288,290,000	2,235,669,000	4,699	16-43	4,905	5-34	25,092	90,329,000	667,773,000
10,643	26-02	3,754	7-86	83,657	301,170,000	2,536,839,000	4,911	16-93	4,987	5-38	26,404	95,053,000	762,786,000
10,969	26-63	3,855	7-67	84,102	1,514,000,000	4,050,839,000	5,266	17-78	5,189	5-40	28,441	511,950,000	1,274,736,000
11,379	27-29	3,993	7-63	86,787	3,436,700,000	7,487,539,000	5,749	19-03	5,473	5-44	31,281	1,238,700,000	2,513,436,000
11,667	27-84	4,120	7-59	88,491	2,548,500,000	10,036,039,000	6,068	19-77	5,734	5-43	32,917	948,020,000	3,461,456,000
11,875	28-21	4,186	7-58	89,934	4,532,700,000	14,568,739,000	6,304	20-33	5,867	5-43	34,238	1,725,600,000	5,187,056,000
12,084	28-57	4,220	7-59	91,729	3,962,700,000	18,531,439,000	6,512	20-87	5,944	5-47	35,600	1,538,000,000	6,725,056,000
12,084	28-57	4,220	7-59	91,729	1,651,100,000	20,182,539,000	6,512	20-87	5,944	5-47	35,600	640,810,000	7,365,866,000
11,544	27-75	4,333	7-39	85,233	7,364,200,000	27,546,739,000	6,276	20-25	6,148	5-29	33,227	2,871,000,000	10,236,866,000
10,506	25-75	4,775	6-77	71,179	6,149,900,000	33,696,639,000	5,775	19-19	7,012	5-82	27,871	2,408,000,000	12,644,866,000
8,712	22-40	5,458	5-91	51,488	4,448,500,000	38,145,139,000	4,882	16-84	8,235	4-17	20,365	1,759,500,000	14,404,366,000
7,427	19-99	6,203	5-23	38,874	3,358,700,000	41,503,839,000	4,277	15-28	9,756	3-65	15,613	1,349,000,000	15,753,366,000
6,710	18-85	6,809	5-45	36,546	3,157,500,000	44,661,339,000	3,947	14-40	10,946	3-35	13,210	1,141,400,000	16,894,766,000
6,236	18-56	7,333	5-21	32,476	2,806,000,000	47,467,339,000	3,687	13-60	11,968	3-11	11,468	990,820,000	17,885,586,000
5,911	18-41	7,769	4-49	26,550	2,293,900,000	49,761,239,000	3,502	13-12	12,823	2-95	10,333	892,800,000	18,778,386,000
5,606	18-20	8,264	4-33	24,276	2,097,400,000	51,858,639,000	3,349	12-69	13,809	2-80	9,364	809,120,000	19,587,506,000
5,286	17-74	8,850	4-13	21,833	1,886,400,000	53,745,039,000	3,167	12-09	14,960	2-62	8,305	717,610,000	20,305,116,000
5,035	17-48	9,389	3-99	20,055	1,731,900,000	55,476,939,000	3,043	11-66	16,029	2-48	7,571	654,210,000	20,959,326,000
4,835	17-15	10,012	3-82	18,461	1,595,000,000	57,071,939,000	2,892	11-16	17,261	2-34	6,786	586,320,000	21,545,646,000
4,659	16-70	10,547	3-67	17,110	1,478,200,000	58,550,139,000	2,792	10-90	18,318	2-25	6,235	543,050,000	22,088,696,000
4,531	16-48	11,149	3-55	15,984	1,390,900,000	59,941,039,000	2,692	10-53	19,513	2-15	5,788	500,110,000	22,588,806,000
4,393	16-39	11,834	3-43	15,087	1,303,500,000	61,244,539,000	2,594	10-26	20,874	2-12	5,485	473,990,000	23,062,796,000
4,181	16-33	13,215	3-25	13,413	2,318,000,000	63,562,539,000	2,445	9-74	23,621	1-87	4,580	791,580,000	23,854,376,000
3,901	16-32	14,235	3-12	12,186	2,105,700,000	65,713,239,000	2,275	9-17	25,646	1-74	3,969	685,960,000	24,540,336,000
3,671	15-49	16,378	2-84	10,415	1,799,900,000	67,513,139,000	2,131	8-70	29,920	1-57	3,352	579,260,000	25,119,596,000
3,470	14-96	19,376	2-56	7,840	1,354,900,000	68,868,039,000	1,988	8-28	35,904	1-48	2,785	481,400,000	25,600,996,000
3,276	14-43	23,872	2-26	7,431	1,254,200,000	70,152,239,000	1,854	7-89	44,880	1-22	2,267	391,890,000	25,992,886,000
3,064	13-74	29,490	1-91	6,101	1,055,000,000	71,207,239,000	1,643	7-14	56,100	1-04	1,710	288,850,000	26,281,736,000
2,870	13-17	42,247	1-63	4,674	2,019,200,000	73,226,439,000	1,548	6-76	81,600	0-84	1,299	551,560,000	26,843,296,000
2,682	12-53	65,571	1-27	3,420	1,477,900,000	74,704,339,000	1,412	6-22	128,230	0-64	907	391,960,000	27,235,256,000
2,517	11-87	225,860	0-66	1,682	290,930,000	74,995,269,000	1,300	5-75	448,800	0-33	429	72,509,000	27,307,765,000



I.  
RAINFALL IN NEW SOUTH WALES.

Year.	Station.	January.	February	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Totals.
1840	South Head .....	.....	.....	.....	2.61	16.30	3.93	7.01	0.89	4.87	1.75	1.95	4.94	44.250*
1841	" .....	5.63	0.53	3.83	25.43	6.73	1.73	11.11	1.47	4.20	7.05	4.35	4.25	76.310
1842	" .....	5.82	11.06	3.07	7.84	5.51	0.27	6.60	3.80	1.10	0.07	0.14	3.04	48.320
1843	" .....	1.58	12.33	5.36	7.86	6.67	3.01	4.18	12.77	3.36	1.10	0.75	3.54	62.780
1844	" .....	9.88	1.88	2.28	1.31	1.95	10.04	2.89	2.94	3.72	24.69	4.51	4.57	70.670
1845	" .....	4.86	4.67	3.46	16.40	9.64	3.42	4.91	0.60	3.62	1.89	0.80	7.74	62.025
1846	" .....	1.00	5.91	2.69	1.26	1.43	5.61	2.31	5.48	5.94	2.75	3.97	5.48	48.833
1847	" .....	10.68	6.12	2.49	7.35	6.18	2.84	0.79	0.84	1.19	1.20	1.59	1.54	42.810
1848	" .....	8.03	2.55	13.85	2.78	0.85	5.47	11.63	1.89	3.37	5.35	0.48	2.92	59.170
1849	" .....	0.57	0.81	1.18	1.13	5.61	1.80	3.48	1.66	1.33	1.95	1.56	0.41	21.490
1850	" .....	1.37	1.73	4.80	4.27	1.22	3.52	10.16	1.44	4.50	8.66	1.69	1.52	44.875
1851	" .....	1.74	6.17	1.79	5.60	2.27	1.55	2.02	2.99	0.58	4.32	2.50	3.61	35.135
1852	" .....	3.39	0.87	5.17	1.25	5.41	10.30	0.59	5.05	3.17	2.28	4.80	1.51	43.775
1853	" .....	4.45	0.16	3.09	1.85	3.90	14.25	2.33	7.00	0.12	2.71	4.48	1.78	46.105
1854	" .....	3.09	0.11	4.67	3.40	0.89	8.46	1.64	1.52	2.50	1.08	1.54	0.39	29.275
1855	" .....	2.53	4.34	7.58	10.24	7.10	2.17	2.96	0.59	5.35	2.38	2.35	5.27	52.850
1856	Petersham .....	3.52	2.31	3.91	4.67	3.73	0.46	3.41	0.65	2.20	2.65	11.13	4.77	43.310
1857	" to March, then Double Bay to June, then Sydney .....	3.02	6.66	4.39	6.04	5.74	5.39	5.55	4.56	1.54	5.26	1.51	1.26	50.920
1858	" .....	1.16	1.31	3.74	5.02	11.85	5.94	0.61	0.79	1.42	3.72	2.48	2.10	40.140
1859	" .....	6.99	7.22	1.02	0.44	0.97	4.33	4.67	0.29	10.90	0.30	1.31	3.62	42.044
1860	" .....	6.57	10.87	5.23	20.02	0.18	2.81	11.95	9.48	2.58	4.08	7.29	1.75	82.801
1861	" .....	3.59	3.27	4.40	24.49	1.57	1.84	4.77	7.72	1.77	2.71	1.62	0.61	58.360
1862	" .....	3.72	4.74	1.90	1.39	1.47	3.32	0.12	1.95	0.63	0.72	1.03	2.99	23.980
1863	" .....	6.45	6.31	5.64	6.30	0.40	5.85	1.41	6.39	3.27	3.48	0.68	0.91	47.080
1864	" .....	1.10	7.19	11.68	7.46	4.03	15.38	8.02	3.03	1.14	5.41	1.25	3.42	72.120
1865	" .....	5.07	3.94	0.95	2.40	1.05	5.30	1.89	2.99	1.10	0.92	9.88	0.77	36.278
1866	" .....	4.10	3.95	2.70	1.02	3.26	8.89	4.42	1.07	0.14	1.39	3.61	2.26	36.799
1867	" .....	1.73	3.69	12.05	17.48	3.83	12.64	8.62	0.98	3.35	0.21	.....	.....	58.510
Sums	.....	111.64	120.70	122.92	197.31	119.74	150.52	124.05	90.83	78.99	99.98	79.25	76.90	1376.015
Means	.....	4.135	4.470	4.553	7.047	4.277	5.376	4.430	3.244	2.821	3.571	2.935	2.844	49.143

\* Nine months. Observations of Rain were begun at South Head in April, 1840.

II.  
NUMBER of Rainy Days in New South Wales.

Year.	Station.	January.	February	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
1840	South Head .....	...	...	...	13	16	15	13	6	14	13	7	11	108*
1841	" .....	17	6	18	13	12	7	14	7	10	10	14	14	142
1842	" .....	12	14	14	9	9	8	9	15	14	11	8	15	137
1843	" .....	14	17	20	13	17	18	13	16	11	10	10	8	168
1844	" .....	17	16	5	14	10	12	14	17	12	15	15	9	157
1845	" .....	11	14	10	15	15	9	12	7	8	14	4	14	132
1846	" .....	6	9	15	9	8	12	10	14	18	16	10	12	139
1847	" .....	17	12	16	14	13	9	10	11	13	10	11	6	142
1848	" .....	18	14	10	14	10	8	15	15	7	17	10	17	155
1849	" .....	11	15	4	10	13	11	14	11	15	10	15	11	140
1850	" .....	12	17	12	12	11	15	22	10	14	17	9	6	157
1851	" .....	8	12	12	17	14	12	15	10	6	11	15	10	142
1852	" .....	12	8	17	7	13	11	10	16	12	13	14	10	143
1853	" .....	16	9	13	10	9	13	11	10	7	9	14	9	130
1854	" .....	14	10	16	12	9	19	6	11	10	8	13	8	136
1855	" .....	12	10	15	17	7	10	13	4	12	13	16	19	138
1856	Petersham .....	13	13	12	11	9	6	9	5	8	9	12	9	116
1857	" to March, then Double Bay to June, then Sydney .....	10	12	13	16	15	12	8	12	7	14	8	8	135
1858	" .....	6	8	12	13	12	14	11	9	9	16	14	15	139
1859	" .....	18	10	12	4	6	13	9	6	18	6	11	15	128
1860	" .....	8	17	17	14	6	9	18	19	19	19	17	19	182
1861	" .....	15	16	19	17	10	11	12	18	6	13	10	10	157
1862	" .....	13	9	13	13	7	10	4	9	7	10	9	7	111
1863	" .....	14	14	16	14	10	19	8	14	10	16	6	11	152
1864	" .....	11	16	23	19	20	14	10	15	12	17	8	12	187
1865	" .....	14	9	11	11	14	11	12	10	8	7	12	9	128
1866	" .....	17	17	15	7	14	17	14	11	5	9	13	10	149
1867	" .....	10	13	14	23	15	12	7	7	14	4	...	...	119
Sums	.....	346	337	374	361	324	337	323	315	306	338	295	304	3,969
Means	.....	12.8	12.5	13.9	12.9	11.6	12.9	11.6	11.3	10.9	12.1	10.9	11.3	141.8

\* Nine months.

These Tables were furnished to the Sydney Water Commission by G. R. Smalley, Esq., Government Astronomer.

## REPORT ON THE FLOODS IN THE HUNTER.

39

REPORT shewing amount of Rain and Evaporation registered at South Head and Sydney, during the period between 1852 and 1867, October 14, inclusive.

YEAR.	SOUTH HEAD.		SYDNEY.			REMARKS.
	Rainfall.	Days.	Rainfall.	Days.	Evaporation.	
	inches.		inches.		inches.	
1852	43-775	143	.....	.....	.....	Observations at South Head were discontinued from 1856 to 1865 inclusive.
1853	46-105	130	.....	.....	.....	
1854	29-275	136	.....	.....	.....	
1855	52-850	138	.....	.....	.....	
1856	.....	.....	43-300	*	.....	
1857	.....	.....	50-950	136	.....	* No record of the number of days.
1858	.....	.....	39-595	130	.....	
1859	.....	.....	42-044	128	.....	Observations of evaporation were not taken until the middle of 1859.
1860	.....	.....	82-801	182	41-183	
1861	.....	.....	58-360	157	49-520	
1862	.....	.....	23-980	111	76-820	
1863	.....	.....	47-080	152	58-819	
1864	.....	.....	72-120	187	50-564	
1865	.....	.....	36-260	128	52-656	
1866	38-509	93	36-799	149	46-206	
1867	50-230	67	58-406	114	29-351	
Sums ...	260-744	707	591-695	1,574	405-119	
Means..	43-457	118	49-308	143	50-640	



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORTS OF THE COMMISSION

APPOINTED TO INQUIRE INTO THE

WATER SUPPLY

TO THE

CITY OF SYDNEY AND SUBURBS.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

12 *January*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1869.

[*Price*, 6*d.*]

150—A.



## PROGRESS REPORTS.

---

THE SYDNEY WATER COMMISSION to THE COLONIAL SECRETARY.

Sydney Water Commission,  
Public Works Office, Phillip-street,  
Sydney, 23 December, 1867.

SIR,

In accordance with the terms of the Commission by which we were appointed to inquire into the Supply of Water to Sydney and Suburbs, and which Commission expires to-morrow, the 24th instant, we have the honor to submit the following Report of Progress :—

We have prosecuted this inquiry with all the care and diligence we could bestow, and which its great importance demands. We have held fifteen meetings in our office, for the taking of evidence, and for other business ; and have besides, spent thirteen days in field work, and personally examining the present source of water supply, and various other districts where a future supply might possibly be derived. We have thus inspected the junction of the Nepean and Warragamba, and latterly we have made an extended examination of the country drained by the eastern tributaries of George's River and the Nepean, and by the Port Hacking River. Much work of this kind, however, remains to be done. We think that other portions of the Nepean ought to be examined, and also the Grose, the Couridjah Lagoons, and other places ; and it may likewise be necessary to obtain various surveys and sections before a decision can be arrived at.

We have taken the evidence of fourteen witnesses, and have procured a variety of maps, plans, reports, returns of population, of rainfall, and of drainage areas of rivers, and have put in hand, analyses of waters of more or less promise ; all which information will be important when we can form a judgment on the whole question.

At this stage of the inquiry, we can only recommend that the Commission be renewed for a further period ; and as so much remains to be done, both in the office and in the field, before a Final Report can be drawn up, we would respectfully suggest that the extension of time may be for six months.

We enclose a statement of the expenditure of the Commission up to the present time.

We have, &c.,

J. SMITH, M.D.,  
President of the Commission.  
E. O. MORIARTY, M.I.C.E.  
P. F. ADAMS.  
FRANCIS H. GRUNDY.  
THOMAS WOORE.

---

Sydney

## 4 PROGRESS REPORTS—WATER SUPPLY TO SYDNEY AND SUBURBS.

Sydney Water Commission,  
Public Works Office, Phillip-street,  
Sydney, 24 December, 1867.

## EXPENDITURE OF THE SYDNEY WATER COMMISSION.

The following charges were duly passed at meetings of the Commission, and cheques drawn for the same against the sum of £100 lodged by the Government, to the credit of the Commission, in the Bank of New South Wales.

		£	s.	d.
22 October	Petty cash	5	0	0
30 "	Compagnoni, for lunch	3	7	2
5 November	Wall, coach hire	1	10	0
5 "	Douglas, printing	1	6	6
20 "	Sands, stationery	1	4	8
5 December	Shiels, Regentville	8	0	0
6 "	Sandon, stationery	1	7	0
6 "	Petty cash	5	0	0
9 "	Expenses at Penrith	2	18	0
9 "	Expenses to Woronora, &c.	10	0	0
9 "	Mitchell & Co., equipment	1	13	3
19 "	Hayles, Wollongong	7	19	6
23 "	Cook and camp-keeper, Woronora	3	0	0
23 "	Road expenses on return to Sydney from Wollongong	3	13	6
23 "	Wall, expedition to Woronora	34	16	0
23 "	Peate & Harcourt	16	15	1
		£	107	10 8

J. SMITH,  
President of the Commission.

## THE SYDNEY WATER COMMISSION to THE COLONIAL SECRETARY.

Sydney Water Commission,  
Public Works Office, Phillip-street,  
Sydney, 20 June, 1868.

SIR,

As the extended Commission of Inquiry into the supply of Water to Sydney and Suburbs expires on the 23rd instant, we have now the honor to make the following Report of Progress:—

Since the renewal of the Commission, on January 24th, we have held seventeen meetings in our office, for the purpose of taking the evidence, and for other business; and we have besides, spent seven days in examining the present and suggested future sources of supply.

Deputations of the Commissioners have spent ten days more in visiting points to which it is not thought necessary to take the whole Commission. We have thus examined the Cataract and Cordeaux Rivers, and the upper parts of the Nepean, also the Grose, the Wollondilly in Burragorang, George's River, the Colo, Wheeny Creek, and the Couridjah Lagoons.

We have caused a section to be made (under Mr. Woore's superintendence) of the country between the Warragambah and Rope's Creek, connecting with Mr. Woore's section from the latter point to Ashfield; and we have at present a section in progress from the Cataract River at Broughton's Pass, along the dividing ridge between the waters of George's River and the Nepean. We have also obtained a survey of the drainage area of the Couridjah Lagoons, and a cursory examination of the whole course of the Cataract River.

Analyses of all the waters examined by the Commission are now nearly completed at the University. From the amount of work remaining to be done, a considerable time must elapse before we can be prepared with the Final Report, and we therefore respectfully crave a further extension of the Commission, say for six months.

We



PROGRESS REPORTS—WATER SUPPLY TO SYDNEY AND SUBURBS. 5

We enclose a statement of the expenditure of the Commission, by which it will be seen that it exceeds by 16s. 5d. the amount of £400 placed to our credit in the Bank of New South Wales.

We have, &c.,

JOHN SMITH, M.D.,  
President of the Commission.  
E. O. MORIARTY.  
P. F. ADAMS.  
F. H. GRUNDY.  
THOMAS WOORE.

20 June, 1868.

EXPENDITURE OF THE SYDNEY WATER COMMISSION.

The following charges were duly passed at meetings of the Commission, and cheques drawn for the same.

		£	s.	d.
1868.	Amount expended under former Commission, and reported to Government, 24 December, 1867 .....	107	10	8
8 February .....	Wall, Woronora expenditure .....	1	14	0
8 " .....	Secretary, camp expenses .....	3	15	0
5 March .....	Stationery .....	1	4	6
5 " .....	Wall, expenses to Botany .....	1	16	0
5 " .....	Expenses to Nepean .....	4	11	6
25 " .....	Expenses to Burragorang .....	8	3	0
25 " .....	Binsted, survey of Lagoons .....	32	7	6
11 April .....	Avery, One-tree Hill .....	3	15	0
16 " .....	Expenses, Grose .....	7	12	10
18 " .....	Mr. Woore, travelling expenses .....	6	6	3
3 May .....	Secretary, expenses to Cataract .....	3	18	6
12 " .....	Wyndham, survey of section .....	76	14	2
21 " .....	Partiss, coach hire .....	2	0	0
22 " .....	Reid Hotel, Richmond .....	3	9	6
29 " .....	Mr. Grundy, surveying .....	100	0	0
29 " .....	Wall, coach hire .....	1	0	0
29 " .....	Secretary, expenses to Wheeny .....	2	18	0
11 June .....	Corner, examining Grose .....	2	0	0
11 " .....	Secretary, petty cash .....	5	0	0
18 " .....	Water analyses .....	25	0	0
	£	400	16	5

J. SMITH,  
President of the Commission.

THE SYDNEY WATER COMMISSION to THE COLONIAL SECRETARY.

Sydney Water Commission,  
Public Works Office, Phillip-street,  
Sydney, 19 December, 1868.

SIR,

On behalf of the Commissioners appointed to inquire into the supply of Water to Sydney and Suburbs, we have the honor to submit this our Third Report of Progress.

Since our last Report (under date June 20th, 1868), we have carried on the survey and section of the country from the Cordeaux and Cataract Rivers down to Sydney. The scheme of bringing water by gravitation from these rivers appeared, on examination, to be so promising, that we decided on having the survey and section executed with all attainable minuteness and accuracy. The plan that has been kept in view in this work is, to intercept the waters of the Cordeaux and Upper Nepean at their junction at "Pheasant's Nest," and bring them by a tunnel into the Cataract River, at "Broughton's Pass." The combined waters would then be brought down, partly by tunnel and partly by open conduit, along the dividing ridge between the Nepean and George's River, into a large storage reservoir, to be constructed near "Bull's Hill." From thence the water would be brought to Sydney, by conduit or pipes, as might be found most expedient. A great part of the line is through a rugged and difficult country, which has rendered the

## 6 PROGRESS REPORTS—WATER SUPPLY TO SYDNEY AND SUBURBS.

survey tedious; and we regret that it has not been possible to get this work done in time to allow of a Final Report being prepared before the expiry of our present Commission, on the 23rd instant. Besides this main work, we have caused a minute examination to be made of the Botany Swamps, in order to ascertain how the present supply could be increased, and at what expense. In both cases, the field work is nearly completed; but the reduction and consideration of the results will still occupy much time.

In addition to the work now in progress, we are desirous of examining the Winge-carabee Swamps, and the ridge separating them from the highest tributaries of the Nepean, in order to ascertain if the waters of the former could be thrown into the latter, and at what expense.

We have therefore the honor to recommend that the Commission be again renewed, say for a period of three months.

We have, &c.,

J. SMITH,

President of the Commission.

E. O. MORIARTY.

P. F. ADAMS.

WILLIAM C. BENNETT.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

FOURTH PROGRESS REPORT OF THE COMMISSION

APPOINTED TO INQUIRE INTO THE

WATER SUPPLY

TO THE

CITY OF SYDNEY AND SUBURBS.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

24 *March*, 1869.

---

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1869.

[*Price*, 3*d.*]

\*337—



## FOURTH PROGRESS REPORT.

---

THE SYDNEY WATER COMMISSION *to* THE COLONIAL SECRETARY.

Sydney Water Commission,  
Public Works Office, Phillip-street,  
Sydney, 20 March, 1869.

SIR,

We, the undersigned, on behalf of the Commissioners appointed to inquire into the Supply of Water to Sydney and Suburbs, have the honor to make this, our Fourth Report of Progress.

Since the date of our last Report (19 December, 1868), we have carried on with diligence the works therein specified, but have not been able to complete them so as to report finally before the expiry of our present Commission on the 23rd instant.

We therefore respectfully request that a further extension of the Commission may be granted for two months.

We have, &c.,

J. SMITH,  
President of the Commission.

P. F. ADAMS.

FRANCIS H. GRUNDY.

WILLIAM C. BENNETT.

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## FLOOD GATES, WALLIS CREEK.

(PETITION OF INHABITANTS OF MAITLAND AGAINST ERECTION OF.)

---

*Ordered by the Legislative Assembly to be Printed, 12 January, 1869.*

---

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 15 December, 1868, That there be laid upon the Table of this House,—

“ A Copy of the Petition lately presented by Messrs. Campbell, Windeyer, and Wisdom, to the Minister for Public Works, against the erection of Flood Gates at Wallis Creek.”

*(Mr. Burns.)*

---



## FLOOD GATES, WALLIS CREEK.

---

To His Excellency The Right Honorable Somerset Richard, a Member of Her Majesty's Most Honorable Privy Council in Ireland, Governor and Commander-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

The Humble Petition of the undersigned Residents in this District,—

RESPECTFULLY SHEWETH :—

That your Petitioners have learnt with surprise and alarm that the Municipal Authorities of Maitland contemplate the immediate erection of Flood Gates at Wallis Creek.

That, in the opinion of your Petitioners, such Flood Gates will be productive of serious injury to a very large section of the community, because they will close what has been aptly termed by E. O. Moriarty, Esq., Engineer-in-Chief for Harbours and Rivers, the Safety Valve of the District in time of flood, and thereby cast the additional burden of reception of an enormous volume of water upon a space naturally much too limited to admit of the conveyance of water, resulting from heavy and continued rain, to the sea without flood.

That your Petitioners trust your Excellency will be graciously pleased to take the premises into your favorable consideration, and take such steps as may be considered advisable to protect them in the matter.

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

[Here follow 369 Signatures.]

---

Sydney: Thomas Richards, Government Printer.—1869.

[Price, 3d.]

1868-9.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

**BREADSTUFFS.**  
(RETURN OF IMPORTS AND EXPORTS OF, FOR 1868.)

*Ordered by the Legislative Assembly to be Printed, 19 January, 1869.*

[Vide Question No. 2, of Votes and Proceedings, No. 21, 13 January, 1869.]

GENERAL IMPORTS of Breadstuffs into the Colony of New South Wales, in the Year 1868.

Articles.	Countries whence Imported.	Quantities Imported.			Value.
		In British Vessels.	In Foreign Vessels.	Total.	
Flour and Bread ...		Tons.	Tons.	Tons.	£
	Great Britain .....	10½	.....	10½	185
	Victoria .....	3,251½	247	3,498½	51,702
	South Australia .....	5,793	290	6,083	114,144
	Tasmania .....	1,619	.....	1,619	24,965
	Queensland .....	25	.....	25	380
	Western Australia .....	93	.....	93	1,765
	New Zealand .....	226	8	334	3,949
	New Caledonia .....	.....	1	1	18
	United States .....	5,787	1,381	7,168	101,769
	Chili .....	.....	100	100	1,400
	Total .....	16,905	2,027	18,932	300,277
Wheat .....		Bushels.	Bushels.	Bushels.	
	Victoria .....	81,141	.....	81,141	27,946
	South Australia .....	236,279	9,397	245,676	93,006
	Tasmania .....	88,767	.....	88,767	32,440
	Queensland .....	35	.....	35	12
	Western Australia .....	5,200	.....	5,200	2,000
	New Zealand .....	51,306	.....	51,306	16,715
	United States .....	63,554	66,306	129,860	43,403
	Chili .....	.....	9,238	9,238	3,000
	Total .....	526,282	84,941	611,223	218,522

Custom House, Sydney,  
15th January, 1869.

W. A. DUNCAN,  
Collector of Customs.

## GENERAL EXPORTS of Breadstuffs from the Colony of New South Wales, in the Year 1868.

Articles.	Countries to which Exported.	Quantities.					Value in Sterling.		
		Produce and Manufactures of the Colony.			British, Foreign, and other Colonial Produce and Manufactures.	Total.	Produce and Manufactures of the Colony.	British, Foreign, and other Colonial Produce and Manufactures.	Total.
		In British Vessels.	In Foreign Vessels.	Total.					
Flour .....	Great Britain .....	.....	.....	.....	200	200 cwt.	£ .....	£ 200	£ 200
	Victoria.....	.....	.....	.....	28	28 "	.....	20	20
	Queensland .....	57,635	.....	57,635	51,974	109,609 "	53,822	45,505	99,327
	New Zealand .....	4,579	.....	4,579	13,295	17,874 "	3,772	13,146	16,918
	Norfolk Island .....	84	.....	84	.....	84 "	67	.....	67
	Lord Howe's Island.....	60	.....	60	.....	60 "	60	.....	60
	South Sea Islands .....	796	40	836	334	1,170 "	742	309	1,051
	New Caledonia.....	4,088	.....	4,088	9,357	13,445 "	3,915	9,218	13,133
	Petropaulovski .....	1,478	.....	1,478	3,000	4,478 "	1,400	2,100	3,500
	Batavia .....	.....	.....	.....	400	400 "	.....	360	360
	Mauritius .....	1,980	.....	1,980	.....	1,980 "	1,770	.....	1,770
	Total .....	70,700	40	70,740	78,588	149,328 cwt.	65,548	70,858	136,406
Biscuits .....	Queensland .....	571	.....	571	132	703 cwt.	869	317	1,186
	New Zealand .....	121	.....	121	18	139 "	141	29	170
	South Sea Islands .....	296	.....	296	.....	296 "	278	.....	278
	New Caledonia.....	1,127	.....	1,127	71	1,198 "	1,230	81	1,311
	Total .....	2,115	.....	2,115	221	2,336 cwt.	2,518	427	2,945
Wheat.....	Victoria .....	.....	.....	.....	28	28 bshls.	.....	11	11
	Queensland .....	156	.....	156	8	164 "	31	2	33
	New Zealand .....	.....	.....	.....	10,995	10,995 "	.....	3,130	3,130
	Total .....	156	.....	156	11,031	11,187 bshls.	31	3,143	3,174

Custom House,  
14 January, 1869.

W. A. DUNCAN,  
Collector of Customs.

1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## SUNDAY CLOSING OF HAIR-DRESSERS' SHOPS.

(PETITION—HAIR-DRESSERS OF SYDNEY.)

---

*Ordered by the Legislative Assembly to be Printed, 2 February, 1869.*

---

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the undersigned Hair-dressers, of the City of Sydney,—

HUMBLY SHEWETH :—

1. That the practice of Sunday working in the business of hair-dressing is calculated to demoralize and bring discredit upon the City, from the number of open shops, in which a large number of assistants are compelled to work, in consequence of the increasing number of customers on that day.

2. That the working hours of Hair-dressers in Sydney are, from 7 in the morning until 9 o'clock at night, and every Saturday until 12 o'clock p.m.; and, to continue working until 12 o'clock on the following Sunday is unjust to that portion of the community, and calculated to unfit workmen for anything else of benefit to themselves and the public.

3. That a certain number of persons in the trade have refused to sign an agreement, into which a large majority of the trade have entered, to close on Sunday; and being adjacent to poor men who have signed, are calculated to injure them in their calling.

Your Petitioners, therefore, humbly pray that an Act of Parliament may be passed to compel the closing of all Hair-dressers' shops on Sunday.

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

[Here follow 41 Signatures.]

---



1868-9.

## NEW SOUTH WALES.

IMPORTATION OF SOUTH SEA ISLANDERS  
INTO QUEENSLAND.

Presented to both Houses of Parliament, by Command.

## No. 1.

THE SECRETARY OF STATE FOR THE COLONIES *to* THE OFFICER ADMINISTERING THE  
GOVERNMENT OF NEW SOUTH WALES.

[Separate—Parliamentary.]

Downing-street,  
8 July, 1868.

SIR,

I transmit to you herewith certain Parliamentary Papers—the titles and number of copies of which are specified below; and I request that you will be good enough to acknowledge their receipt.

Title of Paper.		No. of Copies.
H. C. 391 of 1868.	} South Sea Islanders—Queensland ... ..	2

I have, &amp;c.,

BUCKINGHAM &amp; CHANDOS.

## SOUTH SEA ISLANDERS—(QUEENSLAND).

RETURN to an Address of the Honorable the House of Commons, dated 28th April, 1868, for "Copy or Extracts of all Correspondence relating to the Importation of South Sea Islanders into Queensland."

Colonial Office,  
6 July, 1868.

C. B. ADDERLEY.

(Mr. Taylor.)

Ordered by the House of Commons to be printed, 6th July, 1868.

## LIST OF PAPERS.

## QUEENSLAND.

*Despatches from the Governor.*

NO.		PAGE.
1.	No. 49, 16 September, 1863. Extract ... ..	3
2.	" 63, 16 November, 1866 ... ..	5
3.	" 36, 13 July, 1867 ... ..	10
4.	" 12, 27 January, 1868 ... ..	11
5.	" 25, 23 March, 1868 ... ..	17

*Despatches from the Secretary of State.*

1.	No. 5, 1 February, 1867 ... ..	18
2.	" 40, 9 November, 1867 ... ..	19
3.	" 1, 8 January, 1868 ... ..	19

## NEW SOUTH WALES.

*Despatches from the Governor.*

1.	No. 22, 12 March, 1867 ... ..	20
2.	" 26, 29 February, 1868 ... ..	21

*Despatch from the Secretary of State.*

1.	No. 59, 3 December, 1867 ... ..	24
----	---------------------------------	----

*Correspondence between Colonial Office and Admiralty.*

1.	Lord Henry Lennox to the Under Secretary of State. 26 November, 1867 ... ..	24
2.	Sir F. Rogers, Bart., to Secretary to Admiralty. 6 December, 1867 ... ..	24
3.	Ditto, ditto, ditto, 15 November, 1867 ... ..	24
4.	W. G. Romaine, C.B., to Under Secretary of State for Colonies. 7 December, 1867 ... ..	25
5.	Ditto, ditto, ditto, ditto. 21 March, 1868 ... ..	28
6.	Sir F. Rogers, Bart., to the Secretary to the Admiralty. 24 April, 1868 ... ..	28
7.	Ditto, ditto, ditto, ditto. 27 April, 1868 ... ..	28
8.	W. G. Romaine, C.B., to Under Secretary for the Colonies. 28 April, 1868 ... ..	28
9.	T. F. Elliot, Esq., to Secretary to the Admiralty. 29 May, 1868 ... ..	29

*Correspondence between the Colonial Office and the Foreign Office.*

1.	Right Hon. E. Hammond to Under Secretary of State for the Colonies. 24 February, 1868 ... ..	29
2.	Sir F. Rogers, Bart., to Under Secretary of State, Foreign Office. 17 March, 1868 ... ..	29

*Correspondence between the Colonial Office and the Emigration Office.*

1.	Sir F. Rogers, Bart., to Emigration Commissioners. 5 October, 1867 ... ..	30
2.	T. W. C. Murdoch, Esq., to Sir F. Rogers, Bart. 24 October, 1867 ... ..	30
3.	Sir F. Rogers, Bart., to Emigration Commissioners. 13 December, 1867 ... ..	31
4.	T. W. C. Murdoch, Esq., to Sir F. Rogers, Bart. 23 December, 1867 ... ..	31
5.	Sir F. Rogers, Bart., to the Emigration Commissioners. 28 April, 1868 ... ..	32
6.	T. W. C. Murdoch, Esq., to Sir F. Rogers, Bart. 6 May, 1868 ... ..	33
7.	Sir F. Rogers, Bart., to Emigration Commissioners. 13 June, 1868 ... ..	35
8.	Ditto, ditto, ditto, ditto. 13 June, 1868 ... ..	35
9.	T. W. C. Murdoch, Esq., to Sir F. Rogers, Bart. 16 June, 1868 ... ..	35

*Correspondence between the Colonial Office and the British and Foreign Anti-Slavery Society.*

1.	A. W. Bennett, Esq., to the Duke of Buckingham and Chandos. 13 March, 1868 ... ..	38
2.	Sir F. Rogers, Bart., to A. W. Bennett, Esq. 23 March, 1868 ... ..	39
3.	L. A. Chamerovzow, Esq., to the Duke of Buckingham and Chandos. 27 March, 1868 ... ..	39
4.	Sir F. Rogers, Bart., to L. A. Chamerovzow, Esq. 27 April, 1868 ... ..	39
5.	L. A. Chamerovzow, Esq., to the Duke of Buckingham and Chandos. 29 April, 1868 ... ..	40
6.	T. Frederick Elliot, Esq., to L. A. Chamerovzow, Esq. 27 May, 1868 ... ..	41
7.	L. A. Chamerovzow, Esq., to the Duke of Buckingham and Chandos. 23 May, 1868 ... ..	42
8.	T. Frederick Elliot, Esq., to L. A. Chamerovzow, Esq. 3 June, 1868 ... ..	44
9.	L. A. Chamerovzow, Esq., to the Duke of Buckingham and Chandos. 6 June, 1868 ... ..	44
10.	Right Hon. C. B. Adderley to L. A. Chamerovzow, Esq. 19 June, 1868 ... ..	53

*Correspondence between the Colonial Office and the Aborigines Protection Society.*

1.	Lord A. Churchill to the Duke of Buckingham and Chandos. 25 March, 1868 ... ..	53
2.	Sir F. Rogers, Bart., to Lord A. Churchill. 27 April, 1868 ... ..	54

*Other Correspondence.*

1.	Right Hon. Sir John Trollope, Bart., to the Secretary of State. 14 April, 1868 ... ..	54
2.	T. Frederick Elliot, Esq., to Mr. E. Percy. 29 May, 1868 ... ..	55

## APPENDIX.

Queensland Act, No. 47, of 1868—To regulate and control the Introduction and Treatment of Polynesian Labourers ... ..	56
---	----



COPY OR EXTRACTS OF ALL CORRESPONDENCE RELATING TO THE  
IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

QUEENSLAND.

Queensland.

Despatches from the Governor.

No. 1.

(No. 49.)

EXTRACT of a Despatch from Governor Sir G. F. Bowen, G.C.M.G., to His Grace the Duke of Newcastle, K.G.; dated Government House, Brisbane, Queensland, 16 September, 1863.

No. 1.  
Governor Sir G.  
F. Bowen,  
G.C.M.G., to the  
Duke of New-  
castle, K.G.  
16 Sept., 1863.

A cotton plantation has been commenced near Brisbane, by Captain Towns, a highly respectable and influential merchant and shipowner of Sydney, lately appointed by the Crown to be a Member of the Legislative Council of New South Wales. About a month ago this gentleman imported, in one of his own ships, 60 South Sea Islanders from the Polynesian group, to work on his plantation. The only law regulating this kind of immigration which is in force here, applies to Indians alone; but my Government agreed with me that it would be desirable to make some inquiries from Captain Towns, who immediately furnished full information respecting his dealings with these immigrants. I enclose printed copies of his engagements, and of his instructions to his agents. The greatest possible publicity was given to these documents, by laying them before the Colonial Parliament, by which they appear to have been considered satisfactory. I enclose further a copy of a circular addressed by Captain Towns to the Missionaries in the South Sea Islands.

[Enclosure 1 in No. 1.]

1863.

QUEENSLAND.—LEGISLATIVE ASSEMBLY.—SOUTH SEA ISLANDERS (IMPORTATION OF).

*Ordered to be Printed by the Legislative Assembly, 26th August, 1863.*

Sydney, 30 May, 1863.

MEMORANDUM of Agreement for engaging Natives for my Cotton Plantation in Queensland, for Six or Twelve Months,—

Witnesseth: I, Robert Towns, hereby engage and undertake to pay as wages to any able adult native that may be hired for my service, at and after the rate of 10s. (ten shillings) per month, in such trade as he may prefer at the end of his agreement, and to return him to his home within 12 months, should he require such.

2. I also agree to find the natives huts or houses, or tents until huts can be put up, and to supply them with good and sufficient food, such as they are accustomed to, and to provide them with cooking utensils, and in every way watch over and protect them, during the period of their servitude.

3. The labour these natives will be required to perform will be chiefly field labour of a light and easy description, such as cleaning and picking cotton when in season, and any other work they may be called on to perform.

Witness my hand this 30th day of May, 1863.

(Signed) R. TOWNS.

Sydney, 29 May, 1863.

Sir,

Referring to our verbal agreement for your present employment on the intended expedition of the "Don Juan," after a number of natives to be employed on my cotton fields in Queensland—

I now give you my written instructions for your guidance, and as I understand you are no scholar, Captain Grueber will read them for you, and explain what is required of you.

First, you will proceed to, and call at, such islands as you are known to the natives; and then explain to them what your object is, namely, to engage for me from 50 to 100 natives, all male, on the present voyage, until they are better known in the district and Colony.

I will prefer young lads, from 14 and 15 to 18, in preference to older men, as the bulk; you must have some old hands amongst the lot to induce the young ones to enlist.

In engaging or persuading these people, you must tell them exactly what they will have to do, that is, their chief work will be in the cotton fields, and that they will have good huts to live in, a kind master to protect, and that you will take them back within twelve months, perhaps in six, and that you will be on the station to explain and interpret for them, and that they will be paid in goods at the rate of 10s. per month (over and above their rations) for the able men, and the others according to their worth and value.

I presume you will call at Leifoo or Ware first, and then to Sandwich; I leave this for you and Captain Grueber to arrange; and while I am on this, I must here remind you, that while you are on board the ship you are to act, and do the duty in every way, as second mate, for which service you have signed the articles of the vessel, and in which capacity you will be paid at and after the rate £5 (five pounds) per month, which pay will be continued you on the station so long as you remain, or other arrangements are made.

In

## 4 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.

In conclusion, I must remind you of my earnest desire that the natives be treated with the greatest kindness, and on no account allow them to be ill-used by the crew or any person on board; if such is offered to them, it is your duty to report the same to the captain. I will be satisfied with 50 young men and boys, if you can get them, but will be better pleased with 70, if the vessel can bring so many comfortably; but on no account crowd them, or delay the vessel for the purpose.

You must endeavour all you can to keep the natives in good humour and friendly, and on good terms with each other; on no account allow them to quarrel or have any of their national disputes on board; keep all such quarrelling from them; if you find such, unfortunately, to take place, at once separate them and put up bulkheads between them. Take care none of the old beach-coomers (European sailors) smuggle themselves on board with the natives.

You had better call at Leifoo before Hayes gets there, and leave before he may arrive.

I think I have now said all I have to mention, and hope you may have a successful voyage.

I am, &amp;c.

Mr. Ross Luin.

(Signed)

R. TOWNS.

29 July, 1863.

Dear Sir,

Your vessel is now ready, and victualled with supplies sufficient for the voyage and return with natives. You will at once proceed to sea, and make the best of your way to the Isle of Leifoo, or such other island as you may first make, for the purpose of procuring natives for the cotton fields, with which you will return to Moreton Bay with all possible despatch, where I will, in all probability, be to receive and direct you. The above is an outline of your intended voyage.

I will now proceed more in detail to instruct you for your future guidance.

The nature of your voyage is, as before stated, to proceed to the different islands of Leifoo, Ware, and Sandwich, and any other islands you may find it necessary to proceed to for the purpose of selecting the natives, and with a view to collect a useful class of men, lads, and active boys. I have engaged Mr. Ross Luin, who speaks the native language, and well known amongst the islands. This man, now shipped as second mate, will do the needful in engaging the men, which I promise to return to their native land within twelve (12) months from the time they leave. You must endeavour to convince the friends of the people, as well as themselves (those you engage), the honesty of our intention, and if there should be any legal authority, give them guarantee to the same object, that the people will be returned in accordance with their agreement.

And as the natives may not be cognizant with our language, I wish you to be present when these arrangements are made through the interpreter. I have sketched out a memorandum for Mr. Ross Luin to explain to the natives in your presence the terms of their engagement, and the work they have to do; also the rations they will receive; at the same time assuring them of every protection the British law will afford them. In this, you will please to observe we wish you to act as our agent, and not allow any advantage to be taken of the natives, even to our interest.

And when engaged, I look to you to see that they are properly cared for, that they have proper food and attention, and that they are made to keep the place in which they live thoroughly clean.

I have put on board two suits of shirts and trousers for 100 natives. You will please serve out one suit when they first embark, keeping one for their landing. If you can procure 70 natives in all, you may do so; but half the number will do. If you find much difficulty in getting them, on no account attempt force to take the people against their own free-will and consent. If you find any Missionaries at the islands, make their acquaintance, and tell them from me what my object is in engaging the natives to leave the island they belong to and engage for a short season to serve me in cultivating cotton. The labour will be light, in weeding, cleaning, and picking cotton; and I will engage to provide them comfortable huts, and regular rations of rice, meat, pumpkins, potatoes, and yams (if they will grow), and return them to their homes within the twelve months, very likely within six months.

And you may also mention to the Missionary, that it is my intention to bring over their wives with them next year if they like the place, and answers my purpose to do so.

I will make their wages for the best men equal to 10s. per month, with others in proportion. These natives will have every protection equal to Europeans in Queensland, which is a climate as warm as the one they leave. This much you may tell the Missionaries; and if they can find a reader or interpreter, I will gladly receive him, and pay him for what he may be worth over and above his food and lodging, which I suppose will be little; but he will learn civilization.

I mean to exchange these people every six or twelve months, and bring over their wives and families with them when they get accustomed to the country and the work.

I have now shadowed forth my views and intentions, and leave you to carry them out; and, in conclusion, I will again repeat, on no account allow the natives to be ill-used. They are a poor, timid, unoffending race, and require all the kindness you can show them. You may lead them to anything, and I will not allow them to be driven.

If you find it difficult to procure the natives through Mr. Ross Luin, you had better run over to Erromanga, to Mr. Henry's station, and he may be able to assist you, should such be necessary, but it will be a disappointment to me if you cannot procure for me from 50 to 70 natives for the purpose required.

In reporting your ship inwards from the islands, be particular, and state the number, names, and ages you have on hand as passengers for Mr. Towns' cotton plantation; let everything be clear in your proceedings. Mr. Palmer, my agent in Brisbane, will have my instructions respecting you, if I am not in Queensland, to which you will please attend.

Use your utmost endeavour to get over the ground, and land the people as soon as possible. You must be a little easy with Mr. Ross Luin, but if he fails to give you satisfaction, go to Mr. Henry, at Erromanga, or Underwood, at Anietum, and they will put a man on.

Yours, &amp;c.,

(Signed)

R. TOWNS.

Captain Grueber, "Don Juan."

[Enclosure 2 in No. 1.]

To any Missionary into whose hands this may come.

Sydney, 29 May, 1863.

Encl. 2 in No. 1.

Rev. Sir,

Should this meet the eye of any gentleman in that sacred calling, I beg to explain the nature of the voyage on which I am about to despatch the bearer, Captain Grueber, with the schooner "Don Juan."

If I now address an old resident among the islands, my name will be familiar, and justify a belief in the sincerity of my mission to which I am about to explain and solicit your friendly aid; if, on the other hand, the reader has not heard of the writer, I may refer him to Captain Grueber, or any man connected with these islands for the last twenty years.

Suffice

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 5

Suffice to say, I have embarked considerable capital in Queensland in the cultivation of cotton; and as so much depends on the *rate of labour* in the ultimate success of this important enterprise, I am endeavouring to try our natives from the immediate adjacent islands, whose habits, although not strictly industrious, may be rendered most serviceable in the light work of the field labour, in weeding and picking cotton, as the seasons may require. Such being my views on the subject, I have sent this my pioneer vessel to enlist a supply, and will be much obliged if you will kindly assist us in this our worldly mission, and, as I have told your worthy brotherhood, Messrs. Inglis and Geddes, that I with my cotton emigration (returning them every six or twelve months) will do more towards civilizing the natives in one year than you can possibly in ten; they will see what civilization is, and aim to follow it; and if you can supply me with a native *teacher or reader*, as they may be termed, it will very much hasten the object; at all events if you cannot assist me in this particular, you may be able to point out to the poor unsuspecting natives that they have nothing to fear, as I will bind myself to return them within twelve months from the time they may leave, and more likely in six months.

If my scheme prospers, it is my intention to bring over the wives and families of these poor fellows, as a superior race to the ordinary Coolie from India, about whom we hear so much; and for the light work of cotton-picking they are well calculated.

I send an interpreter, a man who says he can speak the language; this is very important to make the poor fellows understand.

Trusting to your kind assistance—

I remain, &c.,  
R. TOWNS.

Queensland.

## No. 2.

(No. 63.)

COPY of a Despatch from Governor Sir George F. Bowen, G.C.M.G., to The Right Honorable the Earl of Carnarvon.

Government House, Brisbane, Queensland,  
16 November, 1866.

(Answered, No. 5, 1 February, 1867, page 18.)

No. 2.

Governor Sir  
G. F. Bowen,  
G.C.M.G., to the  
Right Hon. the  
Earl of Carnar-  
von.

16 Nov. 1866.

MY LORD,

In continuation of many previous Despatches addressed to your predecessors respecting the progress of cotton cultivation in Queensland, I have the honor to transmit herewith an interesting account which has been recently published, of the "Townsvale" Plantation, situated at about forty miles from Brisbane, and the largest hitherto farmed in this Colony. It is the property of Captain Towns, a well-known Australian merchant and shipowner, and a Member of the Legislative Council of New South Wales, and of his partner, Mr. Brooks, a Member of the House of Commons (for Weymouth). I have visited this plantation on several occasions, and believe that the account now forwarded is substantially correct. Some details respecting the South Sea Islanders employed there will be found in my Despatch, No. 49,\* of 16th September, 1863. Enclosure No. 1.

2. I transmit further a return of the quantity of cotton grown in this Colony during the past season. It amounted to 183,680 lbs., or 612 bales of clean cotton, fit for shipment. Of this number, 267 bales were furnished by Messrs. Towns and Brooks from the plantation described above. The crop of cotton raised in Queensland during the last three seasons was as follows:— Enclosure No. 2.

In 1864...	...	...	...	...	...	38,730 lbs.
In 1865...	...	...	...	...	...	145,820 "
In 1866 (first ten months)	...	...	...	...	...	183,630 "

I am informed that a much larger area of ground will be cultivated for cotton in the season of 1867. I need scarcely remind your Lordship that during the first 60 years of the present century the export trade in cotton from America grew up from much smaller beginnings than those already made in Queensland to an annual amount valued at 40 millions sterling.

3. A summary of the progress and prospects of cotton cultivation in Queensland will be found in my Despatches, Nos. 3 and 13, of 1866, and in the copies sent therewith of letters addressed by me (in answer to his inquiries) to Mr. Cheetham, M.P. the President of the Cotton Supply Association at Manchester. As it appears that the intelligence lately received in England respecting the last cotton crop in America is far from encouraging, I venture to submit that it would be well to forward to the Cotton Supply Association a copy of the present Despatch and of its enclosures.

I have, &c.,  
G. F. BOWEN.

## [Enclosure 1 in No. 2.]

## Townsvale Cotton Plantation, Logan River.

As cotton growing in Queensland, at a not very distant day, will be one of the most important branches of industry that will be followed, a truthful and reliable description of the greatest of our plantations ought to be very acceptable. It will go far to encourage others to persevere, seeing that Captain Towns and his spirited partner, Mr. Brooks of London, have done much to demonstrate the question that Queensland can produce cotton, the full commercial value of which is as yet unascertained, from its properties being so remarkably superior to any other class of cotton in the market. Unlike many others that started cotton growing, and gave it up at the very first failure, Captain Towns has persevered, and something like returns are at hand for the expenditure incurred. Two hundred and sixty-seven bales have been sent away from the plantation the past season, and now 450 acres are planted. The plantation is worked by South Sea Islanders. Encl. 1. in No. 2.

Description

## 6 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.

*Description of Plantation.*

Townsville Plantation consists of about 4,000 acres of land on the upper part of the Logan River, 20 miles above the head of the navigation, and about 40 miles south of Brisbane. It is very nearly on the 28th parallel of south latitude, and on the 153rd degree of east longitude. It is near the station of Bromelton. The position is considerably elevated, and the banana does not fruit very well there, although it is only about 30 miles from the coast. The first appearance of the plantation, on approaching the gates, is rather relieving after a long and monotonous ride. The clearing stretches before you up the broad flat for more than a mile, and at present the tracks of the watercourses are easily traceable, and the numerous bridges, painted white, are quite conspicuous in the plantation. The whole of the cotton is just green down the rows, as you pass a sight down the lines. Immediately on getting through the gate, you come to the little house occupied by Mr. Ross Lewin, the superintendent of the South Sea Islanders employed on the plantation. On the right, across the cultivation, is seen the homestead, a large number of buildings that appear all to be very low, with the exception of the new cotton chamber, which stands very prominently in the midst. The plantation is crossed by several straight roads, and one runs down the middle of the whole. We cross two bridges, and through the far gate to the homestead, and are welcomed to the plantation.

*Ride over the Plantation.*

After dinner a fresh horse was saddled, and a ride over the whole plantation enabled one further to realise the extent of the cultivation, and to see all the islanders at work in their different places. The land is a black, deep, alluvial soil, very good, but not fat, nicely working with the plough, and not liable to bake. There is, however, slight changes in it, but nothing to mention. As the plantation runs up between two ridges in a complete flat, averaging about half a mile wide, and is three miles from end to end of the two plantations. There are about 250 acres in the lower, and 200 in the upper plantation, already cultivated and planted. As a matter of course, all the thinnest timbered land has been put in cultivation first, and most of it has been exceedingly thinly timbered with small apple trees. It is now considerably thicker wherever the plantations will be extended. There is a large area of heavier land between the two plantations, but this has not yet been encroached upon. Some of the slopes on the northern side of the whole will, when cleared, be nice working land, and easier to keep clean than some of the flat is. There are roads crossing at right angles the long road right up the plantation, and the old creeks and hollows are all cleaned out and bridged over with very good bridges. There is in the first plantation a large new building, 60 feet by 40, divided into two rooms, occupied by the islanders of agreeable parties. The building is built of weatherboard, and covered with grass, and has a broad verandah all round. The verandah at one end is made into a tool-house. The rooms are fitted up inside with bunks all round, two in height, all broad enough for two. They are supplied with blankets, and thick sacking for the bottoms. I should imagine they are too close for all English notions of health, though there are plenty of air windows; they are quite under the roof from the verandah, and they admit no light except by the door. There is also a fire in the middle of the floor, and plenty of fleas jump about. No doubt it is a palace to anything the islanders ever dwelt in, and as they would build it nearly themselves, if any windows had been deemed necessary they would have been left. There is also in the upper plantation an overseer's house, with quite a neat latticed verandah for training runners up to cool the house; and several other dwellings for islanders, and sheds and tool-houses.

*The Cotton.*

This season's planting commenced on the 25th August, and the last planted would be on 3rd November. The first planted is about six inches high, and the dry weather following, a deal was replanted, and is now ready for horse hoeing. The after planted is looking more regular, and there is a good plant. As the planting has been continued without intermission, there are all grades of plants, to where it is just peeping out. There is also a large area not yet up. The method of sowing so thickly gives plenty of choice against all disease and insects. With the exception of about three acres of Sea Island, all the plantation is entirely new plants. The three acres are an experiment, and as it did not seem that the stumps were properly shooting it has been planted between also. This is considered very expensive, and no more will be pruned down. The principal part of the plantation is New Orleans, and only about 30 acres are planted with Sea Island.

*Ploughing by Steam.*

On the upper part of the plantation, I found the steam plough at work, busily finishing ploughing the last plot of land for this season's cotton crop. It is worked entirely by islanders, with an English engineer that scarcely ever has to leave the engine. The land had had cotton on before, and was very full of weed, which was being taken off before the ploughing. The engine is an ordinary portable engine of 12-horse power, with double cylinders and reverse motion. It is one of Roby's of Lincoln. It is attached to the drums, on which is wound the wire rope, by means of shackles from the end of the shaft of the fly-wheel. The drums are on a car to themselves, and are Howard's, of Bedford, gearing, as is also the plough. The drums are about four feet diameter, and one foot broad, with deep flanges, and have cog-wheels on each outer side. They are fitted on an eccentric axle, so that each drum can be lifted up to the over working cog-wheels that work from the end of the fly-wheel axle. This gives the drums two motions without the reversing motion of the engine. And the one pulling the plough is only driven, and the other being let down simply lets go the rope the plough pulls back. This allows in all ways for any inequality of ground, distance, or size of drum by rope. The rope is taken round the field, and is supported on little wheels called porters, and at the corners by horizontal wheels, called corner blocks. All these wheels are pulley-wheels for saving the rope, and for giving it the turns at the corners. The corner wheels are kept fast by claw anchors, the two at each end of the furrow held down by three hands that regulated them as the work proceeded. The plough is mounted on four single flanged wheels, about two feet high, and consists of the bodies of six ploughs exactly the same as other ordinary ploughs, fastened under two strong frameworks of iron, on each of which are three ploughs to plough three furrows, each 10 inches broad, and any desired depth each way. When one frame is ploughing, the other is elevated out of the ground, not to save turning round, but because no plough can plough backwards and forwards on the same furrow, inasmuch as one, the ordinary plough, turns the furrow over to the right, whereas the second three ploughs on the steam plough turn to the left. There is thus no ridge and furrow in steam ploughing. It is all left uniformly. The ploughman, an acute and knowing sort of islander, seems quite at home on the dicky of the plough, which is steered by handles acting on the wheels the same as shafts on the fore-wheels of waggons, though not quite in the same style. As the ends are differently ploughing the steering apparatus is altered, one being made fast, whilst the other is used. When the plough gets to the end of the furrow, a signalman with a red flag stops the engine, and then the men at the corner wheels assist the ploughman in elevating the one lot of ploughs from the ground, and in lowering the others. The signalman then hails the engine driver, and off the plough gets back to the other end. This process is continued, and the plough is brought backwards and forwards continually; and five or six acres a day is gone over on an average, although eight or nine can be accomplished if the land is quite clear from weeds, and the plough pass without choking between the frames and different bodies. A man, however, with a handspike follows and keeps this clean.

Attending

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 7

Queensland.

Attending to the engine is one with horse and water barrel, that is filled by a pump from a lagoon; another with horse and cart, carting firewood that is being cut to suitable lengths in the bush at hand by others. There are also pulley men that oil and look after the pulleys.

From this description of the working of the steam plough, it will be seen that all the motions of the gear-work will enable a large block of, say 40 acres, to be ploughed with the engine fixed in the middle, and ploughing it in four squares of 10 acres each, by fixing the ropes and pulleys round the squares alternately to be ploughed.

*Planting.*

All the work to completion is being proceeded with at once. There was following the steam plough five bullock and two horse-teams harrowing each, I must say, well managed by an islander. I fully expected to hear amongst these untutored youths of nature some of the language so frequently associated with bullock driving, but the slightest attempt was never heard. They all went about their work remarkably well, and used sufficient encouragement to keep the bullocks well on. Next following these comes more than a score gathering weeds, and cleaning up before the drilling plough comes to make the seed furrow.

The drilling plough, or ploughs rather, for there are three, fastened on a beam that slings behind a pair of dray wheels, the same as the marker of an old drill-sowing machine. These are the bodies of small American ploughs, and are set five feet apart, doing three rows at once. A Scotchman drives this, and a couple of islanders follow to keep the plough clean and the proper depth. Next came the youths with the seed; and here all my preconceived notions of cotton planting were entirely upset. The seed was carted into the field in the morning, a cart-load or two. The sowers had large bags full slung over their backs, and as they stepped up the furrow large handfuls were dashed in till the furrow was quite white. This Mr. Walker explained to me as being of great importance, to secure a good standard plant from plenty of choice; also, it is a provision for seed being bad, and for tillage, it being the practice in some of the Southern cotton States to return all the seed to the land for tillage. Then followed the men covering the seed with earth, care being taken to keep aside the clods. Then follows another dark-coloured gentleman, perched on the dicky of a double-shafted roller, rolling away as pert in the management of his horses as any of St. Cabby's most devoted followers. I am told these men attend to their horses wholly themselves, fettleing them up in the morning, corning, cleaning, and yoking them for work, quite astonishingly. There are nearly 70 men here, including the teamsters. Thirty more are hoeing weeds in another place; some are fencing at the homestead, others repairing boundary fence. The rest are horsemen, bullock drivers, and stockmen, somewhere else. There are also seven or eight of them cooks, making a total of 170 black men. There are also on the plantation, three carpenters, two engineers, one blacksmith, three overseers, one clerk and storekeeper, the manager, and a few others, making a total of 185 persons.

*Picking.*

The last season's pickings commenced 5th February, and continued more or less to the 25th August when the planting again commenced. There were about 80 islanders, and when they had not full days their time was employed in grubbing round standing trees for Ross Lewin's gang; or they were ginning, drying, and turning, and removing the cotton picked from trays to the drying chamber. How steadily these men work, the following figures will most strikingly show. They are arranged by myself, and the quantities were taken from the "picking book," kindly placed at my disposal by the general manager.

Date.	lbs.	Average each.
2 May ... ..	5,225 picked by eighty	65.25
15 May ... ..	4,952 "	61.72
27 May ... ..	5,514 "	68.74
1 June ... ..	4,270 "	53.30
27 June ... ..	4,492 "	56.12
Total ... ..	24,453	305.13
Averaging ... ..	4,890 lbs., or	61.02

The above shows 61 pounds of cotton with seed to the average picking of five full days. The greatest picking by one man in one day, I noted the entry in the book, to be the "27th June, Charlie, 90 lbs." The smallest was "Eberr., 32 lbs." The cotton is gathered into bags in the field, and each man brings his own bag home at night, and the cotton is weighed without the bag, and an account kept of every day's picking by every man. The weighing very often is done in the candle-light, and every day prizes are given for extra work, and for encouragement to some that may have had poorer cotton to look over. These prizes consist of pocket knives, beads, all colours, buckles, belts, pipes, and figs and cakes of tobacco. Tobacco is mostly used throughout the whole of the islanders, and is always given more or less besides the prize tobacco. All the machinists, ploughmen, bullock drivers, horsemen, stockmen, &c., get extra tobacco daily. Some that get more than they can smoke, truck it away amongst their friends for pearls, beads, and other trinkets; and not unfrequently an Australian aboriginal will drive a close bargain with the islander for his tobacco with a coloured dilly bag. The two races, however, look with supreme indifference on the peculiarities of each other, and on the whole there never is much bother amongst them.

*Ginning.*

The cotton, after being weighed from the field, is spread out to dry either on sheets on the ground, on trays under awnings, or on the floor of the great chamber, just as occurs the work and chance. It is thoroughly dried in the chamber, and turned over backwards till the chamber is quite full up to the roof. The chamber is 60 feet by 35 feet, and is well-ventilated by windows all round, and covered with corrugated galvanized iron. This mixing and rolling back into a great thickness gives the cotton one uniform quality of texture and colour. When that desirable result is obtained, the cotton is ready for ginning. It is then carried down a gangway into the chamber over the gin and the ginned cotton-room, and is fed into the gin, a splendid one, with seventy-five saws, driven by a ten-horse power engine of Stewart and Copeland's, of Glasgow. The gin is four feet six inches broad, so that the saws are nearly three-quarter of an inch from each other. These saws are nearly the same as one foot circulars, with a gauge of wood between them all fastened on an axle, and they work through slits in a curved plate of iron, and the seed falls off the plate down one side into a room to itself, and is filled into a little tram-wagon, and sent into another room to be kept, or it is run down a little railway and tipped off the end of a staging. The cotton is caught on the other side of the saws by a lot of brushes turning against the saws like the brushes in a flour-dressing mill, and they act like a fan also, in blowing the fibre across a room under where the gin is being fed. This room is closed in when the gin is at work, and the cotton settles all over according to its weight. When this is full the gin is stopped, and the cotton is thoroughly mixed up again to obtain an equal sample. The door is then opened under the gangway before mentioned, and which leads to the packing and pressing. The press is lined with the bagging for the bale, and is filled up from the room by baskets full. This is pressed down a time or two, till the bale is large enough, and then the sides of the model are opened when the screw is down. The cloth for the end of the bale was fastened under the press that went down, and the top and front and back sides are stitched together. The other sides of the model are then opened, the bale turned out, and the remaining sides stitched fast. The bale is then branded—

TOWNSVALE



Queensland.

TOWNSVILLE  
COTTON,  
1866.R. T.  
B.

No. ———

The last was numbered 267. It was then placed on the drays, that are all loaded in the shed under the great chamber; and when all the bullock drays are loaded it is sent to Brisbane, *en route* for England. The journey there and back to Brisbane is performed in a week, and the bullock drays are driven by islanders, with one man in charge to get delivery to the agents.

#### *The Homestead.*

The homestead of the plantation is situated on the end of a thickly-timbered ridge between the cultivation and the river, close to several large lagoons. Apparently, there never was any plan or order of going to work when the plantation was started. All the older buildings are scattered about here and there, and front all directions. These, however, are being pulled down where they are obnoxious, or changed a little where they will serve anything, and look a little more uniformly. The buildings consist of manager's house, quite a little unpretending structure, but quite convenient at present for the manager who is a single gentleman, housekeeper's rooms, and kitchen; the latter one of the old log style of houses. These are enclosed with a neat paling fence; the front being a little garden, containing choice flowers, bananas, and a neat little arbour surrounded with passion fruit. The back yard contains fowl-house, with turkeys, ducks, and fowls of all descriptions. At the end of this is another little square plot palled in, and as yet contains only one house for carpenters, blacksmiths, engineers, &c. In front of this is the machine shed, blacksmith's shop, and carpenter's shop, all good buildings and ample enough for the plantation. At the end of these two squares stand the large building used as cotton chamber, and shed for packing, loading, &c., and for all the carriages. Across the end of this runs the giuining sheds, or rather houses, built of galvanized iron, and covered with grass. These are to be altered and made another story higher, up to the level of the great shed, but still following out the same principle of facilities in working the cotton a regular round. The engine is fixed under a shedding at the end of this building, and between it and the saw-mill. The saw-mill is fitted up with movable trucks to the bench, and every kind of sawing is advantageously done, as plenty of pine is growing in the neighbourhood. There is also a 28-inch French stone flour mill for grinding maize into meal after it has been split by another machine, both in an adjoining little room to the engine. There is also a grindstone and other useful machinery here. There are also several different sorts of stores all well supplied. Stables, butcher's shops, stock-yards, all miscellaneous set round. At the homestead there are only two houses used by the islanders, as the wishes of these have been consulted, and different tribes dwell in different parts of the plantation in large houses, well built of weatherboard, and thatched. The whole of the homestead is kept remarkably clean, and it is only by the butchering stock-yard there is any olfactory disagreeableness. This, however, is to be expected from all the model slaughter-yards I have seen in Queensland, where beef is 2d. the pound. A bullock is killed every two days, from a mob of 1,000 head of cattle running about and belonging to Captain Towns.

#### *The Islanders.*

The South Sea Islanders on the plantation are mostly from the Isles of Tanna, Sandwich, Malicolo, and Erromango, in the New Hebrides. They are well-shaped men, mostly black, with short curly hair; they are all remarkably full across the eyebrows, with a deep indent across the nose between the eyes. The nose varies, and some well-shaped faces are among them; they are remarkably docile and quiet, a fight never occurring amongst them at work or any time. They use the hoe very well, but the shovel I noticed they used with the fore hand turned in, and not thumb forward, as is the practice amongst white men. In every other instance I noticed they use tools quite free and easy, always slipping the fore hand down the handles, especially in axework is this necessary to work easy.

They start work in the morning at 6 o'clock when the bell rings; at 8 they stop an hour for breakfast, and then go on till 12. In winter one hour, and now two hours at noon; they then go on till near sundown so as to have supper before dark. They work very steady, especially the older portion of them, but the late arrivals are apt to look at the engines, the working bullocks, and the horses, and require a good deal of watching. They also are either very inferior men, or the keep at the plantation speaks well for the change the older part have undergone. They all appear quite contented. They receive 1½lb. rice and 1½lb. beef each a day. They have nothing else, and they prefer rice to Indian corn meal with molasses, when it is changed now and again. They drink nothing but water. They have clothing what they want, and I should prefer that they wanted more. I think they should be taught to make flannel skirts like the East Indian wears, or like the Scotch skirt. It would be light, airy, and not near so objectionable as some of them appear. The new comers take more than a year before they can work much, and then when they are fairly in working order their time is out, and they have to leave.

#### *Illness and Death.*

Amongst the late arrivals there has been some illness, and a couple of deaths occurred amongst them during my visit. It appears that there is the greatest difficulty in doctoring these men when ill. They will not take anything but the regular rice and beef, and they will not make their case known till quite hopeless. Mr. Ross Lewin told me they never recover when once very ill, and that in the islands they have no application of medicine, botany, or anything, and will take nothing. Here Mr. Walker, Mr. Ross Lewin, and myself went through all manner of persuasions to get some wine and sago down one of these fellows' throats; but all to very little use. One of them held the glass to his mouth as if drinking, but not a drop went down for a long while, and as soon as the eye was turned the glass was put back. The two that died only would be persuaded when near the point of death.

#### *A Funeral.*

The islanders seem to have some fear of the dead, and they do not like to touch them and put them into their coffins. The coffin was made by the carpenter from cedar, and was neatly shaped and jointed. The dead man was rolled up, with a clean white guernsey shirt on, in his blue blanket, and was thus placed in the coffin. In the afternoon all the men on the estate stopped work, and attended at the funeral. The bell tolled as the men collected to the place, whilst the corpse was being carried from the house to a little spring waggon driven by an islander. The *cortège* then moved slowly off towards the burying-ground on the banks of the Logan behind a scrub, and nearly a mile from the homestead. When approaching the grave Mr. Walker, the manager, commenced reading the solemn service for the burial of the dead. When at the grave and the coffin was lowered, I confess that I felt a little at some parts of the service, when I looked at the black faces around, and not one of them in the slightest moved. "O death, where is thy sting! O grave, where is thy victory!" appears to them totally incomprehensible.

Land

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 9

*Land in the Neighbourhood.*

Queensland.

A ride with the manager over to an adjoining cattle station enabled me to see the land further upon the Logan about Beadesert, and on the head of the Albert, at Nindooibah, where the racecourse is for the stockmen in the neighbourhood. Leaving Townsville there is little good open land till within sight of Beadesert, and there the land opens out into a magnificent flat, very thinly timbered, with gently sloping ridges from the Albert side that really are splendid soil. Some of the slopes are chocolate-coloured, thinly timbered, and others black and rather thicker. The whole extent of land here for about five miles is of the best description, and opens out with larger slopes of better land than even Townsville, and I should not be surprised at some future day to see hereabouts a second edition of Townsville. In turning over the ridge to the left, towards Nindooibah, the scenery backwards is quite picturesque in the mountains, and Keats' Peak, Mount French, and Mount Edwards tower their heads amongst others on the main range, and towards the boundary of New South Wales. At Nindooibah the vale is rather too narrow and the slopes too abrupt to be to any great extent fit for cultivation. But further down, on the racecourse and below, is a fair extent of good land, and what is wanted is a good road from the head of the navigation on the Logan, round by all these places to the head of the navigation on the Albert, and there is scope enough for lots of cotton plantations.

*Clearing Land.*

This work is performed by a gang of about thirty of the islanders that have been better than two years on the plantation, and are by far the best men on the whole estate. They are superintended by Mr. Ross Lewin, an old trader amongst the islanders for more than twenty years, and who consequently has a thorough knowledge of their manners, customs, and habits; and I think the services of this portion, and all the men that are now doing the better jobs, was obtained for Captain Towns by Mr. Ross Lewin's agency. The trees are all dug round, and all the roots cut off down to 15 or 18 inches in depth, according to the size of the tree. They are rung at the same time. A large area will be done in this manner, and then the trees are to be pulled down. This operation was being carried on while I was there, and it is done most expeditiously. The trees are pulled down by blocks and tackling by a team of bullocks. First an islander ties a small cord to an iron cotter, and another winds the cord in his hand, and stands by the one who throws the cotter clean over any particular branch, and the cord leaves the hand of the second without any check, whilst the thrower undergoes some exertion in the dexterous manœuvre. A strong rope is fastened to the end of the cord, and this is pulled back over the branch. A noose is made in one end, and one is pulled up the tree, and gets to the place where best to fasten to. By the rope a large chain is pulled up and fastened round the tree. Then the end of a strong steel wire pennant is hung to the chain, and the islander then is let down from the tree. Others have fastened chains round the butt of one of the standing trees behind, and the large blocks with the bullocks are hung on, and the island bullock-driver brings the tree down with a crash. Sometimes a group of five or six lesser trees will be pulled over at one haul, by coupling them, or surrounding them with a wire rope. The trees are then cut up by others, with axes for small branches, and cross-cut saws for the thicker. Some more are working at the stumps with hicks, cleaning it of earth; others are logging the thicker parts. Trees are surrounded in all manners, and left ready for piling and burning; as many as forty and fifty are pulled down in a day and disposed of. I noticed some of these men to be capital cross-cutters and axe-men. Indeed it would puzzle many white men to cross-cut large branches on the under side, when the saw was bitten with the weight on the cut, or to work the saw when both sawyers had to stand on some branch four or five feet high. These men are as nimble as cats, and can stand anywhere. The piling and burning are left this time, and the bullocks have to haul all the bigger logs. The holes from where the trees are turned out are then filled, and levelled, and the steam plough comes next. This land is thinly timbered, and between £4 and £5 is the average estimate per acre for clearing. Some of the very large trees could not be turned over with the tackling then used, but strong chains and blocks with three or four pulleys could be rigged out. It is also the general manager's intention to make tackling for pulling trees down without any grubbing whatever, to be on the lever principle.

## [Enclosure 2 in No. 2.]

Encl. 2 in No. 2.

## THE COTTON CROP OF 1866.

THE Cotton Crop of 1866 being all gathered, it may be interesting to know what quantities have been grown during the past season. The return of the cotton submitted to inspection for the Government bonus will give the information. This we append below, and it shows the crop to have amounted to 183,680 lbs., or 612 bales of clean cotton, fit for shipment. The bonus is given in the form of a land-order, and is considered as equivalent to 4d. for every pound of clean cotton. On the quantity of cotton here given, land orders, equal to a money value of £3,148 9s. 8d., were granted. In the detailed statement below, the names show to whom the bonus was given, together with the quantity of cotton for which it was granted:—

	lbs.		lbs.
Alexander & Armour ... ..	62,293	Joseph Denman ... ..	1,306
G. Board & Son ... ..	5,197	Jackson & Pullen ... ..	434
Cribb & Foote ... ..	49,899	Mort, Holland, & Co. ... ..	1,897
E. H. Price ... ..	5,593	R. Towns ... ..	11,712
J. & G. Harris ... ..	2,357	C. Taron ... ..	1,609
Carl T. Sahl & Co. ... ..	3,442	John Smith ... ..	1,545
G. Raff & Co. ... ..	6,014	W. Jones ... ..	1,801
G. M. Challinor ... ..	5,892	W. Dee ... ..	543
Wienholt & Co. ... ..	332	J. Dear ... ..	278
G. H. Wilson & Co. ... ..	410	H. Shelton ... ..	447
G. Verrall ... ..	4,486	Perrit & Toms ... ..	619
C. Dun ... ..	579	E. Griffiths ... ..	1,362
J. Statham ... ..	2,222	Joseph Rice ... ..	2,594
M. Donnelly ... ..	309	T. Gardner ... ..	257
J. Pettigrew ... ..	2,572	J. Marsh ... ..	494
Waldron Brothers ... ..	1,621	H. Rice ... ..	594
J. Spencer ... ..	206	Nutley & Sons ... ..	655
W. Hodges ... ..	867		
T. Gray ... ..	224		
William Streaker ... ..	1,028		
		TOTAL ... ..	183,680

141—B

No. 3.



## 10 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

## No. 3.

Queensland. Copy of a Despatch from Governor Sir George F. Bowen, G.C.M.G., to His Grace the Duke of Buckingham and Chandos.

No. 3.  
Governor Sir  
G. F. Bowen,  
G.C.M.G., to the  
Duke of Buck-  
ingham and  
Chandos.  
13 July, 1867.

(No. 36.)

Government House, Brisbane, Queensland,  
13 July, 1867.

(Answered, No. 40, 9 November, 1867, page 19.)

MY LORD DUKE,

\*Page 3.

In my Despatch, No. 49,\* of 16th September, 1863, I reported that a small number of South Sea Islanders from the Polynesian Group had been lately employed on his cotton plantation in Queensland, by Captain Towns, a wealthy merchant and ship-owner of Sydney, and a Member of the Legislative Council of New South Wales. I added that Captain Towns had furnished full information to the Government of Queensland respecting these immigrants, and I transmitted copies of his engagements with them, of his instructions to his agents, of a circular on the subject addressed by him to the European Missionaries in the South Sea Islands, and of his official letter to the Chief Secretary of this Colony (Mr. Herbert), explaining his plans and operations. The greatest possible publicity was given to these documents at the time, by laying them before the Queensland Parliament, by which they appear to have been considered satisfactory. I further observed, that even if Captain Town's position and character were not a sufficient guarantee for his fair treatment of these South Sea Islanders, his plantation was only 40 miles from Brisbane, under the eye of the Government, of the magistracy, and of a vigilant Press, and that I intended to visit it myself occasionally.

2. I have now the honor to report, that on the 25th April, ultimo, Captain Luce, R. N., of H. M. S. "Esk," then the Senior Naval Officer in Australia, addressed to me an official letter, stating that he had lately received accounts of the loss of several vessels and of the murder of several Europeans at certain of the South Sea Islands; and that it appeared, from a letter written by a trader in those seas, that "the natives say that they are perpetrating these atrocities in revenge for the loss of many of their countrymen, who were carried away three years ago to Queensland and the Fiji Islands, by Europeans, who hired them as labourers, and promised to return them to their homes in twelve months." Captain Luce asked for whatever information on this subject the Government of Queensland might be able to afford him.

3 May, 1867.

3. I lost no time in bringing Captain Luce's letter under the consideration of my responsible advisers, and I now enclose a copy of the Minute of the Executive Council, containing their views upon it, and giving all the information procurable in Queensland; Captain Towns, the principal employer of the South Sea Islanders, being resident at Sydney, where Captain Luce could place himself in direct communication with that gentleman.

4. I sent a copy of this Minute to Captain Luce, further informing him that the official returns show that in the aggregate only three hundred and eighty-two (382) South Sea Islanders have landed in Queensland, of which number seventy-eight (78) have returned to their homes. It is stated that those already sent back were under an engagement for one year only; that most of the remainder are under engagements for three years; and that they will be provided with passages to their native islands when that period shall have expired. I added that the principal employer of these labourers, after Captain Towns of Sydney, is Captain Whish, formerly an officer in Her Majesty's 14th Light Dragoons, and now the resident owner of a sugar plantation near Brisbane.

5. It will be seen from the accompanying Minute of Council, that the Government of Queensland, in common with myself, "are anxious to punish all fraud and injustice wherever committed, and to secure the inhabitants of the Colony, of every class, in the full enjoyment of their rights;" and that "should it be proved that further legislation is required for the due protection of the South Sea Islanders, the Council do not doubt that the Colonial Parliament will be ready to pass any measure which facts and documents hereafter to be laid before them may show to be absolutely necessary;" and that "in the meantime the Police Magistrate of the district is ordered to inspect periodically the plantations on which any such islanders may be employed."

In reply to my despatch transmitting to him a copy of the Minute of Council, with the above-mentioned information, Captain Luce stated (in a letter, dated June 4th ultimo), that he "is now well satisfied that the South Sea labour traffic to Queensland will continue to be carried on with justice, and will be of great benefit to the natives themselves."

\*Statutes of  
Queensland, vol.  
2, p. 991.

7. I am advised that the "Master and Servants Act"\* (25 Vict., No. 11) now in force in Queensland, applies to labourers engaged in all "foreign countries," and that (as it has been already stated) the Colonial Legislature will be ready to pass any further measure which may be proved hereafter to be necessary to ensure the maintenance of just and proper relations between the South Sea Islanders and their employers. It will be recollected that, in 1862, the Queensland Parliament passed an "Act to give the force of law to regulations for the introduction and protection of labourers from British India" (26 Vict., No. 5),† and that the regulations published under the authority of that Act received the sanction of the authorities of British India, and the approval of the Imperial Government. Hitherto, however, no advantage has been taken of the provisions of this Act, for those settlers who look to the employment of coloured labour on their sugar and cotton plantations seem to prefer South Sea Islanders to Indians, on the ground (as I am informed) that the former are at once stronger and more tractable than the latter.

†See Statutes of  
Queensland, vol.  
1, p. 831.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 11

8. I have on several occasions visited the principal plantations on which immigrants from the South Sea Islands are engaged: and, last week, I made it my business to inspect the plantation of Captain Towns, who is (as it has been already said) the first and by far the largest employer of this kind of labour. One hundred and sixty (160) islanders were then paraded before me; and they all seemed to be well fed, well clothed, and perfectly contented. Many of them are to be soon restored to their homes at the cost of Captain Towns, as the period of their engagements is about to expire; and several of these men stated that they would return to Queensland shortly, and would induce their wives and numbers of their countrymen to accompany them.

Queensland.

9. In my despatch, No. 63,\* of the 16th November ultimo, I transmitted a full <sup>Page 5.</sup> account of the Townsville Plantation referred to above, and of the general progress of the cultivation of cotton in Queensland. Mr. Charles Cowper, for many years at the head of the Administration in New South Wales, is now a partner in the firm of Towns & Co., and accompanied me on my recent visit. From him I learned that at least four hundred (400) bales of cotton, of the average value of about £15, will be exported during the present year from this single plantation.

I have, &c.,  
G. F. BOWEN.

[Enclosure in No. 3.]

Encl. in No. 3.

EXTRACT from the Minutes of Proceedings of the Executive Council of Queensland.

At the Government House, Brisbane.

Present:—His Excellency the Governor in Council.

HIS Excellency the Governor lays before the Council a letter (dated 25th April, 1867,) addressed to His Excellency by Captain Luce, R.N., now commanding Her Majesty's Naval Forces on the Australian Station.

This letter states that Captain Luce had lately received reports of the loss of several vessels, and of the murder of several Europeans at certain of the South Sea Islands; and that it appears, from a letter written by a trader in those seas, that "the natives say that they are perpetrating these atrocities in revenge for the loss of many of their countrymen, who were carried away three years ago to Queensland and the Fiji Islands by Europeans, who hired them as labourers, and promised to return them to their homes in twelve months."

Captain Luce asks for information on the subject from the Government of Queensland.

The Council deliberate. They observe that the first and principal importer of South Sea Islanders as labourers into this Colony is the Honorable Robert Towns, Member of the Legislative Council of New South Wales, and resident at Sydney, but the owner of a cotton plantation in Queensland. This gentleman can give Captain Luce more information on the subject than any other person, and they suggest that personal application should be made to him. Moreover, it is believed that the small number of South Sea Islanders who have hitherto come to work in Queensland on the new sugar and cotton plantations have all been landed from ships belonging to Sydney.

The Council further observe that the Masters' and Servants' Act (25 Vict., No. 11.), now in force in Queensland, provides for the due enforcement by both parties of labour contracts, whether made in this Colony or in foreign countries. Should it be proved that further legislation is required for the due protection of the South Sea Islanders, the Council do not doubt but that the Colonial Parliament will be ready to pass any measures which facts and documents hereafter to be laid before them may show to be absolutely necessary.

It need scarcely be said that the Responsible Ministers are anxious to punish all fraud and injustice whenever committed, and to secure the inhabitants of the Colony, of every class, in the full enjoyment of their rights.

The Council advise that the proper Government officers be directed to procure the information respecting the number of South Sea Islanders now in Queensland, &c., as asked for by Captain Luce, R.N., and also that the Police Magistrate of the district be ordered to inspect periodically the plantations on which any such islanders may be employed, and to report to the Colonial Secretary the results of such inspection.

A. V. DRURY,  
Clerk of the Council.

## No. 4.

COPY of a Despatch from Acting Governor O'Connell to His Grace the Duke of Buckingham and Chandos.

(No. 12.)

Government House, Brisbane, Queensland,  
27 January, 1868.

No. 4.  
Acting Governor  
O'Connell to the  
Duke of Buck-  
ingham and  
Chandos.  
27 January, 1868.

MY LORD DUKE,

I have the honor to transmit to your Grace herewith a Petition for presentation to the Queen, purporting to be a Petition from a number of the inhabitants of the Colony of Queensland in public meeting assembled in the City of Brisbane, praying that Her most gracious Majesty will be pleased to prohibit this traffic in human beings (meaning the importation of natives of the South Sea Islands into Queensland for employment on sugar and cotton plantations and on sheep and cattle stations), as being a development of the slave trade, with its attendant evils, in its most modern form.

2. This Petition was brought to me by a deputation consisting of Mr. Alderman Jeays, who signs it, and who was formerly Mayor of this city, and Mr. Robert Short, a gentleman connected with the Press, and one who has delivered several public lectures adverse to the importation of South Sea Islanders.

## 12 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.

3. The Petition being couched in respectful terms, and the deputation waiting on me to request that it might be forwarded being inhabitants of this city of good fame and respectability, I have deemed it my duty, in view of the common right of Her Majesty's subjects to lay their grievances before Her by Petition, to enclose this to your Grace for presentation.

\* Page 10.

† Page 13.

4. The subject to which this Petition refers, is one which has already been brought under your Grace's notice by Governor Sir G. F. Bowen in his Despatch (No. 36,\* of the 13th July, 1867), and I directed your Grace's answer to that Despatch (No. 40,† of the 9th November, 1867), which was received by the last mail, to be laid before both Houses of Parliament during the last week.

5. I may inform your Grace that there is a Bill now before the Parliament of Queensland, and which has already passed the Legislative Council, intended to protect and regulate the immigration of South Sea Islanders into this Colony, and that this Bill contains all the provisions for their protection, pointed out in your Grace's Despatch, above alluded to, of the 9th November, 1867.

6. I believe and trust the fears of the persons who now petition Her Majesty in reference to the employment of South Sea Islanders in this Colony are unnecessarily excited; at least, I am sure that when once within the boundaries of the Colony they will be safe from any treatment which by any stretch of imagination can be termed slavery.

Enclosure, No. 2.

7. I do not feel so certain, however, as to the mode in which they have hitherto been allowed to be engaged by unauthorized persons on the islands from whence they come; but the Bill, of which I enclose a copy in its latest stage, endeavours to provide a remedy in this respect, and I have no doubt your Grace's communication to the Lords Commissioners of the Admiralty, as mentioned in your Despatch (No. 40, of 9th November, 1867), will have a beneficial effect.

I have, &c.,  
M. C. O'CONNELL.

[Enclosure 1 in No. 4.]

Encl. 1 in No. 4. To Her Most Gracious Majesty Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

The Petition of a Number of the Inhabitants of the Colony of Queensland, in Public Meeting assembled, in the City of Brisbane,—

Humbly Sheweth,—

That your Majesty's Petitioners have viewed with much anxiety the introduction into this Colony of a large number of natives of the South Sea Islands by private individuals to work as labourers on sugar plantations, cotton plantations, and on sheep and cattle stations.

That these natives have been, and are still being, brought without the sanction of your Majesty's Government, without any Colonial law to control or regulate their introduction, to protect them afterwards, or to secure their return home on the expiration of term of service.

That your Petitioners have reason to believe that many of these natives have been kidnapped and brought forcibly here, and others under false and deceptive representations; while many have been induced to come by the promise that they should be conveyed home within twelve months; that this promise has not been fulfilled, but, on the contrary, that many of these natives have been detained in the Colony for periods of three years and upwards, on the allegation they had engaged for that time.

That this breach of faith, combined with the illegal manner in which these natives have been obtained, has led to the loss of several vessels, and to the murder of several Europeans at the South Sea Islands by the natives in revenge for the abduction and detention of their kindred. These facts are confirmed by Captain J. P. Luce, of your Majesty's steamer "Esk," the Senior Naval Officer on the Australian Station, who communicated to Sir George Ferguson Bowen, on the 25th of April, A.D. 1867, as follows:—"I have lately received reports of the loss of several vessels, and the murder of several Europeans at Hinchinbrook, and other islands of the New Hebrides group. I enclose an extract from a letter written by a trader in that group, wherein you will see that he is informed the natives say they are doing these atrocities in revenge for the loss of many of their countrymen who were carried away three years ago to Queensland and Fiji Islands by Europeans who hired them as labourers, and promised to return them to their homes in twelve months."

Your Petitioners have regarded with dismay the introduction of an inferior and uncivilised race into this Colony to supplant the British and European labourers, as it will have the effect of reducing to destitution and inactivity the working classes of the Colony who have been induced to emigrate here in large numbers by the hope of finding in Queensland an independent home and permanent employment, and they earnestly advert to such introduction being irreconcilably opposed to the constitution of the Colony, and the intention of its foundation.

Wherefore your Majesty's humble Petitioners most humbly pray that your most gracious Majesty will be pleased to prohibit this traffic in human beings as being a development of the slave trade, with its attendant evils, in its most modern form.

And your Most Gracious Majesty's Petitioners, as in duty bound, will ever pray.

Signed by the Chairman, at the unanimous request of, and in behalf of, the said public meeting,—

JOSHUA JEAYS.

Brisbane, Queensland,  
16 January, 1868.

[Enclosure 2 in No. 4.]

Encl. 2 in No. 4. This Public Bill originated in the Legislative Council, and, having this day passed, is now ready for presentation to the Legislative Assembly for its concurrence.

Legislative Council Chamber, Brisbane,  
19 December, 1867.

(Signed) HENRY JOHNSON,  
Clerk of the Parliaments.

QUEENSLAND.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 13

## QUEENSLAND.

Queensland.

ANNO TRICESIMO PRIMO VICTORIÆ REGINÆ.

No.

*A Bill to Regulate and Control the Introduction and Treatment of Polynesian Labourers.\**

WHEREAS many persons have deemed it desirable and necessary, in order to enable them to carry on their operations in tropical and semi-tropical agriculture, to introduce to the Colony Polynesian labourers: And whereas it is necessary for the prevention of abuses, and for securing to the labourers proper treatment and protection, as well as for securing to the employer the due fulfilment by the immigrant of his agreement, that regulations for the control of such immigration should be framed: And whereas it is necessary that such regulations should receive direct legislative sanction: Be it therefore enacted, by the Queen's most excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland, in Parliament assembled, and by the authority of the same, as follows:—

1. It shall not be lawful for any person or persons to introduce any Polynesian labourers into the Colony of Queensland, unless and except in accordance with the regulations contained in the Schedule to this Act, and the forms thereunto attached. Not lawful to introduce Polynesian labourers, except according to regulations.

## SCHEDULE.

1. All persons desirous of importing labourers from the South Sea Islands shall make application to the immigration agent at Brisbane, in the Form A. appended hereto, stating the number required, and how they are to be employed; such application to be accompanied by a bond in Form K., signed by applicant and two sureties, to secure the return of the labourers to their native islands at the expiration of three years, or 39 moons, from date of arrival. A license in Form C. may then be issued, authorizing the applicant to import the number required. Form of application.

2. The master of any vessel arriving with Polynesian labourers shall be bound to report, on arrival at any of the ports of Queensland, the number of such labourers, and the names of the employers to whom they have been, or are to be, indentured; and shall not be permitted to land any of the immigrants until he has received the certificate (Form L.) of the immigration agent, or other officer of the Government empowered to grant same, that the following regulations have been complied with:— Master of vessel to report arrival, &c.

(1.) The production by the master of the vessel of a certificate in Form I., or certificates signed by a consul, missionary, or other known person, that the labourers have voluntarily engaged themselves and entered into their agreements with a full knowledge and understanding of the nature and conditions of same, and that when they were embarked they were not known to be afflicted with any disease, and were neither maimed, halt, blind, deaf, dumb, idiotic, or insane. Master of vessel to produce certificate.

(2.) The production by the employers or parties to whom the labourers are, or are intended to be, indentured, of the certificate in Form C. authorizing them to recruit. Employers to produce certificate of Immigration Agent.

(3.) That proper means have been taken, since the arrival of the ship, by the Immigrant Agent or other officer, by explanations, questions, and inquiries amongst the labourers themselves, to ascertain whether they have a proper understanding of the conditions of the agreements, and did voluntarily enter into same. That the agreements have been signed in the form prescribed, and the employers bound to observe the rules laid down for the treatment and management of the labourers. Immigrants to understand the nature of their agreements.

3. All agreements (Form D.) shall be completed on board the ship, if possible, and the immigrants taken from same by their employers; and should there arise a necessity for taking any of the labourers to the immigration depot, there maintenance there shall, in all cases, be borne by the employer. Agreements to be completed on board ship where practicable.

4. The arrival of the immigrants shall be registered in the immigration office, Brisbane, or at the custom house in any other port; and, in the latter case, a copy of the register shall be forwarded by the customs officer to the immigration office by following mail. Immigrants to be registered on arrival.

5. The scale of rations and wages shown in Form G., and printed on the form of agreement, shall in no case be deviated from. Scale of rations.

6. A register of hired Polynesian labourers shall be kept by each employer, in Form E., which shall be open for the inspection of any magistrate, or other person appointed by Government for the purpose, who shall record his visit therein. No entry, except the state of muster at the expiration of each quarter, shall be made in the register of the employer, unless from a document of hiring, transfer, death, or desertion, countersigned by the immigration agent. Register to be kept by employer.

7. No transfer of an immigrant shall be made except with the full consent of the original employer, the immigrant, and the Government, in Form F., and no immigrant shall be allowed to leave his employment under transfer until the same has been recorded in the books of the immigration office. All transfers shall be signed by employer and immigrant in presence of a magistrate, who shall before signing explain to the latter the full meaning and effect of such transfer; and all moneys due to the original employer under the transfer shall be adjusted between him and the transferee by the magistrate, and their signatures to the transfer shall be full acquittance for the same. Provided that every transferee shall enter into a bond similar to that of the transferor prior to any transfer being consented to. Transfers, how made.

8. All deaths or desertions shall be immediately reported to the nearest bench of magistrates and to the immigration agent. Deaths or desertions to be reported immediately.

9. Any person supplying Polynesian labourers with spirits shall be punishable as at present in the case of aborigines, under 47th clause of "Licensed Publicans Act," 13th Vict., number 29. Polynesian labourers not to be supplied with spirituous liquors.

10. All masters of vessels about to proceed to the South Sea Islands, in order to obtain labourers therefrom, shall enter into a bond, in Form B., with two sufficient sureties, for the prevention of kidnapping, and for the due observance of these regulations so far as they are concerned. Masters of vessels to execute bonds prior to proceeding to hire labourers.

11. No ship shall carry on her lower passenger deck a greater number of passengers than in the proportion of one statute adult to every 12 clear superficial feet allotted to their use. Provided that the height between decks shall not be less than 6 ft. 6 in. from deck to deck, when the height of the 'tween decks exceeds 6 ft. 6 in., an extra number of passengers may be taken at the rate of 1 for every 144 cubic feet of space. Each ship must be fitted with open berths or sleeping places, in not more than two tiers—the lowest tier shall be raised 6 inches from the deck, and the interval between the two tiers of berths shall not be less than 2 ft. 6 in. Number of passengers. (Vide Imperial Act, 16 & 17 Vict. c. 84.)

12. The length of the voyage to or from the South Sea Islands shall be computed at thirty days for sailing vessels, and fifteen days for steamers. Length of voyage.

13. Three quarts of water daily during the voyage shall be allowed to each adult, exclusive of the quantity used for cooking purposes. Water on the voyage.

14.

\* The Act, as passed by the Legislature on the 18th February, 1868, and assented to by the Acting Governor on the 4th March, 1868 (No. 47), is printed as an Appendix.

## 14 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.  
Provisions on  
the voyage.

14. Provisions shall be issued to each statute adult during the voyage according to the following scale, namely:—

## DAILY PROVISIONS FOR STATUTE ADULT.

	lbs.	oz.
Yams ... ..	4	0
Or rice ... ..	1½	0
Or maize meal ... ..	1½	0
Meat (pork or beef) ... ..	1	0
Tea ... ..	0	0½
Sugar ... ..	0	2
Tobacco (during good behaviour) per week ... ..	0	1½

The undermentioned clothing shall be supplied to each labourer immediately on embarkation, in advance:—

- 1 Flannel shirt.
- 1 Pair trousers.
- 1 Blanket.

Nominal return  
to be sent at  
expiration of  
each quarter.  
Penalty for har-  
bouring runaway  
labourers.

15. Nominal returns of labourers shall be made by employers of South Sea Island labour to the immigration agent, at the expiration of each quarter, in Form H.

Breaches of regu-  
lations punish-  
able by fine.

16. All persons harbouring or employing Polynesian labourers, otherwise than under these regulations, without reporting the same to the nearest bench of magistrates and to the immigration agent in Brisbane, shall be liable, on conviction thereof, to a penalty of five pounds.

17. All breaches of these regulations shall be punishable by fine, to be recovered in a summary manner before two justices of the peace; for the first offence a fine not exceeding two pounds, for second and subsequent offences not exceeding five pounds nor less than two pounds.

Capitation tax  
for evasions of  
these regulations  
by shipmasters.

18. A capitation tax of £20 per head shall be levied on all vessels in which South Sea Island labourers are introduced into this Colony otherwise than in accordance with these regulations.

## FORM A.

Application for Permission to introduce South Sea Island Agricultural or Pastoral Labourers.

I request to be allowed, in accordance with the regulations now in force, to procure from the South Sea Islands immigrants for agricultural or pastoral purposes, to be employed in the district.

A.B.

Applicant's signature.

The above requisition lodged with me this

day of

186

G.H.

Immigration Agent, Queensland.

## FORM B.

Bond to be entered into by Shipmasters.

Know all men by these presents that of of and of are held and firmly bound unto our Sovereign Lady Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith in the sum of [five hundred] pounds of good and lawful money of Great Britain to be paid to our said Lady the Queen her heirs and successors to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole our heirs executors and administrators and every of them firmly by these presents.

Scaled with our seals

Dated this day of one thousand eight hundred and

Whereas by the Polynesian Labourers Act of 1867 and schedule attached thereto it is amongst other things enacted that all masters of vessels proceeding to the South Sea Islands in order to obtain labourers therefrom shall enter into a bond with two sufficient sureties for the prevention of kidnapping and due observance of the requirements of the said recited Act and schedule Now the condition of this obligation is such that if the above-bounden J.K. master of ship about to proceed to the South Sea Islands to procure labourers shall faithfully observe the requirements of the said recited Act and schedule and shall satisfy the Government of Queensland through its officer duly appointed for the purpose that no kidnapping was allowed countenanced or connived at then this obligation to be void otherwise to remain in full force and virtue.

Signed sealed and delivered by the above-bounden and in the presence of

[L.S.]

I hereby certify that the above bond was duly signed sealed and delivered by the said and in my presence this day of 186

Immigration Agent.

## FORM C.

License to recruit Labourers from the South Sea Islands.

This is to certify that [or his agent] is hereby licensed to recruit immigrant labourers from the South Sea Islands for Queensland in conformity with the regulations published regarding such recruiting This license is to remain in force only until the number mentioned above have been recruited.

Dated this day of

186

Colonial Secretary of Queensland.

Immigration Agent Queensland.

N.B.—This license is to be returned to the Immigration Agent when the labourers have been received.

FORM





## 16 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.

## FORM F.

We [name and designation of employer and names and numbers of immigrants engaged] being respectively the master and servants under a contract of service made before the Government Emigration Agent at on the day do hereby agree that the whole rights and obligations of the said first party under the said contract shall be and the same are hereby transferred as at the date hereof to [name and designation] who hereby agrees to accept the said transfer and the contract hereby transferred with all its rights and obligations.

X. I. }  
A. B. } Signatures or marks of all the parties.  
I. }

The above transfer signed by all the parties thereto, its nature and effect having been first fully explained to the immigrants above named all in my presence. The said transfer also approved and concurred in by me as on behalf of the Government.

At this day of 186 . G. H.  
Immigration Agent [or Justice of the Peace].  
Registered this day of 186 . G. H.  
Immigration Agent.

## FORM G.

## Scale of Rations.

Daily.	lbs.	ozs.
Beef or mutton (or 2 lbs of fish) ... ..	1	0
Bread or flour ... ..	1	0
Molasses or sugar ... ..	0	2
Vegetables (or its equivalent in rice, maize meal, &c.) ... ..	2	0
Tobacco, per week (during good behaviour) ... ..	0	1½
Salt, per week ... ..	0	2
Wages.—Not less than six pounds (£6) per annum, in the coin of the realm.		

## FORM H.

## Quarterly Return.

RETURN of South Sea Islanders employed on the plantation of , in the District of  
Name of Plantation ; Post Town ; for Quarter ending .

No.	Name.	From.	State of Muster on 31st March, 1868.	Transfers.	Desertions.	Deaths.	Remarks.

## RECAPITULATION.

Number at date of last return ... ..  
Number transferred to plantation during above quarter ... ..  
Deduct :—  
Number died during above quarter ... ..  
Number transferred from plantation during above quarter ... ..

Number remaining on ... ..

Registered at Immigration Office, Brisbane, on and acknowledged  
Immigration Agent.

## FORM I.

Whereas duly licensed by the Government of Queensland to recruit South Sea Island labourers according to license exhibited to us, and natives of appeared before us this day of 186 . The said agent has hired the said natives to serve various employers in Queensland as labourers for a term of three years, and undertakes that they shall be furnished with the undermentioned rations and clothing, that they shall be paid at the rate of not less than six pounds (£6) per head per annum in coin of the realm, that they shall be provided with proper lodging accommodation, and that the cost of their passage to and from Queensland and all other cost and charges shall be defrayed by their employers, and that they shall be returned free of expense to this place at the expiration of three years, and that the Government of Queensland shall exercise supervision over their employers, and otherwise protect them during their term of service and during their passage to and from Queensland.

Now we certify that this document has been read, and its full meaning and effect explained to the said before-mentioned natives, in the presence of the said agent, and of ourselves, and that the said natives have consented to accompany said agent to Queensland. And we further certify that, to the best of our belief, none of the said natives are suffering from any disease, or are maimed, halt, blind, deaf, dumb, idiotic, or insane.

In witness whereof we have hereunto attached our signatures this day of  
186 at

Missionary [or European resident or Chief Interpreter.]  
Agent.  
Natives. CLOTHING.



## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 17

		CLOTHING.	Queensland.
Two suits per annum, viz. :—			
Hat ...	...	...	1
Shirts (one flannel or serge) ...	...	...	2
Trousers, pairs ...	...	...	2
Blankets, pair ...	...	...	1

		RATIONS PER DIEM.	
		lbs.	ozs.
Bread ...	...	1	0
Beef or mutton (or fish, 2 lbs.) ...	...	1	0
Molasses (or sugar) ...	...	0	2
Vegetables (or its equivalent in rice, maize, meal, &c.) ...	...	2	0
Tobacco (during good behaviour) per week ...	...	0	1½
Salt, per week ...	...	0	2

Countersigned by Master of Vessel.

To be furnished to Immigration Agent or Customs' officer with report of arrival.

## FORM K.

Form of Bond to be given by Employer.

Know all men by these presents, that we A.B. of C.D. and E.F. of \_\_\_\_\_ are held and firmly bound unto our Sovereign Lady Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith, in the sum of [ten] pounds of good and lawful money of Great Britain for each Polynesian labourer employed by us, to be paid to our said Lady the Queen, Her Heirs and Successors, to which payment well and truly to be made we bind ourselves, and every of us jointly and severally for, and in the whole our heirs, executors, and administrators, and every of them firmly by these presents.

Sealed with our seals.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

Whereas by the Polynesian Labourers Act of 1867, and schedule attached thereto, it is amongst other things enacted that all persons desirous of importing labourers from the South Sea Islands shall enter into a bond with two sureties to secure the return of the labourers to their native islands at the expiration of three years, or thirty-nine moons, from date of arrival, at the rate of ten pounds sterling for each labourer introduced. Now, the condition of this obligation is such that if the above bounden A.B. shall provide for and pay the cost of the return passage of each and every South Sea Island labourer introduced by him under his application, and also well and truly pay all charges or expenses incurred by the Government of Queensland in connection with the same, then this obligation to be void; otherwise to remain in full force and virtue.

Signed, sealed, and delivered by the above bounden A.B., C.D., and E.F., in the presence of [L.S.]

I hereby certify that the above bond was duly signed, sealed, and delivered by the said A.B., C.D., and E.F., in my presence, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

Immigration Agent [or Justice of the Peace].

## FORM L.

I hereby certify that the master of the \_\_\_\_\_ arrived from \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 186 \_\_\_\_\_, has produced to me the necessary certificates (Form I) that the whole of the labourers on board have voluntarily engaged themselves, &c., &c.

2. I further certify that the license (Form C.) has been produced in all cases.

3. I also certify that by careful examination of the labourers, I have ascertained that they appear to have a proper understanding of the full meaning and effect of the agreements, and that they voluntarily entered into the same, and that the agreements have been signed in the form prescribed (Form D).

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 186 \_\_\_\_\_

Immigration Agent [or Officer of Customs].

## No. 5.

COPY of a Despatch from Acting Governor O'Connell to His Grace the Duke of Buckingham and Chandos.

(No. 25.)

Government House.  
Brisbane, Queensland,  
23 March, 1868.

MY LORD DUKE,

Inasmuch as the employment of labourers from the Polynesian Islands in the Colony of Queensland has been made the subject of remonstrance by certain well-meaning persons here, who are apprehensive it may in some measure revive the evils which formerly attached to the Slave Trade, and as I had the honor to enclose to your Grace, under cover of my Despatch, No. 12\*, of the 27th January, a Petition for presentation to Her Majesty in reference to this subject, I deem it better to accompany the copy of the Act "to Regulate the Introduction and Treatment of Polynesian Labourers," which I send under another cover by this mail, with a separate communication having reference only to the general bearing of this measure.

No. 5.  
Acting Governor  
O'Connell to His  
Grace the Duke  
of Buckingham  
and Chandos.  
23 March, 1868.  
\*Page 11.

## 18 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Queensland.

2. I beg, therefore, to inform your Grace that I have signified the Royal Assent to this Bill under the advice of the Attorney General of the Colony, Mr. Pring, given in the following terms in his report, forwarded through my Private Secretary :—

"In reply, I have the honor to report that, in consequence of the continued increase and importation of the South Sea Islanders into this Colony, it appears to me urgently necessary that this Bill should be brought into immediate operation; and although it may be characterized as a Bill of an extraordinary nature, still as it does not fall within the class of Bills specified in the Royal Instructions for reservation for the signification of Her Majesty's pleasure, there is, in my opinion, no objection to His Excellency the Acting Governor giving his assent to this Bill."

\* Page 3.

3. This subject, of the employment of Polynesian labourers in Queensland, was first brought under notice in a Despatch (No. 49,\* of the 16th September, 1863) from Governor Sir George Bowen to His Grace the Duke of Newcastle, and it has furnished the matter of several subsequent communications, to the last of which your Grace's despatch of the 9th November, No. 40,† was a reply.

† Page 19.

4. In this latter communication your Grace very justly surmises, that "as the experiment seems to have succeeded with Captain Towns and Captain Whish, the principal employers of these labourers, it is probable that other settlers may desire to follow their example;" for I have now to report that such has been the case.

5. I have obtained from the Collector of Customs in this port a return, which I enclose, showing the number of vessels entered at the different ports of the Colony with Polynesian labourers during the four months ending 29th February, 1868, by which it appears that during that time seven vessels, arriving in five different ports of the Colony, brought to these shores nine hundred and eighteen (918) of these people; and I can add that some are employed, not only on cotton and sugar plantations, but also on sheep stations.

6. The time, therefore, seems to have fully arrived when it is necessary to provide for their protection and their just treatment by some law more applicable to their particular cases than the ordinary one which provides for the enforcing of engagements between masters and servants would be, if standing alone.

7. The law to which I am now referring seems to me amply to meet the case in point; it establishes in the Government a sort of protectorate over these persons and their engagements; and as far as possible it provides that they shall not be engaged except under precautions which ought to prevent any chance of kidnapping.

‡ Page 19.

8. I perceive, by your Grace's despatch, No. 1,‡ of the 8th January last, received this day, that the Lords Commissioners of the Admiralty have instructed the Senior Naval Officer on the Australian Station to make inquiries, and report whether any person has been improperly transported to the Fiji Islands by British subjects, and I can assure your Grace that the Government of this Colony will be prepared to give every assistance and support to such inquiries, should any cases of the nature referred to be found to attach to the emigration of Polynesians into Queensland.

I have, &amp;c.,

M. C. O'CONNELL.

## [Enclosure in No. 5.]

RETURN of the Number and Tonnage of Vessels entered at the different Ports of the Colony with Polynesian Labourers, during the Four Months ending 29th February, 1868.

Ports.	Number of Vessels.	Tonnage.	Number of Labourers.
Brisbane ... ..	3	537	523
Maryborough ... ..	1	99	84
Rockhampton ... ..	1	177	104
Mackay ... ..	1	85	78
Bowen ... ..	1	132	129
Total ... ..	7	1,030	918

D. W. SOMERSET,

For Collector.

Custom House, Brisbane,  
23rd March, 1868.

## Despatches from the Secretary of State.

## No. 1.

COPY of a Despatch from the Earl of Carnarvon to Governor Sir George F. Bowen, G.C.M.G.

(No. 5.)

Downing-street, 1 February, 1867.

SIR,

No. 1.  
Earl of Carnarvon to Sir G. F. Bowen, G.C.M.G.  
1 February, 1867.

§ Page 5.

I have the honor to acknowledge the receipt of your despatch, No. 63,§ of the 16th November, respecting the progress of cotton cultivation in Queensland, and enclosing a printed account of the "Townsville" plantation.

A copy of your despatch has been sent to the Board of Trade, as well as to the Cotton Supply Association at Manchester.

I have, &amp;c.,

CARNARVON.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 19

## No. 2.

Queensland.

COPY of a Despatch from His Grace the Duke of Buckingham and Chandos to Governor Sir George F. Bowen, G.C.M.G.

(No. 40.)

Downing-street 9 November, 1867.

SIR,

I have to acknowledge the receipt of your despatch, No. 36,\* of 13th July, on the subject of the employment in Queensland of the natives of some of the South Sea Islands.

The practical question which arises on your despatch is, whether any measures beyond those already in force can be taken for the protection of these islanders.

So far as regards the people now in the Colony, there seems no reason to doubt that they have been treated kindly and loyally; nor, apparently, would there be any ground for apprehension if the immigration remain as limited as it is at present. But as the experiment seems to have succeeded with Captain Towns and Captain Whish, the principal employers of these labourers, it is probable that other settlers may desire to follow their example, especially if the cultivation of cotton in Queensland should, as may be expected and hoped, prove remunerative, in which case the adoption of some fixed regulations for the protection of these people may be desirable.

It would not be necessary in the case of the small number of South Sea Islanders likely to be introduced, to establish such detailed and elaborate regulations as those made by the Act of 1862, regulating the introduction of Indian immigrants into Queensland.

But if the Legislature should be willing to entrust the Governor with a power similar to that conferred by the above Act, of making rules for the protection of South Sea Islanders, all that is necessary might be done.

The following are, I think, the principal points to which such rules should be directed:—

1. That the ships to be employed in the service should have adequate accommodation, should be properly found, and should not carry above a prescribed number in proportion to their deck area.
2. That no one should be allowed to introduce these immigrants except under a non-transferable license from the Government.
3. That the general tenor of the contract to be entered into with them should be prescribed by the Government, and that the contracts, to be valid, should be countersigned by the Immigration Agent on the arrival of the immigrants.
4. That the immigrants should be placed under the special superintendence of the local magistracy; and, as a consequence, that none should be allowed to estates so remote as to be withdrawn from such superintendence.
5. That a power should be reserved to the Government of cancelling a contract in case of the ill usage of the immigrant by his master, or of the non-fulfilment of the conditions of the contract.
6. That the contract should not be for a period exceeding five years; and,
7. That security should be taken for the reconveyance of the immigrant to his own country at the time stipulated in the contract, and for the grant to him of fair compensation for any unreasonable delay in fulfilling that condition.

A regulation might also be added to provide for the re-engagement of an immigrant who may not wish to return to his country at the end of his five years' contract. In this case the liability to provide for a back passage would rest with the new employer, the first employer paying the immigrant some compensation in lieu of passage.

I shall be glad to learn what course your Government may propose to pursue in the matter.

I have informed the Lords Commissioners of the Admiralty of the steps taken in consequence of Captain Luce's statement regarding the abduction of the South Sea Islanders to Queensland, and have left it to their Lordships to take such measures as would seem to them practicable and expedient, in order to ascertain whether any persons had been improperly transported to the Fiji Islands by English subjects.

I have, &c.,  
(Signed) BUCKINGHAM & CHANDOS.

## No. 3.

COPY of a Despatch from His Grace the Duke of Buckingham and Chandos to Officer Administering the Government.

(No. 1.)

Downing-street, 8 January, 1868.

SIR,

With reference to the last paragraph of my Despatch to Sir George Bowen, No. 40,\* of 9th November, on the subject of the proposed introduction of South Sea Islanders into Queensland, I have to acquaint you that the Lords Commissioners of the Admiralty have stated their intention to instruct the officer on the Australian Station to make inquiries and report whether any person has been improperly transported to the Fiji Islands by British subjects.

I have, &c.,  
(Signed) BUCKINGHAM & CHANDOS.

No. 2.  
His Grace the Duke of Buckingham and Chandos to Governor Sir G. F. Bowen, G.C.M.G.  
9 November, 1867.  
\* Page 10.

No. 3.  
His Grace the Duke of Buckingham and Chandos to Officer Administering the Government.  
8 Jan., 1868.  
\* Page 19.

NEW

New South  
Wales.

# NEW SOUTH WALES.

## Despatches from the Governor.

### No. 1.

No. 1.  
Governor the  
Right Hon. Sir  
J. Young, to the  
Right Hon. the  
Earl of Carnar-  
von.  
12 March, 1867.

COPY of a Despatch from Governor the Right Honorable Sir John Young, Bart., to the Right Honorable the Earl of Carnarvon.

(No. 22.)

Government House, Sydney,  
12 March, 1867.

(Answered, No. 59, 3 December, 1867, page 24.)

My LORD,

I have the honor to forward herewith copies of two communications from Mr. J. Havinden, Master of the schooner "Challenge," reporting the murder of the white crew of the brig "Curlew" by the natives of Hinchinbroke Island, and also the murder of "three white men by the natives of the Sandwich Island, one of the New Hebrides."

2. I forwarded copies of these letters to Commodore Maguire, under cover of my communication to him of yesterday's date, of which I also send a copy for your Lordship's information.

I have, &c.,

(Signed) JOHN YOUNG,

Encl. 1 in No. 1.

[Enclosure 1 in No. 1.]

Schooner "Challenge," New Caledonia,  
16 January, 1867.

Sir,

I beg to report that I have been informed by natives of the Sandwich Island that the brig "Curlew," of Sydney, had been taken by natives of Hinchinbroke Island; captain and the white crew murdered; ship burnt.

To the Honorable  
Colonial Secretary.

I remain, &c.,  
(Signed) J. HAVINDEN,  
Master.

Communicate this information to Messrs. Towns & Co., the supposed shipowners. I think the case is one in respect of which his Excellency may consider it necessary to request the aid of the Naval authorities here.

5 March, 1867.

(Signed)

JAMES MARTIN,  
Attorney General and Premier.

Encl. 2 in No. 1.

[Enclosure 2 in No. 1.]

Schooner "Challenge," New Caledonia,  
16 January, 1867.

Sir,

I beg to report the murder of three white men by the natives of the Sandwich Island, one of the New Hebrides, Saturday, 24th November, trading in the Havannah Harbour, Sandwich Island. I was informed by the natives that the schooner "Mary Jane," had been brought into the South Harbour by the natives, and that Edward Unthank, John Perry, and Harry Collins had been murdered by the natives of the Island of Tanna. I returned on board immediately and got under way, and proceeded to the South Harbour, having a light head wind. I did not reach until after sunset, but could see a small schooner at anchor inside the reef, close to a small island; at 8 p.m. anchored as close to the island as I could with safety. A native came on board and said he was one of the schooner crew, and confirmed the report; at 4 a.m., Sunday, 25th November, manned and armed the boat, and pulled in for the schooner, and getting alongside found the natives had left her, and taken sails, spars, ropes, and all the stores on shore. I took possession of her, and placed Mr. Riddle, my chief officer, on board; I then landed and sent for the chief; he came; I made him understand that all the spars, sails, ropes, and stores he had taken from the schooner should be put on board; he ordered the natives to bring the things; such I demanded, the chronometer, and a breech-loading rifle which I had seen on board; those were handed to me with all the ships papers. I then engaged ten natives of another tribe to assist in towing the schooner to harbour. At 8 p.m. got her alongside the "Challenge." Monday, 26th November repaired the sails, and lent some from the "Challenge." At 2 p.m. weighed, and worked out of the harbour in company. I ordered Mr. Riddle to the port of Pucba, myself being bound for Bylow, New Caledonia. The "Mary Jane" arrived at Pucba, 3rd December, all well; I have left her in charge with Mr. Henry, with all stores and chronometer. The "Mary Jane" is a small fore and aft schooner of 16 tons, and cleared at Sydney the middle of September, 1866, and was the property of Unthank and Perry. Since writing the above I have been on Sandwich, and the natives say it is false about the white men being killed on Tanna, as they were killed on board the schooner; Unthank was killed below, asleep; Perry was killed at the helm, and Harry Collins was made to take the schooner to Sandwich, and when in sight of the island was murdered and thrown overboard. I have every reason to believe the above, as two of my crew belonging to the same island left me on Sandwich, being afraid I should make them fast; they had been with me eight months on board the "Sylvanus," and "Challenge."

I have, &c.,  
J. HAVINDEN,  
Master.

To the Honorable the Colonial Secretary.

[Enclosure

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 21

[Enclosure 3 in No. 1.]

New South  
Wales.Government House, Sydney,  
11 March, 1867.

Encl. 3, in No. 1.

Sir,

I have the honor to forward herewith copies of two communications which have been received by the Colonial Secretary from Mr. J. Havinden, master of the schooner "Challenge."

2. You will perceive that Mr. Havinden reports that the natives of Hinchinbroke Island seized the brig "Curlew," murdered the white crew, and burnt the ship. In his other letter he reports the murder of "three white men by the natives of the Sandwich Island, one of the New Hebrides."

3. I forward these communications for your information as they were sent to me, leaving it to you to test their accuracy, and to take such further steps as you may think requisite.

4. The firm of Messrs. Towns and Co., named in the Attorney General's Minute, is highly respectable, and in the first rank of shipowners in this city.

I have, &amp;c.,

(Signed)

JOHN YOUNG.

Commodore Rochford Maguire, C.B.,

&c., &c., &c.,  
H.M.S. "Challenger."

## No. 2.

COPY of Despatch from Governor the Earl of Belmore to His Grace the Duke of Buckingham and Chandos.

(No. 26.)

Government House, Sydney,  
29 February, 1868.

No. 2.  
Governor the  
Earl of Belmore  
to His Grace the  
Duke of Buck-  
ingham and  
Chandos.  
29 Feb., 1868.

MY LORD DUKE,

I have the honor to forward herewith, for your information, a copy of a Petition which I have received from eight Christian Missionaries, representing the Presbyterian Church in the New Hebrides, accompanied by a statement of facts with regard to the practice now being pursued of engaging natives of these islands for Queensland and other places, and praying that I would take steps to cause an investigation to be made into what they believe to be a revival of the slave trade.

Enclosure No. 1.

2. On receipt of these documents, I at once wrote to Commodore Lambert, and herewith enclosed is a copy of that officer's reply, from which you will perceive that before proceeding to the Islands he will communicate further with me.

Enclosure No. 2.

3. Subsequently I brought the whole of these documents under the notice of my Responsible Advisers, and herewith enclosed is a copy of their opinion on the subject.

Enclosure No. 3.

Enclosure No. 4.

Enclosure No. 5.

Enclosure No. 6.

4. All has thus been done by me that could be done under the circumstances.

I have, &amp;c.,

(Signed)

BELMORE.

His Grace the Duke of Buckingham and Chandos,

&c., &c., &c.

[Enclosure 1 in No. 2.]

To His Excellency the Right Honorable the Earl of Belmore, &c., &c., Governor-in-Chief of New South Wales, and Captain-General and Vice-Admiral of the same.

Encl. 1 in No. 2.

May it please your Excellency,—

The Petition of the undersigned humbly sheweth,—

That your Petitioners are Christian Missionaries representing Presbyterian Churches labouring on the six southern islands of the New Hebrides group, namely, Aneityum, Futuna, Tanna, Aniwa, Eromanga, and Faté.

That in their capacity as such, they, of course, are deeply interested in the elevation of the natives of these islands physically and socially, as well as morally and spiritually, so that while on the one hand any plan which has a tendency to promote so desirable an object, has not only their perfect acquiescence, but their hearty support; on the other, they cannot but regard it as their duty to oppose any system which is found to interfere with the natural rights of the natives, and with the furtherance of those ends for which Missionaries settle among them.

That in fulfilment of their duty, and in the interests of humanity, they feel themselves bound to lay before your Excellency certain facts and allegations, as embodied in the accompanying "statement," relating to a system of traffic in human beings, as at present carried on among these islands.

That your Petitioners humbly and earnestly request your Excellency that an investigation be made into the working of this traffic; that it be put under such supervision and control as shall prevent the rights of the natives, as human beings, from being ruthlessly violated; and that some one be appointed to care for the interests, and investigate the grievances, of those natives of these islands, who reside in the Colony of which you are the head.

And your petitioners will ever pray.

(Signed)

JOHN GEDDIE, D.D.  
JOHN INGLIS.  
JOHN G. PATON.  
JOSEPH COPELAND.  
DONALD MORRISON.  
J. D. GORDON.  
JAMES COSH, M.A.  
THOMAS NEILSON.

[Enclosure

## 22 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

New South  
Wales.

[Enclosure 2 in No. 2.]

Encl. 2 in No. 2. STATEMENT by the New Hebrides Mission regarding the traffic in natives, as at present conducted among the Islands of that Group.

For some time back, and more especially within the last few years, this Mission has had its attention directed to the fact, that a large number of the natives of this group are being carried away in vessels, ostensibly as hired labourers, to Queensland, Fiji, New Caledonia, Tahiti, Torres Straits, and other parts. With reference to the full extent to which this system is carried on, this Mission is not at present in a position to furnish accurate statistics, but we are fully aware that a large number of vessels are engaged in it. Within the course of the last eighteen months, vessels directly or indirectly engaged in this traffic have called at the one island of Faté no fewer than eighteen times, and we are aware that as many as 250 natives at least, out of seven villages of that island, are at present absent from their homes engaged in the service of white men. We are further credibly informed that several of the smaller islands in the northern part of this group have been almost entirely stripped of their male population.

The vessels engaged in this traffic, so far as known to us, sail under one or other of three flags—the British, the American, and the French. They vary in size from ships of seven or eight hundred tons to small schooners of eight or ten tons.

There are various circumstances connected with this system as at present conducted among the islands of this group, to which we deem it our duty to direct public attention.

1st. Many of these natives are taken away fraudulently and by force from their native lands.

*Instance.*—Towards the close of last year a vessel sailing under the British flag, bound for the Fijis, having on board 110 natives from northern islands of this group, lay off Fil Harbour, Faté. Some of the natives of Pango put off to her in a canoe. They were able to converse with the natives on board, as some of them had resided on the islands whence they came. As they neared the vessel some of the natives on board warned them not leave their canoe, adding, "We came off to her in our canoe to trade as she lay to off our shores. While we were thus engaged she bore away, and when we attempted to leave, the crew prevented us, and cut our canoes adrift. Thus they stole us from our land, and if you board her, you will share the same fate. Nor does she come to anchor anywhere lest we escape by swimming ashore."

Other instances of the same kind can be given.

2nd. Many of these natives suffer great hardships and privations on the voyage.

*Instance.*—In the beginning of this year (1867) a small schooner bound for the Fijis, having on board 35 natives from different islands of this group, came to anchor in the harbour of Aneityum. She then started on her voyage, and after having been out a fortnight, returned, reporting that she had met with unfortunate weather, and that her provisions were exhausted. In fact, the captain acknowledged that a number of the natives were reduced by famine, that they could not come out of the hold; and this statement was fully borne out by their wretched appearance.

Other instances of the same kind can be given.

3rd. Some of these natives suffer severe bodily injury, and even death, at the hands of those who carry them away, without any redress or any inquiry being made after their blood. This naturally leads to their cherishing feelings of revenge, and taking opportunities of retaliation against white men generally.

*Instance.*—Towards the close of last year (1866) the people of Emel (Faté) pirated a small vessel and murdered the crew, consisting of three white men. When visited this year by Her Majesty's ship "Falcon" for the purpose of investigating this outrage, they stated, in self-defence, that no fewer than four of their men had been barbarously murdered by persons who had carried them away from their native island, giving names, dates, and circumstances.

Other instances of a similar kind can be given.

4th. In the case of those who go of their own accord, the nature of the agreements entered into with them is very imperfectly, and, in most cases, not at all understood by them; and there is no real security that we know of that these agreements will be faithfully fulfilled by those who carry them away.

This has been acknowledged by those who carry them away, and has been stated to us by persons in the Fijis who have access to natives imported there. It ought to be borne in mind that almost every island in Western Polynesia has a distinct language of its own. The only medium of communication between the natives and the traders is the English language, and this is understood only by a few, and by them very imperfectly. On most islands it is not understood at all.

5th. Most of these natives, as is well known to us, are kept away from their native islands for longer periods than they were engaged for.

This statement is fully borne out by individual instances which have come under our own observation, and by the fact that it is the universal complaint of the natives whenever we come in contact with them. One case of many we may mention:

In August 1866, a small schooner about ten tons burden, took 26 natives from the islands of Emon and Faté to Fiji, for a term of six months. Up to this date (August 1867) not one of those taken from Faté at least has been returned.

6th. Many of these natives are very poorly paid.

*Instance.*—For five months' service on board a vessel trading in these seas a native of Faté received four handkerchiefs, a few pipes, and a few figs of tobacco.

Other instances of a similar kind can be given.

7th. The wives of many of those carried away, despairing of their husbands return, enter into relations with and become the wives of other men. This dissolution of social ties is a fruitful source of disturbance, of destruction of property, and of war.

*Instance.*—In July of this year (1867) a native of Pango, in the Island of Faté returned from Queensland. He had been away for about three years. During his absence, the wife he had left behind him became the wife of another man, on account of which the village had at the time been brought to the verge of a civil war. Immediately after his arrival in July last, hostilities began between the two parts of the village inhabited by the friends of the respective parties. A great deal of angry talk passed between them; threats were made of setting houses on fire. Several plantations were destroyed, and the utmost confusion and alarm prevailed for some days, when at length the matter was settled by the first husband consenting to give up his claim to the woman on condition of receiving twenty pigs as a solution. But the matter did not end there. A month or so after these occurrences, the woman whose second marriage had been the occasion of these disturbances, fled to the house of her former husband, and was received by him as his wife. This naturally led to the renewal of hostilities between the two ends of the village. And there is every reason to believe that, but for the presence of the Missionary and the intercession of the Christian party, the matter would not have been settled without bloodshed.

Other instances of a similar kind can be given.

8th. In almost all cases the men taken away are the strongest and most active in their villages, and by the removal of such men a more than ordinary proportion of old and infirm people, with women and children, remain, which materially interferes with the raising of food, the procuring of fish, and other work necessary to the well-being of the natives.

9th. With reference to those who return, we find that those who have been most often and longest away are generally the worst and most dangerous characters.

10th. The whole system is, so far as we know, under no adequate supervision or control, so that the natives of these islands are at the mercy of any man who can induce, or cajole, or force them to take a passage on board his vessel.

In



## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 23

In these circumstances we have no hesitation in denouncing the trade in human beings, as at present carried on among these islands, as in violation of the natural rights of man, as calculated to be injurious to the social, moral, and spiritual interests of the natives, as demoralizing and degrading to the white men engaged in it, as in short a revival of the slave trade, without that security for the temporal well-being of those who are the subjects of it, which would be derived from the fact of their being the property of a man who had invested a large sum of money in their purchase.

Signed, on behalf of the New Hebrides Mission, by—

J. G. PATON, Chairman.  
JOS. COPELAND, Clerk.

Ancityum, New Hebrides,  
7 September, 1867.

New South  
Wales.

[Enclosure 3 in No. 2.]

Government House, Sydney  
17 February, 1868.

Sir,

I have the honor to enclose herewith a Petition which I have received from Christian Mission- Encl. 3 in No. 2.  
aries representing the Presbyterian Church, labouring on certain islands in the New Hebrides, as well as a statement regarding the system, as at present conducted, of so-called engagement of natives of the islands as labourers for Queensland and other places.

These gentlemen, understanding that it is your intention shortly to visit Queensland, have expressed a desire that I would bring the matter under your notice. I accordingly forward the documents in question, in order that you may take such steps as you may think requisite.

I have, &c.,  
(Signed) BELMORE.

Commodore Rowley Lambert, C.B., H.M.S. "Challenger."

[Enclosure 4 in No. 2.]

Her Majesty's Ship "Challenger," at Sydney,  
21 February, 1868.

My Lord,

I have the honor to acknowledge the receipt of your Excellency's letter of the 17th instant, Encl. 4 in No. 2.  
and to return the enclosures as requested.

Before proceeding to the islands I shall communicate further with your Lordship on the subject.

I have, &c.,  
(Signed) ROWLEY LAMBERT,  
Commodore and Senior Officer.

To His Excellency the Right Hon. the Earl of Belmore, &c., &c.

[Enclosure 5 in No. 2.]

MEMORANDUM of His Excellency the Earl of Belmore.

24 February, 1868.

Memorandum,

I wish to draw the attention of my Responsible Advisers to the accompanying papers relating Encl. 5 in No. 2.  
to the engagement of natives of islands in the New Hebrides as labourers in Queensland and other places.

These documents were submitted to me by the Rev. Dr. Steel, on behalf of a deputation consisting of two missionaries and himself, which was to have waited on me, but which was ultimately reduced to himself.

He requested me to draw the attention of Commodore Lambert to them, as that officer was about to proceed to Queensland; I have done so, and am in hopes that on his return he will be able, from inquiries which he may make there, to afford me fuller information with regard to the matter.

On the 17th Dr. Steel addressed the letter to me which I append herewith, and enclosed a copy of a Despatch from the Secretary of State to Governor Sir George Bowen, as published in a Sydney paper, from which I learn that this matter has attracted the attention of the Home Government. In fact, I am sure it will be a subject which will be viewed in a serious light by the Imperial Parliament.

As far as my information goes, none of these islanders are actually employed in this Colony, although they are by residents in this Colony owning estates in Queensland.

But I gather that ships sailing from Sydney are engaged in this business, which circumstance, I think, gives the Government of New South Wales a *locus standi* in the matter.

I therefore submit these papers to my Responsible Advisers, with the object of ascertaining their views as to the desirability or necessity of legislation or interference in the matter, and to what extent, I find that an impression prevails in some quarters that the murder of the crew of the "Marion Renny," concerning which the Colonial Secretary has recently been in communication with me, is, to a great extent, connected with this traffic in South Sea Island labourers. At the same time there is nothing on the face of these documents to show this.

I intend to forward a copy of this Petition and Statement to the Duke of Buckingham and Chandos by the next mail.

I shall therefore be very glad if Ministers are in a position to give me their views by Saturday morning.

I have to request that the papers may be returned to me.

(Signed) BELMORE.

[Enclosure 6 in No. 2.]

OPINION OF RESPONSIBLE ADVISERS.

His Excellency,

These papers have been submitted for the opinion of the Attorney General, and have, by Mr. Encl. 6 in No. 2.  
Martin, been brought under the consideration of the Cabinet.

The papers do not appear to Ministers to present any case in which the Legislature of this Colony could be asked to interfere.

29 February, 1868.

(Signed) HENRY PARKES,  
Colonial Secretary.

Despatch



## 24 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

New South  
Wales.

No. 1.

His Grace the  
Duke of Bucking-  
ham and Chandos  
to the Officer  
Administering  
the Government  
of New South  
Wales.  
3 Dec., 1867.\*26 Nov., 1867,  
page 24.

## Despatch from the Secretary of State.

No. 1.

COPY of a Despatch from His Grace the Duke of Buckingham and Chandos to The  
Officer Administering the Government of New South Wales.

(No. 59.)

Downing-street, 3 December, 1867.

SIR,

I transmit to you the copy of a letter from the Board of Admiralty\* on the subject of a charge of £18 12s. made for the messing of Mr. Edward Rodd, late master of the brig "Curlew," who proceeded on board Her Majesty's ship "Falcon" for the purpose of assisting in the investigation of the circumstances attending the murder of the crew of the "Curlew" by the natives of Hinchinbroke Island.

I request that you will bring this claim before your Responsible Advisers.

I have, &amp;c.,

(Signed)

BUCKINGHAM &amp; CHANDOS.

Correspondence  
between Colonial  
Office and  
Admiralty.

No. 1.

Lord H. Lennox  
to the Under  
Secretary of  
State.  
26 Nov., 1867.

## Correspondence between the Colonial Office and Admiralty.

No. 1.

COPY of a Letter from Lord Henry Lennox to The Under Secretary of State, Colonial  
Office.

Admiralty, 26 November, 1867.

SIR,

A claim having been sent in from Her Majesty's ship "Falcon" for messing Mr. Edward Rodd, late master of the brig "Curlew," who was on board the "Falcon" for the purpose of assisting in investigating the circumstances under which the crew of the "Curlew" were murdered, and the ship burnt by the natives of Hinchinbroke Island, I am commanded by my Lords Commissioners of the Admiralty to request that you will move His Grace the Duke of Buckingham and Chandos to cause my Lords to be informed whether the charge of eighteen pounds twelve shillings (£18 12s.), as shewn on the other side,\* should not be defrayed out of Colonial Funds, and if so, that the amount may be transferred to the credit of Naval Funds in the hands of Her Majesty's Paymaster General.

\* See below.

I am, &amp;c.,

(Signed)

HENRY G. LENNOX.

Mr. Edward Rodd—25th April-26th August, 1867, 124 days, at 3s. a day, £18 12s.  
Messd with the gunner of the "Falcon."

No. 2.

Sir F. Rogers,  
Bart., to the  
Secretary to  
the Admiralty.  
6 Dec., 1867.

No. 2.

COPY of a Letter from Sir Frederic Rogers, Bart., to The Secretary to the Admiralty.

Downing-street, 6 December, 1867.

SIR,

I have laid before the Duke of Buckingham and Chandos, Lord Henry Lennox's letter of the 26th ultimo, on the subject of the charge of £18 12s., made for the messing of Mr. Edward Rodd, late master of the brig "Curlew," who proceeded on board Her Majesty's ship "Falcon," for the purpose of assisting in the investigation of the circumstances under which the crew of the "Curlew" were murdered by the natives of Hinchinbroke Island.

I am desired to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the Governor of New South Wales has been requested to bring the claim before his Responsible Advisers.

I am, &amp;c.,

(Signed)

FREDERIC ROGERS.

No. 3.

Sir F. Rogers,  
Bart., to the  
Secretary to  
the Admiralty.  
15 Nov., 1867.

No. 3.

COPY of a Letter from Sir Frederic Rogers, Bart., to The Secretary to the Admiralty.

Downing-street, 15 November, 1867.

SIR,

\* No. 36, 13 July,  
1867, page 10.

A Despatch\* was recently received from the Governor of Queensland on the subject of the treatment of natives of the South Sea Islands who are employed as labourers in that Colony. In this Despatch the Governor reported that he had received a letter from Captain Luce, R.N., of Her Majesty's ship "Esk," from which it appeared that the outrages committed by the Islanders on Europeans were perpetrated in revenge for the loss of some of their countrymen who had been carried off to Queensland and the Fiji Islands by Europeans. The Governor's Despatch was sent to the Emigration Commissioners

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 25

Commissioners, with instructions to report what measures could be adopted for the protection of these islanders beyond those already in force. I am desirous to annex, for the information of the Lords Commissioners of the Admiralty, a copy of the Commissioners' Report, suggesting that an Act should be passed authorizing the Governor to make certain rules for regulating the introduction of these people into the Colony. These measures will be recommended for the adoption of the Government of Queensland.

It appears to his Grace to rest with their Lordships to take such steps as may seem to them practicable and expedient, in order to ascertain whether any persons had been improperly transported to the Fiji Islands by English subjects.

I have, &c.,  
(Signed) FREDERIC ROGERS.

## No. 4.

COPY of a letter from W. G. Romaine, C.B., to the Under Secretary of State for the Colonies.

Admiralty, 7 December, 1867.

SIR,

I have laid before my Lords Commissioners of the Admiralty your letter of the 15th November, and its enclosures, on the subject of the introduction of natives of the South Sea Islands into the Colony of Queensland, to be employed as labourers in the cotton plantations there. My Lords desire me to refer you to the correspondence which took place between the Colonial Office and this department in 1863, relative to the kidnapping of Polynesians to be employed on cotton plantations and other agricultural operations in Peru, and I now enclose, for the information of his Grace the Duke of Buckingham and Chandos, letters of 1863, from the Naval Commander in Chief on the Pacific Station on the same subject, and a copy of a letter, dated the 31st August last, No. 15, from Commodore Lambert, with its enclosure from the Commander of Her Majesty's ship "Falcon," reporting his proceedings at the New Hebrides, and the outrages committed towards the crews of British merchant vessels by the inhabitants, in consequence of some of their fellow countrymen having been kidnapped and ill-treated.

From the perusal of these papers his Grace will perceive how rapidly the trade of procuring labourers degenerated into slave hunting and slave trading. The collection of these savages brought on a system of kidnapping and piracy; and this in turn led, by a natural process, to the murder of innocent white men visiting the islands for the purposes of lawful trade.

My Lords believe, from the reports of their officers, that these islanders are incapable of understanding the nature of a written contract with an employer, or that any of them would knowingly and willingly engage themselves to work far from their own country at all, or at any place, even near their own home, for more than a few months.

My Lords are also strongly impressed with the belief, that whatever regulations may be made for the well-being and liberty of these people on their being brought nominally within reach of the laws and tribunals of Queensland, yet that no proper and efficient control can ever be exercised over the manner in which these people are obtained and placed on board ship. The task of their collection and shipment is, from the nature of the work, likely to fall into the hands of an unscrupulous and mercenary set, who, under pretence of persuading the natives into making engagements as labourers for a term of years, would not hesitate to commit acts of kidnapping, piracy, and murder.

It may be added, that of the wretched islanders imported into Peru nearly all perished from the nature of the work, and the change of living and climate. The Government of Peru was compelled, by the strong remonstrances of England and France, to put a summary end to the traffic.

Entertaining these views, my Lords are unable to concur in any recommendation with regard to framing an Act of the Colonial Legislature for the regulation of the introduction of these people into the Colony.

In compliance with his Grace's wishes, my Lords will send out orders to the Senior Officer on the Australian Station to make inquiries, and report whether any person has been improperly transported to the Fiji Islands by British subjects.

I have, &c.,  
(Signed) W. G. ROMAINE.

P.S.—I am to request that the original enclosures to this letter may be returned when done with.

## [Enclosure 1 in No. 4.]

REPORTING proceedings relative to inquiries into "Curlew," "Mary Ida," and "Kate."

Her Majesty's Ship "Falcon," at Sea, Lat. 19°40' S,  
Lon. 167°37' E., 4 August, 1867.

Encl. 1 in No. 4.

Sir,

In accordance with the directions received from Captain J. P. Luce, I have the honor to report the results of my inquiries respecting the capture and destruction of the "Curlew" brig, also the "Mary Ida" and "Kate" schooners, all the property of British subjects, by the natives of the New Hebrides.

From

Correspondence  
between Colonial  
Office and Admi-  
ralty.

From communicating with the Missionary at Aneityum, I first proceeded to the island of Tanna, and there learnt from a person named Daley, who was a passenger on board the "Curlew," that the chief mate, John Helier, had during the captain's absence, deliberately run away with the vessel from Aneityum, and that after landing him with several natives, passengers, at Port Resolution, she disappeared; the crew (with the exception of three Maré men), all natives of Hinchinbroke, had slipped the cable and taken her out during the night, having first murdered the chief mate and the only other white, a boy named John Cruikshank. There were one or two others, namely, a black cook and a Lascar; it is supposed they were murdered also, and that the Maré men were then compelled to pilot the vessel to Hinchinbroke, where she was run ashore, pillaged, and burnt. The Maré men, hearing afterwards they were to be murdered, took a boat and escaped to Sandwich, where they eventually obtained a passage to their own country.

2. On leaving Tanna I went to Vilu Harbour in the Island of Sandwich, for the purpose of communicating with the Missionaries there respecting the cases of the "Mary Ida," and "Kate" schooners. I was informed that the "Mary Ida," a small schooner in charge of her owners, Messrs. Unthank and Percy, with a man named Collins, who acted as navigator, came to Emel Island, on the north side of Vilu Bay, with the object, it would appear, of obtaining natives; and that soon after she left with ten from that island, intending to go first to Tanna on her way to New Caledonia. Just before reaching the former, these natives murdered the owners, and Collins was compelled to take the vessel back; when within sight of their island he was also murdered, and his body thrown overboard. Captain Havinden, in the schooner "Challenge," lying in Havanah Harbour, hearing of the circumstance, brought his vessel round to Emel Island, where he found the schooner "Mary Ida," the natives having stripped and plundered her of nearly everything. He succeeded in getting possession of the vessel, and recovering most of the property, which he sent to Pucbo, New Caledonia, in charge of his chief mate, as strong suspicion existed that the natives had been instigated to this atrocity by their chief, who, excited, it was supposed, by feelings of cupidity, had selected from among his tribe those who would carry out his object.

A boat was sent, manned by natives from Vilu, with a message that I wished to see him, promising him safety if he came; he at first refused, sending in his stead some inferior chiefs who were not concerned, but seeing the ship on her way to Emel Island he put off in his canoe and came on board.

When questioned with regard to the part he had taken in the affair, he did not seem to disavow his complicity, but gave the following reasons, which I append. It will be perceived that the grievances here enumerated have been spread over a number of years, and although the cause for the perpetration of the unlawful act cannot be divested entirely of the desire for plunder, I am of opinion that due credence should be given to those statements, which are felt as injuries in the native mind, and which may have incited them to this mode of resentment.

3. With respect to the "Kate," the case probably referred to in the postscript of my orders, she was another small schooner, owned by Mr. M. Russell, living at Seonka, Fiji, the substance of whose deposition is to the effect that, in the month of August, 1866, he sailed in his vessel from Seonka on a trading voyage to one of the adjacent islands, with a crew of half-castes and a European boy named Walter Hooker, a native of Auckland, New Zealand, with two passengers, named respectively John or James King and John Johnson, the latter having his wife with him. That while at anchor in the harbour of Wariki Taviuni, his crew at the time being on shore, Johnson, King, and the boy, together with Pisano, a native of Singapore, came on board, took forcible possession of his vessel, and after, severely maltreating him, went first to the island of Koro, where they threw him overboard on to the reefs with his hands tied, and then sailed away, the vessel not again appearing.

I learnt from the same Missionaries, who considered their information reliable, though derived through a native source, that a small vessel, corresponding to the "Kate," having three white men and a woman on board, was seen one morning in shore on the reef, the north-west side of Hinchinbroke; that the natives came down and murdered first two of the white men that came to land in the boat, then went off and murdered the remainder; the vessel being sent adrift. It was also reported they had been eaten.

4. Having obtained a native interpreter at Havannah harbour, I then proceeded to the Island of Hinchinbroke, with a view to communicate with the Chiefs, and ascertain as far as possible from them the truth of the statements I had received, and if there were any grievances they could bring forward in justification of the complaints against them.

I arrived off there on the afternoon of the 1st instant. While steaming along the west coast, saw the remains of the "Curlew" brig lying on a reef off the south-east end of the island, with her masts gone and topsides burnt to the water's edge. I selected an anchorage as close to the reef as possible; up to that time no natives had shown themselves, but immediately on anchoring they suddenly appeared in great numbers, all armed, brandishing their spears and tomahawks; one might be seen more conspicuous than the rest who came down to the water's edge, holding up a sugar-cane reed, as if wishing to communicate. A boat was first sent in with the native interpreter and one of their own chiefs, whom I had brought down from Fiji, to desire the Chief to come on board, promising him safety if he came; on her approach, the natives drew down in greater numbers, levelling their spears and poisoned arrows, giving unmistakable evidence of hostile intentions should the boat attempt to land. They moreover invited them to come on, threatening to take the boat, saying they did not care for a man-of-war, at the same time gesticulating and yelling at the ship in a manner that savages only are capable of.

The result of the first attempt at communication was that the chief represented by the reed refused to come on board; and to show more clearly his determination, he struck off the head of the reed with his tomahawk, which, according to native custom, is a signification of a declaration of war. I waited till next morning, and sent a boat in again, still hoping for a peaceful solution; but they only repeated this hostile demonstration, their tone, if anything, being more defiant.

Finding my endeavours to effect friendly communication resented by determined threats and menaces, I judged that any further temperate dealing by a ship of war, whose visit they were now experiencing for the first time, would be construed by these natives into fear and dread of them, and therefore be likely to encourage them to continue their acts of violence, more particularly as I was informed while at Vilu of the avowed intention of the natives, if they were not punished, to do so. Under the circumstances, I deemed it the wisest course of action that would have the appearance of exacting reparation for their savage conduct, of which it was afterwards proved there was not the slightest doubt, and at the same time impress them with the power of a ship of war, when she comes to enforce retributive justice for the same. As delay might also be construed in allowing their acts to pass unnoticed, and prove dangerous to the safety of other vessels, which any active measures at the present time might be the means of preventing; we landed and destroyed the villages and canoes where evidence of their guilt could be found, having first driven them out of the strong position where they lay concealed in great numbers to await our attack. The fact of this punishment having fallen upon those justly deserving it will, I trust, have a salutary effect, not only with the natives of Hinchinbroke but throughout the whole islands. And I may state that upon my return to Vilu to communicate again with the Missionaries, it was my gratification to hear that the guilty Chief of Emel Island had in the meantime gone over to them with all his Chiefs, and in a formal manner thanked them for having saved their lives and property, promising to discontinue their piratical and murderous practices. I have therefore but to express a hope that the visit of Her Majesty's ship under my command will afterwards be shown to have been productive of good results, and that my endeavours to fulfil my instructions to the best of my ability may meet your approval.

In

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 27

In conclusion, I beg to report respecting the statements made by Captain Havinden, in the "Challenge," referred to in my orders, that the natives of Hinchinbroke were instigated to commit these murders in revenge for the non-restoration of natives who have been taken to Fiji, that I was unable to ascertain if there was any truth in them; but upon inquiry of the Missionaries of Sandwich they were not aware that complaints of the kind existed.

Correspondence  
between Colonial  
Office and  
Admiralty.

I have, &c.,  
(Signed) W. H. BLAKE.

Commodore R. Lambert, C.B.

P.S.—The money taken out of the "Mary Ida" schooner, to the value of £18 7s. 9½d., recovered from the Chiefs of Emel Island, is retained for the purpose of being delivered over to the agents of Messrs. Unthank & Percy, at Sydney.

W. H. B.

DEPOSITION made by Monargonon, Chief of Emel Island, on board Her Majesty's ship "Falcon," on the 29th July, 1867.

On being asked "whether he was aware of the occasion of the man of war's visit?" replied, by commencing to excuse his action in the affair of the murder of the crew of the "Mary Ida," giving the following reasons for the part he took, viz. :—

1st. "That several of his tribe, particularizing five natives, were taken away to different parts and died from the effects of being beaten, naming in particular Captain Edwards of the 'Woodlark,' Captain Vincent of the 'Blue Bell,' and the 'Malay Rangie'; and that his half-brother Tamalsa was 'beaten to death by Captain Vincent.' He further stated, the same captain, with a club, broke both his (Tamalsa's) arms, and that when he died he was buried in a small island off the coast of New Caledonia, and that there were at the time men of Emel on board who witnessed the act."

This case occurred five years ago.

2nd. "A boy named Kalumbuck, with other Emel lads, went in the 'Blue Bell' beche-de-mer fishing. One day, when the surf was breaking heavily, the captain wanted to send the boat to fish, and Kalumbuck declined to go, as it was dangerous, whereupon the captain beat him to death, and his body was thrown into the sea. The boat was capsized on being sent away afterwards, and the natives were with difficulty rescued."

This case occurred four years ago.

3rd. "A case which happened with Captain Vincent in the 'Lion,' when there were natives on board from the village of Akaron and Island of Emel. One of the men belonging to the latter place died, and although they did not know that he had been ill-treated, they were very sore-hearted at his loss."

This occurred two years ago.

4th. "An instance where a lad from Emel Island was away in the 'Woodlark,' captain's name unknown; one day, in a gale of wind, whilst he was on deck attending the ropes, the remainder of the natives being at the time abaft handling the sails, a block fell upon the boy's instep, crushing it, and that after lingering awhile, he died on board."

This case occurred four years ago.

5th. "A case against Captain Lewin of the 'Uncle Tom,' of Morton Bay, who, when ashore at Gogan, Queensland, became exasperated against one of the natives of Emel Island, and took up a stick, with which he hit him in the small of the back. The man was seized with spasms, and died in two days' time."

This took place five years ago.

The following questions were then put :—

Question. Did you plunder the vessel?—Answer. Yes, the vessel was plundered.

Q. What was done with the plunder?—A. It was delivered up, together with the bulk of the vessel, to the "Challenge," Captain Havinden.

Q. What was done with the money?—A. It is on shore. Money to the value of £18 9s. 7½d. sterling was then produced.

Q. How many men did you send away in the "Mary Ida," and where are they now?—A. There were ten Emel men on board; the murder was planned by a native of Hinchinbroke.

Q. Are the ten Emel men here now?—A. Six only; the remaining four are shipped away in trading vessels, the names of which I do not know.

(Signed) W. H. BLAKE,  
Commander.

Witness—HENRY M. JONES,

Her Majesty's Consul for the Fiji and Tonga Islands.

## [Enclosure 2 in No. 4.]

"Falcon"—Report relative to cases of the brig "Curlew," and schooners "Mary Ida" and "Kate."

(No. 15.)

"Challenger," at Sydney,  
31 August, 1867.

Sir,

I beg to enclose herewith, to be laid before the Lords Commissioners of the Admiralty, a Encl. 2 in No. 4 Report from Commander Blake, of Her Majesty's ship "Falcon," in compliance with orders received from Captain Luce, Her Majesty's ship "Esk," Acting Senior Officer, relative to the capture and destruction of the brig "Curlew" and the schooners "Mary Ida" and "Kate," all the property of British subjects, by the natives of the New Hebrides, also reporting having, at Hinchinbroke Island, landed a party from the "Falcon," and destroyed the villages and canoes, where evidence of the guilt of the natives could be discovered.

I am, &c.,

The Secretary of the Admiralty.

(Signed) R. LAMBERT,  
Commodore, &c., Commander-in-Chief.

## 28 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and  
Admiralty.

## No. 5.

COPY of a letter from W.G. Romaine, C.B., to the Under Secretary of State,  
Colonial Office.

Admiralty, 21 March, 1868.

SIR,

No. 5.  
W. G. Romaine,  
C.B., to the  
Under Secretary  
of State.  
21 March, 1868.  
\* Page 25.

With reference to the letter from this department, dated the 7th December, last,\* on the subject of the kidnapping of natives from the South Sea Islands by vessels under the Chilian and Peruvian flags, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that looking to the representations formerly made by this country and France, as to the importation of South Sea Islanders into Chili and Peru, and to the representations made by this country as to the importation of negroes from the West Coast of Africa to the West Indies, and looking also to the probability that representation will be made by France on the deportation of South Sea Islanders to serve as labourers in Queensland, their Lordships would suggest that before the Colonial Office, decides upon the question of Colonial legislation for the regulation of the traffic, the opinion of the Secretary of State for Foreign Affairs should be taken on the subject.

(Signed)

I am, &c.,  
W. G. ROMAINE.

## No. 6.

No. 6.  
Sir F. Rogers,  
Bart., to the  
Secretary to the  
Admiralty.  
24 April, 1868.

COPY of a letter from Sir Frederic Rogers, Bart., to the Secretary to the Admiralty.  
Downing-street, 24 April, 1868.

SIR,

† 27 March, 1868,  
and page 55.

I am directed by the Duke of Buckingham and Chandos to transmit to you, an extract of a letter from E. Percy,† the father of John Percy, a seaman of the schooner "Mary Ida," or "Mary Jane," of Sydney, who is supposed to have been murdered, with others of the crew of that vessel, by the natives of one of the South Sea Islands. I am desired by his Grace to request to be informed whether any further information has been received in connection with this vessel.

(Signed)

I am, &c.,  
FREDERIC ROGERS.

## No. 7.

No. 7.  
Sir F. Rogers,  
Bart., to the  
Secretary to the  
Admiralty.  
27 April, 1868.

COPY of a letter from Sir Frederic Rogers, Bart., to the Secretary to the Admiralty.  
Downing-street, 27 April, 1868.

SIR,

\* Page 25.

I have laid before the Duke of Buckingham and Chandos, your letter of the 21st ultimo,‡ suggesting that the Secretary of State for Foreign Affairs should be consulted on the question of Colonial legislation respecting the introduction into Queensland of South Sea Islanders as labourers.

I am directed by his Grace to acquaint you, for the information of the Lords Commissioners of the Admiralty, that his Grace had communicated with the Foreign Office on this subject prior to the date of your letter.

(Signed)

I am &c.,  
FREDERIC ROGERS.

## No. 8.

No. 8.  
W. G. Romaine,  
C.B., to the  
Under Secretary  
of State for the  
Colonies.  
28 April, 1868.  
\* Page 25.

COPY of letter from W. G. Romaine, C.B., to the Under Secretary of State for the Colonies.

Admiralty, 28 April, 1868.

SIR,

With reference to your letter of the 24th instant,\* requesting to be informed whether any further information has been received in connection with the plunder of the "Mary Ida," of Sydney, and the murder of her owners by the natives of the New Hebrides, I am commanded by my Lords Commissioners of the Admiralty to state, for the information of the Duke of Buckingham and Chandos, that no further information has been received respecting this affair since the date of the Despatch of Commodore Lambert, 4th August, 1867, by which it appeared that the "Mary Ida" had gone into the South Seas for the purpose of procuring natives, and that the crew were murdered in revenge for the non-restoration of natives who had been taken off to Fiji.

(Signed)

I am, &c.,  
W. G. ROMAINE.

No. 9.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 29

## No. 9.

Copy of letter from T. Frederick Elliot, Esq., to the Secretary to the Admiralty.

Downing-street, 29 May, 1868.

SIR,

I have laid before the Duke of Buckingham and Chandos, your letter of the 28th ultimo, on the subject of the plunder of the "Mary Ida," of Sydney, and the murder of the owners by the natives of the New Hebrides.

With reference to the concluding statement, to the effect that the crew had been murdered in revenge for the non-restoration of the natives who had been taken away to the Fiji Islands, his Grace thinks it necessary to draw the attention of the Lords Commissioners of the Admiralty to Captain Blake's Report of 4th August, 1867,† and to the statement of the Chief of Emel Island appended to it, both of which are annexed to Admiral Lambert's Report, to which their Lordships refer, and from which it appears that the natives were supposed to have been actuated partly by desire of plunder, but were stated by their Chief to have been moved by five specific cases of brutal treatment or accidental death of natives, who in general appear to have been employed on board of different English trading vessels, none of which cases, as far as appears, had anything to do with the procuring of labourers, to which their Lordships appear to ascribe these outrages, both in the present letter and in the letter of 7th December, 1867.‡

(Signed)

I have, &amp;c.,

T. FREDERICK ELLIOT.

Correspondence between Colonial Office and Admiralty.

No. 9.  
T. F. Elliot, Esq., to the Secretary to the Admiralty.  
29 May, 1868.

† Page 25.

‡ Page 25.

## Correspondence between the Colonial Office and the Foreign Office.

## No. 1.

Copy of a letter from the Right Honorable E. Hammond, to the Under Secretary of State, Colonial Office.

Foreign Office, 24 February, 1868.

SIR,

I am directed by Lord Stanley, to transmit to you, a copy of a letter from the French Ambassador at this Court, enclosing an extract of a Despatch from the Governor of New Caledonia, complaining of the proceedings of certain British vessels in carrying off natives from the Loyalty Islands.

I am to request that, in laying these papers before the Duke of Buckingham and Chandos, you will move his Grace to enable Lord Stanley to reply to the French Ambassador's Representation.

I am, &amp;c.,

(Signed) E. HAMMOND.

Correspondence between Colonial Office and Foreign Office.

No. 1.  
Right Hon. E. Hammond to the Under Secretary of State.

[Enclosure in No. 1.]

Londres, 20 Février, 1868.

M. le Ministre,

M. le Marquis de Moustier vient de m'adresser, et j'ai l'honneur d'envoyer, ci-joint, à votre Excellence l'extrait d'un rapport de M. le Gouverneur de la Nouvelle Calédonie relatif à des enlèvements d'indigènes qui auraient été effectués par des navires Anglais aux îles Loyalty. En me priant de signaler ces faits à votre Excellence, M. le Ministre des Affaires Étrangères m'invite à lui demander de vouloir bien adresser aux autorités Anglaises en Australie, les instructions qu'elle jugera utiles pour en prévenir le renouvellement.

Je vous serai très-reconnaissant, M. le Ministre, de vouloir bien me faire connaître les dispositions que le Gouvernement de la Reine jugerait convenable de prendre relativement à cette affaire, et je saisis cette occasion.

(signé) PRINCE DE LA TOUR D'AUVERGNE.

S. E. Lord Stanley.

M. Guillaïn au Ministre de la Marine.

## EXTRAIT.

DEPUIS quelque temps des navires Anglais opèrent des enlèvements d'indigènes à Maré à Ouvéa et même à Lifou. Ces enlèvements naturellement prohibés par le Gouvernement Calédonien à la connaissance des Gouverneurs Australiens, sont facilités par quelques Chefs et il s'en est même opéré dans des circonstances auxquelles les Ministres Protestants ont paru n'être pas étrangers. Ce sont des actes de quasi piraterie qui puisent la Colonie des bras qui lui font déjà tant défaut.

## No. 2.

Copy of a letter from Sir Frederic Rogers, Bart., to the Under Secretary of State, Foreign Office.

Downing-street, 17 March, 1868.

SIR,

I have laid before the Duke of Buckingham and Chandos your letter of 24th ultimo,\* enclosing one from the French Ambassador, on the subject of a complaint made by the Governor of New Caledonia of the kidnapping of natives of the Loyalty Islands by the crews of British vessels.

His

No. 2.  
Sir F. Rogers, Bart., to the Under Secretary of State.  
17 March, 1868.

\* Page 29.



## 30 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and For-  
eign Office.

His Grace would suggest that the reply to the French Government should be, that Her Majesty's Government are aware that lawless and cruel acts have been from time to time committed in these seas by Europeans, leading to bloody retaliation from the natives; that Her Majesty's Government have had occasion to consider the mode of repressing such outrages, so far as they may be chargeable on British subjects, but have found great difficulty in dealing with them effectually. They would be very glad to be furnished by the French Government with the details of any cases which have come to their knowledge, in order both to the punishment of the criminals, if practicable, and because the consideration of specific cases may suggest some more effectual mode of dealing with them than at present exists.

At the same time, his Grace desires to point out that proceedings of this kind must be distinguished from an emigration of labourers, which appears to be going on to some extent from some of the islands in the South Seas to Queensland, and in regard to which regulations for the benefit of the immigrants have been suggested to the Governor of Queensland, in which Colony some of these emigrants have arrived.

I am, &c.,  
(Signed) FREDERIC ROGERS.

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

## Correspondence between the Colonial Office and the Emigration Office.

## No. 1.

No. 1.  
Sir F. Rogers,  
Bart., to the  
Emigration  
Commissioners.  
5 Oct., 1867.

COPY of a letter from Sir Frederic Rogers, Bart., to the Emigration Commissioners.

Downing-street, 5 October, 1867.

GENTLEMEN,

No. 36, 13 July,  
1867, page 10.

I am directed by the Duke of Buckingham and Chandos to transmit to you, for your report, the enclosed copy of a Despatch from the Governor of Queensland, relating to the treatment of natives of the South Sea Islands, who are employed as labourers in that Colony.

I am desired to request that you will inform me whether it occurs to you that any further steps could be taken by the Queensland Government or Legislature to secure that these persons are not induced to go to the Colony by false representations, or under contracts which they do not understand; that they are properly treated while they are in the Colony; and that the engagements to send them back to their own country are duly observed.

It has been suggested to his Grace that it might be advisable that it should be enacted by the Local Legislature that such contracts should not be enforceable against the natives, unless their provisions are approved as fair by the Government.

I am, &c.,  
(Signed) FREDERIC ROGERS.

## No. 2.

No. 2.  
T. W. C. Mur-  
doch, Esq., to  
Sir F. Rogers,  
Bart.  
24 Oct., 1867.

COPY of a letter from T. W. C. Murdoch, Esq., to Sir Frederic Rogers, Bart.

Emigration Board, 24 October, 1867.

SIR,

No. 36, 13 July,  
1867, page 10.

I have to acknowledge your letter of 5th instant, with a Despatch from the Governor of Queensland, on the subject of the employment in that Colony of the natives of some of the South Sea Islands. You desire us to report whether any measures beyond those already in force could be taken by the Queensland Government for the protection of this class of labourers.

2. The question arises from a statement made to Captain Luce, of Her Majesty's ship "Esk," that outrages recently committed on Europeans by some South Sea Islanders were in retaliation for the fraudulent abduction of some of their countrymen to Queensland and the Fiji Islands. As regards Queensland, it appears that the introduction of the South Sea Islanders was commenced in 1862 by Captain Towns, Member of the Legislative Council in New South Wales, and owner of a cotton estate in Queensland; that the whole number introduced has been 382; that of these, 78 who were under engagements for one year only have been sent back to their country; and that the others, who are mostly under engagements for three years, will be provided with back passages at the end of that time. Sir G. Bowen adds, that the principal employer of these people is Captain Towns, and after him, Captain Whish, late of the 14th Light Dragoons.

3. So far as regards the people now in the Colony, there seems no reason to doubt that they have been treated kindly and loyally; nor, apparently, would there be any ground for apprehension, if the immigration remained as limited as at present; but as the experiment seems to have succeeded with Captain Towns and Captain Whish, it is probable that other settlers may desire to follow their example, especially if the cultivation of cotton in Queensland should, as may be expected, and hoped, prove remunerative. In that case it would not be safe to trust altogether to the justice and good faith of the settlers for the protection of people of this class.



## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 31

4. In 1862, in anticipation of Indian immigration, the Legislature of Queensland passed an Act authorizing the Governor to make rules, to have the force of laws, regulating the introduction of Indian immigrants, and their protection in the Colony. In exercise of this power, the Governor proclaimed a set of rules prescribing with great minuteness, the mode of engaging emigrants in India, and the protection to be afforded them in the Colony. It would not be necessary, in the case of the small number of South Sea Islanders likely to be introduced, to establish such detailed and elaborate regulations; but if the Legislature should be willing to entrust the Governor with a similar power of making rules for the protection of South Sea Islanders, all that is necessary might be done. The following are, I think, the principal points to which such rules should be directed:—First, that the ships to be employed in the service should have adequate accommodation, should be properly found, and should not carry above a prescribed number in proportion to their deck area. Second, that no one should be allowed to introduce these immigrants except under a non-transferable license from the Government. Third, that the general tenor of the contract to be entered into with them should be prescribed by the Government, and that the contracts to be valid, should be countersigned by the Immigration Agent on the arrival of the immigrants. Fourth, that the immigrants should be placed under the special superintendence of the local Magistracy; and, as a consequence, that none should be allowed to estates so remote as to be withdrawn from such superintendence. Fifth, that a power should be reserved to the Government of cancelling a contract in case of the ill usage of the immigrant by his master, or of the non-fulfillment of the conditions of the contract. Sixth, that the contract should not be for a period exceeding five years; and seventh, that security should be taken that the immigrant should be re-conveyed to his own country at the time stipulated in the contract; and that fair compensation should be made to him for any unreasonable delay in fulfilling that condition.

5. The detail of regulations to this effect could be best arranged by the local Government, especially in respect to the shipping arrangements, which must depend very much on local circumstances. If such regulations are established and enforced, there will be no risk of the ill-usage of South Sea Island immigrants, and no objection, so far as I can perceive, to their introduction into the Colony.

I have, &c.,  
(Signed) T. W. C. MURDOCH.

## No. 3.

COPY of a Letter from Sir Frederic Rogers, Bart., to the Emigration Commissioners.

Downing-street, 13 December, 1867.

GENTLEMEN,

With reference to your letter of the 24th October, I am directed by the Secretary of State to transmit to you, for any suggestions and observations which you may have to offer, the enclosed letter from the Lords Commissioners of the Admiralty, upon the subject of the introduction into Queensland of the inhabitants of the South Seas.

I am, &c.,  
(Signed) FREDERIC ROGERS.

## No. 4.

COPY of a Letter from T. W. C. Murdoch, Esq., to Sir Frederic Rogers, Bart.

Emigration Board, 23 December, 1867.

SIR,

I have to acknowledge your letter of the 13th instant, with one from the Secretary to the Lords Commissioners of the Admiralty,\* expressing their Lordships' decided objection to any attempt to introduce South Sea Islanders as labourers into Queensland. Their Lordships observed that the South Sea Islanders are incapable of understanding a written contract; that they will not knowingly engage themselves to work far from their own country, or for more than a few months; that whatever laws are made for their protection, no proper or efficient control can be exercised over the manner in which they are collected and placed on board ship; and that the task of collection and shipment is likely, from the nature of the work, to fall into the hands of an unscrupulous and mercenary set, who will commit acts of kidnapping, piracy, and murder. Their Lordships refer, in support of these opinions, to what took place in respect to an emigration from some of these islands to Peru in 1862-63, as reported in Despatches from Admiral Kingcome, which are enclosed.

2. In respect to the people themselves, I may, however, observe, that the reports received from the various officers who have inquired into the matter scarcely bear out the opinion that they are incapable of understanding a written engagement, and will not engage to work for more than a few months, or at a distance from their homes. In the Despatch from the Governor of Queensland of 13th July last,† it is stated that the South Sea Islanders introduced by Captain Towns had been employed under written engagements, some of them for a year, which having expired, they had been sent back to their country;

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

No. 3.  
Sir F. Rogers,  
Bart., to the  
Emigration Com-  
missioners.  
13 Dec., 1867.

7 Dec., 1867.  
Page 25.

No. 4.  
T. W. C. Mur-  
doch, Esq., to Sir  
F. Rogers, Bart.  
23 Dec., 1867.

\* 7 Dec., 1867.  
page 25.

† Page 10.

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

country; others for three years, which were still in force; while in the report from Captain Richards, of Her Majesty's ship "Hecate," to Admiral Kingcome, dated 8th May, 1863, it is stated that Mr. English, of Fanning Island, had been in the habit for ten years of employing natives from the neighbouring islands on his cocoa plantations, under a written agreement with their king; that they engaged themselves for periods of from one to two years; that the engagement was fair and equitable, and advantageous to both parties; and that many, at the end of their term, renewed their engagements.

3. In respect to the control that might be established over the collection and shipment of the people, I suggested that no one should be allowed to introduce such immigrants, except under a non-transferable license, and that regulations should be established, having the force of law, in respect to the accommodation to be provided on board ship. The effect would be to enable the Government to require security that the people should be engaged in an open and fair manner, while the examination of the people by the Immigration Agent on their arrival, and his counter-signature of their engagements, would afford an opportunity of ascertaining that the people understood the engagements they had made; that they had entered into them willingly, and that the terms are fair. Under such a system it would be scarcely possible that acts of kidnapping, piracy, or murder, in the collection or despatch of these people, could be committed without discovery.

4. That crimes of that description may be committed in the conduct of emigration to foreign ports we are well aware, from the emigration of Chinese from Macao to Cuba and Peru. But we have likewise proof, in the emigration from Canton to British Colonies, that an emigration may be carried on at the same time alongside of it, free from all such abuses, and advantageous alike to the emigrants and the Colonies. I see no reason to doubt that this might be effected in the South Sea Islands, as it has been effected in China.

5. But it may be said that the South Sea Islanders will not distinguish between Europeans, and that they will avenge on innocent British subjects the outrages that have been committed upon them by Europeans other than British. If the immigration were set on foot, licenses to introduce immigrants into the British Colonies would not, I presume, be given indiscriminately for any of the islands of the Pacific, but would be restricted to a few of the more civilized islands; and, as a general rule, to those where missions are established. In that case the natives of such islands would soon learn, as the Chinese have learnt, to distinguish between emigration to British and to other colonies. It is no doubt possible that some disreputable British subjects might engage in procuring emigrants by irregular means for foreign colonies; but men of that class would be controlled, rather than assisted, by the regulated emigration conducted under British law, and would be certain to avoid, instead of seeking, the islands where they would be likely to come under the notice of Englishmen engaged in a legitimate trade.

6. If it be said that the outrages that have been already committed by South Sea Islanders are attributed to revenge for the abduction of some of their countrymen, I may be allowed to point out that the principal authority for this statement is the Chief of Emel Island, who endeavoured thereby to excuse himself to Captain Blake, of Her Majesty's ship "Falcon," for the murder of the crew of the "Mary Ida." Some of the stories told by him are of old date, and would not be easily credible on much better authority; others of them amount to nothing; and it is to be observed that Captain Blake, in reporting the statement, says there was a strong suspicion that the men who murdered the Europeans on board the "Mary Ida" had been placed on board the ship by the Chief from "feelings of cupidity," and that he was unable to ascertain if there was any truth in the allegation that the natives of Hinchinbroke had committed the murders of which they were accused, in revenge for the non-restoration of their fellow countrymen; but that the Missionaries of Sandwich were not aware that complaints of that kind existed.

7. If emigrants from the South Sea Islands were introduced into Queensland there could be no reason to apprehend that they would not be well treated by the employers, and sufficiently protected by the Government. The Legislature would probably invest the Governor with power to make regulations for their protection, in the same way as for Indian immigrants; and in that case the Governor would no doubt apply the principles of the Regulations of 1862 for Indian immigrants to the South Sea Islanders. Those regulations contain many details not applicable to South Sea Islanders, but the clauses relating to the protection of the immigrants might, with little variation, be applied to them.

8. If then the Duke of Buckingham and Chandos should be of opinion that the immigration of South Sea Islanders to Queensland is beneficial, and ought not to be prevented, I venture to think that there need be no insuperable difficulty in so regulating the conduct of it as to prevent abuses in the collection and dispatch of the emigrants, and to secure their good treatment after arrival in the Colony.

I have, &c.,  
(Signed) T. W. C. MURDOCH.

#### No. 5.

COPY of a Letter from Sir Frederic Rogers, Bart., to the Emigration Commissioners.  
Downing-street, 28 April, 1868.

GENTLEMEN,

I am directed by the Secretary of State to transmit to you, for any suggestions and observations which you may have to offer, the enclosed Despatch from the Officer Administering the Government of Queensland, forwarding Petition to the Queen from certain

No. 5.  
Sir F. Rogers,  
Bart., to the  
Emigration Com-  
missioners.  
28 April, 1868.

No. 12, 27 Jan.,  
1868, page 11.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 33

certain inhabitants of Brisbane, on the subject of the introduction into the Colony of South Sea Islanders as labourers; together with a copy of a Bill which was before the local Parliament "to regulate and control the introduction and treatment of Polynesian labourers." A copy of the Duke of Buckingham's Despatch, No. 40,\* of the 9th of November, 1867, referred to by Colonel O'Connell, is annexed. I am also to enclose for your suggestions and observations a Despatch from the Governor of New South Wales,† forwarding a Petition from certain Missionaries representing the Presbyterian Church in the New Hebrides, in which they request that an investigation may be made into the practice of engaging the natives of those islands for service in Queensland and other places.

Correspondence between Colonial Office and Emigration Office.

\*Page 19.

†No. 26, 29 Feb., 1868, page 21.

I am, &c.,  
(Signed) FREDERIC ROGERS.

## No. 6.

COPY of a Letter from T. W. C. Murdoch, Esq., to Sir Frederic Rogers, Bart.

Emigration Board, 6 May, 1868.

No. 6.  
T. W. C. Murdoch, Esq., to Sir F. Rogers, Bart.  
6 May, 1868.

SIR,

I have to acknowledge your letter of the 28th ultimo, with Despatches from the Governor of New South Wales, and the Officer Administering the Government of Queensland, enclosing, the former, a Memorial to the Governor, and the latter, a Petition to the Queen, against the exportation of inhabitants of some of the South Sea Islands to Queensland and other places.

2. The Memorial to the Governor of New South Wales proceeds from certain Presbyterian Missionaries employed in six of the islands of the New Hebrides group. They enclose a statement of the evils which they consider to arise from the emigration of natives of those islands, and request the Governor to institute an inquiry into them. The evils they complain of are, 1st. That the natives are taken away fraudulently or by force. 2nd. That they are exposed to great hardships and privations on the voyage. 3rd. That they are sometimes ill used, which leads to acts of vengeance on their part. 4th. That they do not understand the engagements made with them, and that there are no means of securing the fulfilment of such engagements by the employer. 5th. That they are detained for longer periods than they engage for. 6th. That they are insufficiently paid. 7th. That their wives are left behind and marry with other men, which leads to quarrels on their return. 8th. That the strongest and most active are taken, and the old and infirm only remain. 9th. That those who go come back demoralized; and 10th. That the emigration is under no control. The Memorialists state that the emigration is carried on under the British, the American, and the French flags, and the places to which the emigrants are carried are Queensland, Fiji, New Caledonia, Tahiti, Torres Straits, "and other parts." In support of the several complaints in their statement, the Memorialists give instances of what they allege. These instances, however, with two exceptions, relate exclusively to emigrants taken to Fiji. The exceptions are, that the South Sea Islanders are incited to acts of revenge by ill-usage; in support of which the murder of the crew of the "Mary Ida" by the inhabitants of Emel Island is cited; and that the temporary separation of man and wife leads to subsequent quarrels; in support of which the case of a man who went to Queensland, and whose wife, during his absence, married another man, is brought forward. In respect to the murder of the crew of the "Mary Ida," I would beg to refer to my report of 23rd December last,\* Page 31. from which it will be seen that the excuse offered for that outrage is open to much suspicion. As regards the possible bigamy of women whose husbands emigrate, I do not see how the Government can interfere.

3. The Memorial to the Queen from inhabitants of Queensland, alleges that a number of South Sea Islanders have been introduced into the Colony without the sanction of the Government, and without the control of any local law; that many are believed to have been kidnapped by force or fraud; that they have not been sent back as promised at the end of their engagements; and that the frauds practised on them have led to acts of revenge on their part. The Memorialists add that they view with "dismay" the introduction into the Colony of an inferior and uncivilized race to supplant the British and European labourer, which they denounce as "a development of the slave trade, with its attendant evils in its most modern form."

4. Such being the representations of the Memorialists, it remains to be considered how far they apply to emigration from the South Sea Islands to British Colonies, and how far the Government have power to interfere in the matter. The only emigration which has taken place from the South Sea Islands to a British Colony is to Queensland. Into that Colony about 380 South Sea Islanders were introduced between 1862 and 1867, by Captain Towns, a Member of the Legislative Council of New South Wales, and Captain Whish, a settler, for the purpose of being employed in the cultivation of cotton. In consequence of a statement that outrages committed by the inhabitants of one of the South Sea Islands, were in retaliation for the fraudulent abduction of their fellow-countrymen, an inquiry was last year instituted into the matter by the Governor of Queensland, the result of which was to shew that the people in question had been treated by their employers with kindness and good faith; that such of them as had completed their engagements had been sent back to their homes; but that the engagements of the majority were still unexpired. As far as regarded these people no interference was

## 34 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

required; but as there might be a risk, if it was proposed to introduce larger numbers, that abuses might occur, the Duke of Buckingham and Chandos, directed Sir G. Bowen to propose to the Legislature of Queensland to invest the Governor with authority to make regulations for the government of this immigration, to the same extent as they had previously done with reference to Indian immigrants. His Grace at the same time suggested the several points which such regulations should include.

5. It appears that while this instruction was on its way to Queensland, the Colonial Legislature had taken up the subject, and had introduced a Bill, which has already passed the House of Assembly, and is enclosed in the Administrator's Despatch, enacting the precise regulations which the Duke of Buckingham had suggested. These regulations require, that any person desiring to introduce South Sea Islanders should obtain a license from the Government to do so, and should give security for the return of the people to their country at the expiration of three years; that the master of the vessel in which such immigrants are to be introduced, shall enter into a bond to prevent kidnapping, and to observe the prescribed regulations; that on his arrival in the Colony he shall produce a certificate from a Consul, Missionary, or other known person at the island from which the immigrants are brought, that they have voluntarily engaged themselves, and understand the nature of their engagements; and the Immigration Agent is required, before the people are allowed to land, to ascertain and certify the same facts; the form of agreement between the employer and the immigrant, and the scale of rations to be allowed to the latter, are prescribed; the number of passengers that may be carried in a vessel in proportion to her deck area is defined; the dietary and water to be issued on the voyage are fixed; a summary jurisdiction is established for enforcement of the regulations; and any vessel introducing South Sea Islanders in contravention of them is subjected to a penalty of £20 per head.

6. So far as regards emigration from the South Sea Islands to Queensland, this Bill is the practical answer to the Memorials both to Her Majesty and to the Governor of New South Wales. If properly carried out, it would provide an effectual protection against fraud or force in the collection of the people; against abuses on the voyage; against their ill-treatment during the period of their engagements, and against their unfair retention after their engagements are completed. It would not, indeed, prevent the emigration of the strongest and most energetic, nor their alleged demoralization. The strongest and most energetic, will, in every country, be the first to emigrate; and the alleged demoralization may, perhaps, be only the exaggerated self-assertion and independence which an uneducated savage would, under such circumstances, be likely to assume. At any rate, without absolutely prohibiting any introduction of these people into British Colonies, and even the employment of British ships in the emigration, I do not see in what way the British Government can prevent such results.

7. Whether it is right, as a general principle, to permit the introduction of an inferior and uncivilized race into a British Colony, so strongly deprecated in the Queensland Memorial, is a question which I do not presume to discuss. As far as the immigrant is concerned, it would be useless to deny that it may be attended with some disadvantage; but that, on the whole, a race of so low a type as natives of the New Hebrides must derive great benefit from being brought into contact with a purer morality and a higher civilization cannot be questioned. The apprehension of the inhabitants of Queensland of the effect on the Colony of introducing so uncivilized a population would be not unreasonable, if large numbers were likely to be introduced; but that is altogether improbable, and the Executive would, under the proposed Bill, always have the power of placing a limit on the number.

8. As regards Queensland it appears to me that, if the proposed Bill is passed, the Government will have ample power both to protect the Colony against an excessive immigration of these people, and to protect the immigrants against ill-treatment by the Colonists. It would be desirable that the people should not be allotted to any employer in remote districts where they would be removed from the supervision of the Magistrates, and that licenses should not be granted for their introduction from any island where there are not either English or American Missionaries, or an English consul. This is to a certain extent implied, though not expressed in the Bill. If similar immigrants should hereafter be introduced into other British Colonies there would probably be no difficulty in obtaining from the Legislatures of such Colonies similar powers for the management of the immigration. But, as regards the immigration to other places than British Colonies, I do not see how the Government can interfere. The principal place to which immigrants from the New Hebrides are carried appears to be the Fiji Islands. I am not aware that Her Majesty's Government have any legal powers to prevent British ship-owners undertaking the conveyance of immigrants between those two groups of islands, and even if it were thought right to apply to Parliament for such powers, it would be very difficult to give them effect. To do so it would be necessary to keep vessels continually cruising in the neighbourhood of the New Hebrides, an arrangement which I apprehend neither the Government nor Parliament would be prepared to sanction, especially as this would only transfer the emigration to French and American vessels. Under such circumstances and with such results in view, nothing but clear proof of gross abuse would, I submit, justify the interference of the Government; and, as far as our information goes, no such abuse has yet been proved.

I have, &c.,  
T. W. C. MURDOCH.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 35

## No. 7.

COPY of a Letter from Sir Frederic Rogers, Bart., to the Emigration Commissioners.

Downing-street, 13 June, 1868.

GENTLEMEN,

With reference to your report of 6th May,\* and to previous correspondence on the subject, I am directed by the Secretary of State to transmit to you, for any suggestions and observations which you may have to offer, the enclosed Act of the Legislature of Queensland, "To Regulate and Control the Introduction and Treatment of Polynesian Labourers," together with a copy of so much of an explanatory statement of the Attorney General of the Colony on the Acts of the Session, as relates to this Act.

I am also desired to annex the copy of a Despatch from the Administrator of the Government explanatory of this Act.

I am, &c.,  
(Signed) FREDERIC ROGERS.

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

No. 7.  
Sir F. Rogers,  
Bart., to the  
Emigration  
Commissioners.  
13 June, 1868.  
\* Page 33.

Act No. 47 of  
1868.  
Appendix, page  
56.

No. 25, 23 March,  
1868, page 17.

## [Enclosure in No. 7.]

## REPORT of the Local Attorney General on the Act, No. 47.

THIS is an Act which has been passed for the especial purpose of ensuring the maintenance of just and proper relations between the Polynesian Islanders and their employers. It will be found, on referring to the various clauses in the Bill, that most of the requirements suggested by the Secretary of State for the Colonies in his Despatch on this subject to His Excellency Governor Bowen, of the 9th of November, 1867, No. 40,† have been complied with, and that every care has been taken by the Bill to ensure the protection of these islanders.

(Signed) R. PRING.

Enclosure in  
No. 7.

\* Page 19.

## No. 8.

COPY of a letter from Sir Frederic Rogers, Bart., to the Emigration Commissioners.

Downing-street,  
13 June, 1868.

GENTLEMEN,

With reference to my letter of this day's date, forwarding the copy of an Act passed by the Legislature of Queensland, entitled "An Act to regulate and control the Introduction and Treatment of Polynesian Labourers," I am directed by the Duke of Buckingham and Chandos to transmit to you for your report the enclosed copy of a Protest\* against the provisions of this Act, which has been received from the Secretary to the Committee of the British and Foreign Anti-Slavery Society.

I am, &c.,  
(Signed) FREDERIC ROGERS.

No. 8.

Sir F. Rogers,  
Bart., to the  
Emigration  
Commissioners.  
13 June, 1868.

\*Printed as page  
42.

## No. 9.

COPY of a letter from T. W. C. Murdoch, Esq., to Sir Frederic Rogers, Bart.

Emigration Board,  
16 June, 1868.

SIR,

I have to acknowledge your letters of 13th instant; the first enclosing an Act passed by the Legislature of Queensland, entitled "An Act to regulate and control the Introduction and Treatment of Polynesian Labourers;" the second enclosing a protest against this Act from the Committee of the British and Foreign Anti-Slavery Society.

2. The Act in its essential provisions is a transcript of the regulations attached to the Bill introduced into the Legislative Council in December last, on which it was my duty to offer some remarks in my Report of 6th ultimo.† The only new provisions are sections 2 to 4, which apply the Act to Polynesian immigrants already in the Colony; section 5, which authorizes the appointment of an officer for the proper inspection of labourers and the enforcement of the Act; section 7, which requires the master of a vessel to provide medicines, medical comforts, and other things necessary for the treatment of disease or accident on the voyage, &c.; section 17, which limits the numbers to be carried by the space on the upper deck for exercise; section 22, which requires a quarterly return of all cases adjudicated upon in relation to these immigrants; section 25, which places engagements made with such immigrants under the provisions of the Masters and Servants Act of 1861; section 28, which prohibits the removal of any of these immigrants from the Colony without his own consent and the written permission of the Government; and section 30, which forbids a deduction from wages on account of stores supplied to the immigrants.

3. These new provisions have evidently been introduced in the interest of the labourer, and are improvements. There appears, however, to be an error in the form of section 7, which will require alteration. By the 6th section persons desirous of importing South Sea Islanders are to obtain a license in a specified form, to the effect that

No. 9.

T. W. C. Mur-  
doch, Esq., to  
Sir F. Rogers,  
Bart.

16 June, 1868.

\*Page 33.



Correspondence  
between Colonial  
Office and Emi-  
gration Office.

that the person named there, or his agent, is licensed to recruit immigrant labourers, &c. Section 7 then provides that "the owner or charterer of any vessel so licensed" shall provide certain stores, &c. Nothing, however, had before been said about the licensing a vessel. It may be a question whether it would not be desirable to require that the vessel in which the people are introduced should be licensed for the service, as such provision would ensure her proper survey and equipment, would prevent the employment of casual vessels which might not meet the requirements of the Act, and would give the Colonial Government an opportunity of ascertaining the character of the master of any vessel that might be employed. As the clause stands at present it is inoperative, from the error of description. In other respects the additions to the Act appear unobjectionable. Unless, therefore, the importation of South Sea Islanders into Queensland is to be absolutely prohibited, I see no reason for withholding Her Majesty's assent to the Act. The Acting Governor reports that he did not reserve it for Her Majesty's pleasure, because a considerable number of the islanders were being introduced, and it was, therefore, necessary to bring the immigration at once under control. This appears to be a sufficient justification of the course he took. A return enclosed in his Despatch shews that the number of South Sea Islanders recently introduced has been 918, and that the ships which brought them carried a much larger number than their size would warrant.

4. But the Committee of the Anti-Slavery Society protest *in toto* against the Act, as "being illegal in principle." They also object to its provisions in detail.

First. They allege that members of the Legislature who were pecuniarily interested in the immigration voted for the Act. If this were so, it would be contrary to the rule and usage of Parliament; but the assertion is general and unsupported, and the Committee do not profess to make it from their own knowledge.

Second. It is said that the Act by declaring the introduction of Polynesian labourers, except in conformity with the Act, to be unlawful, declares the illegality of antecedent importations. It is scarcely worth while to notice such an objection. The illegality created by the law could not exist before the law was passed.

Third. The Committee remark that it is difficult to understand how a traffic, illegal under Imperial law and assimilated to piracy, can be declared legal by an inferior authority. Undoubtedly, if the immigration were illegal by Imperial law, it could not be legalized by Colonial statute. But it is not explained on what grounds it is assumed to be illegal. It evidently does not come within the scope of the Act, 5 Geo. 4, c. 113, inasmuch as that Act refers only to the dealing with persons who either are, or who are intended to be, employed as slaves. It is to be regretted that the precise law which makes the immigration "illegal," was not pointed out.

Fourth. It is assumed that the clause requiring returns from employers will be evaded, and that the penalty will not be enforced; because the friends of defaulters, or the Justices of the Peace, who themselves "may become employers of this new kind of slave labour," will not inform against them. It is of course impossible to say of any law that it will not be evaded. But the number of these immigrants introduced before the Act was so small that the Government could have no difficulty in tracing them, and those introduced after the Act are to be registered on their first arrival at the Immigration Office; and every subsequent transfer, death, or desertion, is to be registered also.

Fifth. An objection is taken to the clause authorizing the appointment of an officer to enforce the provisions of the Act, that it does not make him directly responsible to the Government for the performance of his duty. It seems almost unnecessary to point out that every executive officer is directly responsible to the Government for the performance of his duty, and removable in case of default.

Sixth. The sixth clause, which authorizes private individuals to recruit South Sea Islanders, is said to be opposed to the law and practice in respect to coloured immigration, and to be calculated to introduce a traffic which will merge into a slave trade. In respect to Indian and Chinese emigration, Her Majesty's Government have no doubt refused to allow the engagement of emigrants otherwise than through a Government officer. If the emigration from the South Sea Islands were to become extensive, the same restriction would become necessary in respect to it also; but at present the area from which the immigrants are drawn is limited, and the number of immigrants is small, and there can, therefore, be no great difficulty in ascertaining the manner in which they are recruited, and in discovering and arresting abuses. The Act, by implication, provides against the recruitment of the inhabitants of any island in which Europeans are not residents, by requiring the master to produce a certificate from a "Consul, Missionary, or other known person," that the emigrants have engaged voluntarily, and with a full understanding of what their engagement means.

Seventh. The committee point out a discrepancy between the Act and the form in the Schedule to it; the Act authorizing a licensee to import, while the form only authorizes him to "recruit" immigrants. I have already pointed out an error of the same kind in the 7th section. The intention of the Act is clear enough, but if it is allowed to go into operation it will be necessary that the 6th and 7th sections should be altered.

Eighth. It is alleged that this law affects the independence and liberty of the inhabitants of a foreign nation; that it would, therefore, be beyond the competence of the Imperial Parliament, and is, *a fortiori*, beyond that of a Colonial Legislature. In what way the law affects the independence or liberty of the South Sea Islanders is not stated. If there were no law at all on the subject it would, I presume, be competent to any British subject to enter into any contract he pleased with a native of the South Sea Islands or of any other country. The present Act, in the interest of the natives of those islands, places certain restrictions upon the liberty of the inhabitants of Queensland in this

this respect. In what way this can be described as affecting the independence and liberty of individuals of a foreign nation I do not understand.

Correspondence  
between Colonial  
Office and Emi-  
gration Office.

Ninth. Objection is taken to Section 7, that, while it requires that medicines, &c., shall be provided, no provision is made to secure a duly qualified medical practitioner. The reason is, no doubt, that duly qualified medical practitioners could not in all cases be found, and that in a voyage in a calm sea and low latitude, the maximum duration of which is calculated at thirty days for a sailing ship and fifteen days for a steamer, they would seldom be required. I may point out that the Imperial Passengers Act of 1855 does not require the presence of a medical practitioner in a vessel carrying fewer than 300 persons, where the voyage is calculated at less than eighty days for a sailing ship or forty-five days for a steamer.

Tenth. Several objections are taken to the 8th section, viz.:—(1.) That it authorizes the indenturing of labourers in the South Sea Islands to employers in Queensland. (2.) That such indentures are illegal, and would lead to irregularities of the gravest description. (3.) That the Legislature of Queensland have no power to authorize persons to recruit labourers in foreign countries. (4.) That the Government reserves to itself no power to interfere with the appointment of recruiting agents; and (5.) That it is objectionable to involve the Missionaries in the traffic. In respect to the first two of the above objections, I may point out that the indenturing of Indian emigrants in India to employers in Mauritius and St. Vincent, of Chinese in China to employers in British Guiana, Trinidad, Jamaica, St. Vincent, and Antigua, has for several years been authorized under laws passed with the consent of Her Majesty's Government, and the Government of India; that its legality has never been questioned, and that it has led, as far as we know, to no abuses; in respect to the third, that the Queensland law confers no new power, but places a power which previously existed under certain restrictions and conditions; as to the fourth, that the authority for the issue of a license is permissive only, not imperative; and that the Government may therefore, and would be bound to, satisfy itself as to the character of the licensee; and as to the fifth, that it will be for the Missionaries themselves to consider whether the function which the Act attributes to them is or is not inconsistent with the relations existing between themselves and the natives.

Eleventh. The penalty of £500 in the bond, to be given by the master of a ship is said to be insufficient to prevent kidnapping, since if he could kidnap and bring in a cargo of 250 immigrants, they would be worth to him £2,500. But the Committee ignore the fact that before the master could land a single immigrant he must produce the certificates required under Section 8, which could not possibly be procured in such a case.

Twelfth. A similar objection is taken to the fine of £10 for a breach of the regulations of the law, which is evidently not intended to apply to such an offence as kidnapping.

Thirteenth. The Committee allege that Section 26, which imposes a fine of £20 a head on Polynesian labourers introduced contrary to the Act, and in default of payment makes the ship liable to forfeiture, will make the traffic a close trade. It is not clear whether this is stated as an objection or not, but it is obvious that the closer the trade the easier it will be to control it.

Fourteenth. It is pointed out that the question of providing hospital accommodation for the immigrants is left open. If the immigration increases, it will hereafter be necessary to make some provision for the medical treatment of Polynesian immigrants similar to that required in the Mauritius and West Indies for Indians. But hitherto the number has been too small to make it necessary to require such a provision.

5. In conclusion, I cannot but observe, that throughout the letter from the Anti-Slavery Society it appears to be assumed that the South Sea Islanders in their own islands are in a condition of slavery, incapable of exercising an option as to whether they will enter into an engagement out of their country or not. It appears also to be further assumed that the settlers in Queensland will be disposed to treat these people on their arrival in the Colony as slaves, and that the local authorities will be unwilling or unable to protect them. Both assumptions, I venture to submit, are unjustified by anything that has hitherto occurred. The Polynesian Islanders, as a general rule, appear sufficiently able to understand the contracts into which they enter, and the advantages offered them, and the Government and Legislature of Queensland, by the promptitude with which they have acted in the matter, have shewn their anxiety, and by the provisions they have enacted, their confidence in their ability to afford these immigrants adequate protection. The general principles of the Act are the same as have been approved in respect to Indian and Chinese emigration; and although there are at present some omissions in the law which are sufficiently accounted for by the peculiar circumstances of the immigration, there is no reason to doubt that if this Act is allowed, the Legislature of Queensland will supply them hereafter, should the immigration attain important dimensions. The Anti-Slavery Society call on Her Majesty's Government to disallow the Act. It is clear, however, that the effect of disallowing the Act would be to leave the immigration altogether unregulated. Her Majesty's Government may disallow the Act of a Colonial Legislature, but they have no power to compel the Legislature to substitute another Act for that which is disallowed. Nothing short of the authority of Parliament would avail for that purpose, and it may be taken for granted that, except under a very clear and urgent necessity, Parliament would not interfere in such a matter with a Colony possessing a representative Legislature and a responsible Government.

I have, &c.,

(Signed)

T. W. C. MURDOCH.

Correspondence



## 38 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and British  
and Foreign Anti-  
Slavery Society.

# Correspondence between the Colonial Office and the British and Foreign Anti-Slavery Society.

## No. 1.

No. 1.  
W. A. Bennett,  
Esq., and L. A.  
Chamerozvow,  
Esq., to His Grace  
the Duke of  
Buckingham and  
Chandos,  
13 March, 1868.

COPY of a Letter from A. W. Bennett, Esq., and L. A. Chamerozvow, Esq., to His Grace the Duke of Buckingham and Chandos.

27 New Broad-street, E.C.

13 March, 1868.

MY LORD DUKE,

The Committee of the British and Foreign Anti-Slavery Society have received copies of a series of official papers relating to the introduction of South Sea Islanders into Queensland, and of "A Bill to Regulate and Control the Introduction and Treatment of Polynesian Labourers," which has passed the Legislature of that Colony. The committee have also received the copy of an Address from certain inhabitants of Brisbane to His Excellency Sir George Ferguson Bowen, the Governor in Chief of the Colony of Queensland and its dependencies, praying His Excellency to suppress and prohibit the traffic in South Sea Islanders now being carried on.

These official documents, and the reports of public meetings which have been held at Brisbane, appear to establish conclusively the following facts:—

1. That a considerable number of natives of the South Sea Islands have been imported to work professedly as contract labourers on certain plantations in Queensland.
2. That these people are engaged for terms of three years, at the rate of 2s. 6d. a week wages to be paid on the truck system at the expiration of their term of service.
3. That although certain of these people appear to have been engaged under some written form of agreement, considerable numbers of them have been kidnapped and forcibly brought into the Colony.
4. That the parties who bring these islanders into the Colony receive from £9 to £10 per head for them from the persons hiring them, an act tantamount to an actual sale.
5. That from the 18th August, 1863, to the 31st October, 1867, 1,267 of these islanders were introduced into Brisbane and the northern ports of the Colony, besides others not included in the official returns.
6. That although promises were held out to these people, that they should be restored to their homes within a given term, none have been sent back from the northern ports, and only 201 from Brisbane.
7. That this traffic though known to the Government, and not directly sanctioned by it, is carried on by private individuals without any public control or supervision whatever.
8. That persons occupying responsible public positions are engaged also in this traffic.
9. That the people who are thus brought into the Colony are unacquainted with our language, are wholly unprotected, and completely at the mercy of their employers.

The committee have been appalled by recent accounts of the massacre of white sailors frequenting some of these Polynesian Islands, and even of Christian Missionaries resident there. They are assured that these murders are the retaliation of ignorant savages for deeds perpetrated in the course of the trade insidiously growing up in the South Sea Islands, which threatens to become a powerful hindrance to Christian Missions, as well as to commercial and civilizing intercourse.

The committee respectfully beg to bring these facts under your Grace's consideration, and would suggest that as the new Governor of Queensland, His Excellency Major Samuel Wensley Blackall, will shortly take his departure for the Colony, the moment appears to be highly opportune for instructing His Excellency in relation to this subject.

The committee further submit that the Act lately accepted by the local Legislature, does not appear to them calculated to meet the exigencies of the case, the penalties being wholly inadequate to the offences enumerated. The committee are of opinion, that this trade in South Sea Islanders is a new form of the slave trade, and is illegal; and they venture to express the hope that Her Majesty's Government will prohibit its continuance, experience having lamentably proved that no amount of fine or penalty will suppress illegal traffic in human beings, so long as its gains hold out a sufficient inducement for its prosecution.

We have, &c.,  
(Signed) ALFRED W. BENNETT, M.A.,  
Chairman of Committee.  
L. A. CHAMEROVZOW, Secretary.

No. 2.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 39

## No. 2.

COPY of a Letter from Sir Frederic Rogers, Bart., to Alfred W. Bennett, Esq., and  
L. A. Chamerovzow, Esq.

Downing-street, 23 March, 1868.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

GENTLEMEN,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 13th instant, on the subject of the introduction of natives of the South Sea Islands into Queensland.

I am desired to request that you will furnish his Grace with the authorities on which the statements to which you refer respecting the treatment of the natives are founded.

I am, &c.,  
(Signed) FREDERIC ROGERS.

No. 2.  
Sir Frederic  
Rogers, Bart., to  
Alfred W. Ben-  
nett, Esq., and  
L. A. Chamerov-  
zow, Esq.  
23 Mar., 1868.

## No. 3.

COPY of a Letter from L. A. Chamerovzow, Esq., to His Grace the Duke of  
Buckingham and Chandos.

27, New Broad-street, E.C.,  
27 March, 1868.

No. 3.  
L. A. Chamerov-  
zow, Esq., to His  
Grace the Duke  
of Buckingham  
and Chandos.  
27 Mar., 1868.

MY LORD DUKE,

In accordance with your Grace's request, conveyed in the communication from Sir Frederic Rogers, dated the 23rd current, to be furnished with the authorities upon which are founded the statements respecting the treatment of South Sea Islanders in Queensland, set forth in the Memorial to your Grace from the committee of the British and Foreign Anti-Slavery Society, I have the honour to refer your Grace to the annexed schedule, and—

I remain, &c.,  
L. A. CHAMEROVZOW,  
Secretary.

## [Enclosure in No. 3.]

## SCHEDULE.

- I.—Queensland.—Legislative Assembly.—Introduction of South Sea Islanders into Queensland. (Ordered by the Legislative Assembly to be printed, 15th October, 1867.)  
Return to an Address of the Honorable the Legislative Assembly of Queensland, dated 26th September, 1867, praying that His Excellency the Governor will be pleased to cause to be laid upon the Table of this House.  
“Copy of all Despatches and Correspondence in connection with the introduction of South Sea Islanders into this Colony.” (Dr. Challinor.)
- II.—Queensland.—Legislative Assembly.—Trade between Queensland and South Sea Islands. (Ordered by the Legislative Assembly to be printed, 15th October, 1867.)  
Return to an Order made by the Honorable the Legislative Assembly of Queensland, dated 9th October, 1867, That there be laid upon the Table of this House, a Return shewing:—  
“1. The number, names, and registered tonnage of all vessels engaged in trading between the several ports of this Colony and the South Sea Islands, from 10th December, 1859, to the present time.  
“2. The names of the owners, masters, and consignees of said vessels; also, the names of the persons by whom the same are chartered.  
“3. The date of arrival and departure of each vessel respectively, and the entries of the cargo inwards and outwards.  
“4. The number of South Sea Islanders brought by each vessel; the names of the persons by whom they were brought, and of those to whom they were consigned; also, the date of their arrival.  
“5. The number of South Sea Islanders who have been returned to their homes in said vessels; the date of their departure; and the names of the persons in whose charge they were sent.  
“6. A copy of the Government regulations under which this immigration has been conducted.” (Dr. Challinor.)
- III.—Anno Tricesimo Primo Victoriae Reginae.—Queensland. A Bill to regulate and control the Introduction and Treatment of Polynesian Labourers.

## No. 4.

COPY of a Letter from Sir Frederic Rogers, Bart., to L. A. Chamerovzow, Esq.

Downing-street, 27 April, 1868.

No. 4.  
Sir Frederic  
Rogers, Bart., to  
L. A. Chamerov-  
zow, Esq.  
27 April, 1868.

SIR,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 27th ultimo, enclosing a schedule showing the authorities upon which the previous statements of the committee of the British Foreign Anti-Slavery Society were founded respecting the importation of labourers into Queensland from the South Sea Islands.

I

## 40 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

I am desired by his Grace to request that the Society will furnish him with such proofs as they possess of the third and eighth statements made in your letter of the 13th ultimo, namely, that "considerable numbers" of these islanders had "been kidnapped and forcibly brought into the Colony;" and that persons "occupying responsible public positions are engaged in this traffic."

It will obviously occur to you that these statements, and the facts alleged in support of them, should be authenticated by the names of the persons who make themselves responsible for their truth.

I am, &c.,  
(Signed) **FREDERIC ROGERS.**

## No. 5.

No. 5.  
L. A. Chamerov-  
zow, Esq., to his  
Grace the Duke  
of Buckingham  
and Chandos.  
29 April, 1868.

COPY of a Letter from L. A. Chamerovzow, Esq., to His Grace the Duke of Buckingham and Chandos.

27 New Broad-street, E.C.,  
29 April, 1868.

MY LORD DUKE,

I beg to acknowledge the receipt of Sir Frederic Rogers' letter of the 27th current, in reply to my communication of the 27th ultimo, on behalf of the committee of the British and Foreign Anti-Slavery Society, on the subject of the illegal introduction into Queensland of natives of the South Sea Islands.

In answer to your Grace's request to be furnished with such proofs as the committee possess, of the third and eighth statements in the committee's communication of the 13th ultimo, namely, "that considerable numbers of these islanders had been kidnapped and forcibly brought into the Colony, and that persons occupying responsible public positions are engaged also in this traffic," I beg to refer your Grace to Nos. 2 and 3 of document No. 1 of the Schedule enclosed in the letter aforesaid of the 27th ultimo.

It would appear from the papers already referred to, and others in the possession of the committee, that the subject of the introduction of South Sea Islanders into Queensland was already under the notice of the Legislative Assembly in 1863. The committee, therefore, were under the impression that the whole circumstances of the case were known to Her Majesty's Government, especially as they are of great notoriety in the Colony; and, moreover, have recently been made the subject of a Petition to Her Majesty, which would, of course, be transmitted through His Excellency the Governor to Her Majesty's Secretary of State for the Colonies for the time being. A printed copy of this Petition is enclosed.

Your Grace will observe that some of the Members of the Colonial Legislature, including the Premier himself, the Honorable R. R. Mackenzie, are personally implicated as active promoters of this new slave trade. This statement has been made openly in public meetings held at Brisbane, has been published in the local papers, and has not been contradicted.

Irrespective, however, of the parties who are actually engaged in these nefarious proceedings, the committee respectfully submit that the system itself is utterly indefensible, and is carried on in violation of the principles which regulate the emigration of Coolies from India to other British possessions. In the latter instance a kind of official supervision exists, which in a degree guarantees the interests and personal safety of the Coolie emigrant; but in the case of the South Sea Islanders there is no such supervision, the assent of the Chiefs in authority to the expatriation of their countrymen does not appear to be even asked for, and the evidence of Captain J. P. Luce, the Senior Naval Officer on the Australian Station, warrants the assertion that many of the vessels trading to the New Hebrides are manned by very lawless individuals, who have recourse to fraud and violence to obtain these so-called labourers, of whom they make a market in Queensland.

The committee would further submit that the system which your Grace has been requested and seems disposed to legalize, is identical with that called "free African emigration," carried on some years ago under the sanction of the French Government, but which, on the representations made by that of Her Majesty, was prohibited by the Emperor on the 30th October, 1858. The opinion of the British Government on the French *engagé* system was thus conveyed by the Right Honorable the Earl of Malmesbury in a Despatch of the 15th of October, 1858, addressed to Her Majesty's Plenipotentiary at Lisbon, on the subject of the seizure of the French vessel the "Charles et George," confiscated by the Portuguese authorities at Mozambique, as being engaged in the slave trade. In that despatch his Lordship says, "You are aware that Her Majesty's Government have never altered their opinion as to the analogous nature of the French scheme for exporting negroes with that of the avowed slave trade."

Many years before Her Majesty's Government had relinquished the scheme of obtaining so-called free labourers from Africa, for the reasons alleged in the Earl of Malmesbury's Despatch, and the committee are convinced that no regulations whatsoever would prevent this so-called free emigration from the South Sea Islands degenerating at once into the slave trade. To legalize such a system of emigration, to be conducted as proposed by private individuals, who once beyond the boundaries of the Colony would be subject to no control, were to license a new slave trade on the most extensive scale.

The

Enclosure.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 41

The traffic being officially sanctioned by the British Government, a free trade in Polynesians would immediately spring up, and by force or by fraud they would be carried away by thousands to Cuba, to Brazil, to the Peruvian Guano Islands, or to any other country where forced labour is in demand; and the committee therefore hope that your Grace will not only withhold assent to the new Bill which has recently passed the Queensland Legislature, but will absolutely prohibit the continuance of the traffic, and give instructions for the immediate restoration to their homes of the natives who have been already brought into the Colony.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

I have, &c.,  
(Signed) L. A. CHAMEROVZOW,  
Secretary.

## [Enclosure in No. 5.]

## Anti-slavery Petition to Her Majesty.

The following is a copy of the petition that was adopted by a numerous and respectable audience at the close of Mr. Short's lecture, at the School of Arts, North Brisbane, on the climate of Queensland. That lecture was delivered as a useful supplement to two previous lectures, having for their object to show that the introduction of coloured labour into Queensland was in every way inimical to the present and future welfare of the Colony; and not only so, but was, in its first initiatory stages, with difficulty distinguishable from slavery, with which, with all its horrors and abominations, it would rapidly and inevitably become identified. It may be remarked that the opposition to the introduction of this kind of labour have not recognized the jurisdiction of the Colonial Legislature to deal with a question of this kind, as it is one which involves Imperial interests and policy; and have also been influenced by the consideration of the well-known circumstance that some of the members of the Colonial Legislature, including the Premier himself, are personally implicated as active promoters of this traffic in human beings. A former Petition to Sir George Bowen, the late Governor of Queensland, praying him to use his best endeavours for the immediate prohibition of this "free emigration," falsely so called, was coldly received by His Excellency, and his reply was more than unsatisfactory. It was therefore deemed advisable, without further loss of time, to appeal directly to Her Most Gracious Majesty the Queen. The Petition has been forwarded to the Acting Governor of the Colony for transmission to Her Majesty by this mail.

"To Her Most Gracious Majesty Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

"The Petition of a Number of the Inhabitants of the Colony of Queensland, in Public Meeting assembled in the City of Brisbane.

"HUMBLY SHEWETH,

"That your Majesty's Petitioners have viewed with much anxiety the introduction into this Colony of a large number of natives of the South Sea Islands, by private individuals, to work as labourers on sugar plantations, cotton plantations, and on sheep and cattle stations.

"That these natives have been, and are still being, brought without the sanction of your Majesty's Government, without any Colonial law to control or regulate their introduction, to protect them afterwards, or to secure their return home on expiration of term of service.

"That your Petitioners have reason to believe that many of these natives have been kidnapped and brought forcibly here, and others under false and deceptive representations; while many have been induced to come by the promise that they should be conveyed home within 12 months; that this promise has not been fulfilled; but, on the contrary, that many of these natives have been detained in the Colony for periods of three years and upwards, on the allegation they had been engaged for that time.

"That this breach of faith, combined with the illegal manner in which those natives have been obtained, has led to the loss of several vessels, and to the murder of several Europeans at the South Sea Islands by the natives, in revenge for the abduction and detention of their kindred. These facts are confirmed by Captain J. P. Luce, of your Majesty's steamer "Esk," the Senior Naval Officer on the Australian Station, who communicated to Sir George Ferguson Bowen, on the 25th April, A.D. 1867, as follows:—"I have lately received reports of the loss of several vessels, and the murder of several Europeans at Hinchinbroke, and other islands of the New Hebrides group. I enclose an extract from a letter written by a trader in that group, wherein you will see that he is informed the natives say they are doing these atrocities in revenge for the loss of many of their countrymen, who were carried away, three years ago, to Queensland and Fiji Islands by Europeans, who hired them as labourers, and promised to return them to their homes in 12 months."

"Your Petitioners have regarded with dismay the introduction of an inferior and uncivilized race into this Colony, to supplant the British and European labourer, as it will have the effect of reducing to destitution and inactivity, the working classes of the Colony, who have been induced to emigrate here in large numbers by the hope of finding in Queensland an independent home and permanent employment; and they would earnestly advert to such introduction as irreconcilably opposed to the constitution of the Colony, and the intention of its foundation.

"Wherefore your Majesty's humble Petitioners most humbly pray that your Most Gracious Majesty will be pleased to prohibit this traffic in human beings, as being a development of the slave trade with its attendant evils in its most modern form.

"And your Most Gracious Majesty's Petitioners, as in duty bound, will ever pray.

"Signed by the chairman, at the unanimous request of, and on behalf of, the said public meeting.

"JOSHUA JEAYS,  
Chairman.

"Brisbane, Queensland, 16 January, 1868."

## No. 6.

COPY of a letter from T. Frederick Elliot, Esq., to L. A. Chamerovzow, Esq.

Downing-street, 27 May, 1868.

Sir,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 29th ultimo,\* in reply to the letter from this Department, of the 27th ultimo,† on the subject of the importation of labourers into Queensland from the South Sea Islands.

141—F

I

No. 6.  
T. F. Elliot, Esq.,  
to L. A. Chamerovzow, Esq.,  
27 May, 1868.

\* Page 40.  
† Page 39.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

I am desired by his Grace to inform you that copies of the documents, to which the committee of the Anti-Slavery Society refer in proof of the third and eighth statements made in their letter of the 13th March, have not yet reached this office.

His Grace, therefore, desires me to request that the committee will be so good as to furnish him with copies of these documents, as specified in the schedule annexed to your letter of the 27th March.

The documents will be returned to the Society.

The Act referred to has been duly received at this Department,

I have, &c.,

(Signed) T. FREDERICK ELLIOT.

No. 7.  
L. A. Chamerov-  
zow, Esq., to His  
Grace the Duke  
of Buckingham  
and Chandos.  
23 May, 1868.

No. 7.

COPY of a letter from L. A. Chamerovzow, Esq., to His Grace the Duke of Buckingham and Chandos.

27, New Broad-street, E.C.  
23 May, 1868.

MY LORD DUKE,

The Committee of the British and Foreign Anti-Slavery Society have received by the last mail from Queensland a copy of the new "Act to Regulate and Control the Introduction and Treatment of Polynesian Labourers," recently passed by the Legislature of the Colony, assented to by the Acting Governor on the 4th March last, and which has been forwarded to your Grace for final approval.

13 Mar. 1868, p. 38.  
27 Mar. 1868, p. 39.  
29 Apr. 1868, p. 40.

Referring your Grace to my previous communications on this subject, the Committee beg respectfully to submit the following observations on the new Act.

The request to legislate on this question appears to have emanated from certain persons, amongst whom, as the committee are informed, were Members of both Houses of the Legislature, who were themselves importers and employers of these islanders. The unlawful nature of the transaction had been publicly pointed out, and the committee submit, that by voting in favour of a measure in which these gentlemen were directly and pecuniarily interested, they have violated a well-known constitutional law, and contravened the established usage and practice of Parliament.

The first clause, by declaring it to be unlawful to introduce Polynesian labourers, except in accordance with the Act, is a declaration of the illegality of all antecedent importations. It is difficult to understand how a traffic, illegal under Imperial law, and assimilated to piracy, can be declared legal by an authority inferior to Imperial authority.

Clause II. obliges employers of Polynesian emigrants to make a return within four months, of all such labourers in their employment. The committee entertain the conviction that the requirements of this clause will be evaded, and that the returns specified will not account for the people who may have died from natural causes, nor for those who may have been lost, starved, or killed. It ought to be made imperative to require the names of labourers who may have been, from the first, employed by the party making such return.

Clause III. imposing a penalty for failure in making returns, must, in the very nature of things, prove inoperative. It is not to be supposed that the personal friends and neighbours of defaulters, or that the Justices of the Peace for country districts, who under this Act may become employers of this new kind of slave labour, and therefore may also themselves become offenders, are likely to assume the office of a common informer. These country Justices of the Peace are almost, without exception, squatters, having with their class a community of interests; and experience in our West India Colonies, has proved that it is unwise and imprudent to permit employers, as Justices of the Peace, to adjudicate upon questions connected with their own labourers. In the absence of a public officer, whose special duty it might be to visit estates, and make returns, this unpleasant and invidious task will assuredly not be voluntarily undertaken by any one; and hence the clause will be of no effect. It is also obvious, that as the penalty for contravention is not to exceed a fine of £50, the smallest fine will, as a rule, be the maximum penalty.

Clause IV. gives the law an *ex post facto* effect, and will therefore be found impracticable in operation. The very wording that the Act shall, "so far as practicable," be applicable to certain individuals, points inevitably to this conclusion.

Clause V. would be less unsatisfactory, if it had made the officer proposed to be appointed, directly responsible to the Government for the due performance of his duty.

Clause VI. is directly opposed to both the law and the practice relating to coloured immigration into other Colonies. In none of the tropical dependencies of the British Empire are coloured labourers allowed to be introduced by private enterprise. In proposing, therefore, to legalize their introduction into Queensland by individuals, a new and most dangerous precedent is being established. This will inevitably lead to the grossest abuses. Under cover of it, a traffic in coloured people will spring up, which will rapidly assume the character and proportions of the slave trade, differing from it only in name. Your Grace has but to refer to the regulations under which Coolies are permitted to be introduced into the West Indies and Mauritius, to be satisfied that the Act under notice violates every principle which has hitherto



hitherto governed the importation of foreign labourers into the Colonies aforesaid. In none of these Colonies are the employers of immigrant labour permitted to make laws that are not strictly in accordance with the Imperial policy. If, therefore, Her Majesty's Government do not reject this Bill, it is difficult to perceive how it will be able to refuse to allow all the other Colonies to claim the same privileges as it confers.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

The Committee would further observe that there are also discrepancies pertaining to this clause, which wholly vitiate its effect. The applicant, that is to say, the employer, is to receive a license "in Form C," to import the number of labourers he may require. "Form C," however, does not purport to be a license to "import," but "a license to recruit labourers from the South Sea Islands." These terms have a widely different signification. The one takes effect in the Colony, the other beyond it. The license authorized by the Act confers on the employer the privilege of bringing into, or receiving in the Colony, a certain class of labourers; whereas the license in the form referred to gives him a right to recruit, that is, to enlist, engage, or collect these labourers in the South Sea Islands, for which no provision is made in the Act itself. It is clear that "Form C" is not in accordance with the provisions of the enabling clause, that no other form is provided or authorized to be used; that there is no provision authorizing the issue of licenses "to recruit," and therefore, in the absence of such authority, no such licenses can legally be issued.

There are certain important questions on constitutional and international law arising out of this clause, upon which, however, the committee do not desire to dwell at any length. It must, nevertheless, be obvious to your Grace, that no Colonial Legislature can usurp powers not possessed by the Imperial Parliament, and the Committee submit that it is beyond the province, even of the Imperial Legislature, to enact a law which, in its operation, shall affect the personal independence and the liberty of individuals of any foreign nation. It follows, therefore, that to give the Imperial assent to this Bill, would be to violate that great principle of international law which forbids interference with the independence of the citizens of other States, and at the same time would be an infringement of the equally great constitutional principle, that laws made by a subordinate Government in virtue of the powers conferred by the supreme legislature, must not be inconsistent with any law or rule of law, made or sanctioned by it in relation to the same subject-matter.

Clause VII strikes the committee as delusive. Whilst it is ordered that vessels shall be properly found in surgical instruments, medicines, and other things necessary for diseases or accidents incidental to sea voyages, no provision is made to supply a duly qualified medical practitioner to prescribe and use them. It is surely not employing too strong language to designate such legislation as delusive.

The eighth clause is objectionable in so many particulars that the committee do not feel it convenient to deal with them all; and, indeed, as the Committee take exception to the Act itself as being illegal in principle, it seems superfluous to argue against it in detail. Nevertheless, the committee would here record their chief objections to this clause.

In the first place it permits, by inference, certain things to be done, which are in themselves illegal; as for example the indenturing of the labourers in the South Sea Islands to employers in Queensland. This is opening the door to an endless amount of fraud, and is directly opposed to the principle established by the Imperial Government, for regulating the introduction of coloured labour into other Colonies.

In the second place, the committee object that agreements purporting to shew that certain labourers have been indentured before arrival in the Colony, or are to be indentured on arrival there, would be grossly illegal, and such a practice must inevitably lead to irregularities of the gravest description.

In the third place, as no authority is given by the Act "to recruit labourers in the South Sea Islands," and the license referred to in the clause is one "to recruit," not to import labourers, the master of the vessel cannot possibly comply with this self-contradictory regulation, for it is obvious that the form and the clause are at issue. Furthermore, the committee deny emphatically the power of the Legislature of Queensland to make a law authorizing persons to recruit labourers in foreign countries. Such a license is tantamount to issuing a roving commission to pick up natives wherever they can be found, and this without any previous treaty or negotiation with the insular authorities. This is not lawful immigration, but the illegal slave trade.

In the next place, the Government reserves to itself no power to interfere with the appointment of any recruiting agent, who, though he be duly licensed, may be a most unsuitable person, even of the worst character, over whose actions it would have no control. It is well known that a traffic such as the one it is proposed to legalize presents the greatest attractions to the most lawless characters, and if, therefore, it be legalized at all, the Government ought to exercise a direct control over these recruiting agents.

Fifthly, it appears to the committee highly objectionable to involve the Missionaries in this traffic. Such a course is calculated to lead them into disputes with the natives, to destroy their influence as Christian teachers in the islands, and in the event of anything going wrong with the people imported into Queensland, to expose them to personal danger in revenge.

Clause IX is open to the same objection as has been raised to the previous one, in so far as regards the facilities it affords for chicanery and oppression.

Clauses X to XIV inclusively, relate chiefly to matters of detail, and do not seem to call for comment. The same remark applies to Clauses XVI to XXIII inclusively.

The

## 44 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

The penalty imposed on masters of vessels by Clause XV, namely, of £500, ostensibly to prevent kidnapping, is, in the judgment of the committee, utterly inadequate to prevent that crime. The money value of a South Sea Islander landed in Queensland averages £10, which sum parties introducing them now actually receive. A cargo of 250, supposing it to be one of voluntary immigrants, would therefore realise £2,500; but if a similar cargo were kidnapped, and the master convicted, the fine on the whole would be £500, which, deducted from the value of the cargo in bulk, would still leave a profit large enough to encourage further enterprises of a like kind. The committee, however, would remind your Grace of the Imperial Statute, which declares the kidnapping of negroes to be a capital offence, under the name of piracy, punishable with penal servitude and the forfeiture of the vessel, and the committee are utterly at a loss to conceive how that which constitutes piracy in the one instance can by any legislation be transformed into a lawful traffic in the other.

The foregoing remarks apply with increased force to Clause XXIV, inasmuch as kidnapping is one of the offences punishable under it, the maximum penalty for which is, for the first offence, £10, and for every subsequent offence, £20.

The placing of engagements, by Clause XXV, under the Masters' and Servants' Act will afford very imperfect protection to the South Sea Island labourers, who, knowing nothing of the law, will seldom be able to seek redress under it, while their employers will have it in their power to use it as an engine of oppression.

Clause XXVI will operate to make the traffic a close trade.

Clause XXVII leaves open the question of providing hospital accommodation or medical treatment for the immigrants, an omission of the most serious character.

Clause XXVIII appears to be framed with a benevolent intention, but no provision is made for carrying it into effect; and the same remark applies to Clause XXX, for it does not appear how the employer is to be prevented from violating it, if he be so disposed.

The immediate object of the committee in addressing your Grace is to bring these comments promptly under your notice, in the hope that you will be pleased to give them your best consideration; and the committee venture to believe that your Grace will find in them sufficiently strong reasons to justify you in disallowing this Act.

I have, &c.,

On behalf of the Committee,  
(Signed) L. A. CHAMEROVZOW,  
Secretary.

## No. 8.

COPY of a letter from T. Frederick Elliot, Esq., to L. A. Chamerovzow, Esq.,

Downing-street, 3 June, 1868.

SIR,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 23rd of May,\* and I am to request that you will acquaint the committee of the British and Foreign Anti-Slavery Society that the statements contained in your letter against the Act recently passed by the Legislature of Queensland, "To regulate and control the Introduction and Treatment of Polynesian Labourers," will receive consideration.

I am, &c.,

(Signed) T. FREDERICK ELLIOT.

## No. 9.

COPY of a Letter from L. A. Chamerovzow, Esq., to His Grace the Duke of Buckingham and Chandos.

27, New Broad-street, E.C.,  
6 June, 1868.

MY LORD DUKE,

I am instructed by the Committee of the British and Foreign Anti-Slavery Society to comply with the request made on behalf of your Grace, by Mr. Elliot, in his letter of the 27th ultimo,\* namely, to be furnished with copies of the documents specified in the schedule annexed to my letter of the 27th of March†, in support of the 3rd and 8th statements in my communication of the 13th of the same month.‡

I have therefore the honor to forward herewith the documents mentioned in the schedule aforesaid, and am further instructed by the Committee to request that your Grace will be pleased to give instructions that a receipt for the same be handed to bearer.

I have, &c.,

(Signed) L. A. CHAMEROVZOW,  
Secretary.

No. 8.  
T. Frederick  
Elliot, Esq., to  
L. A. Chamerov-  
zow, Esq.  
3 June, 1868.  
\*Page 42.

No. 9.  
L. A. Chamerov-  
zow, Esq., to His  
Grace the Duke  
of Buckingham  
and Chandos.  
6 June, 1868.

\*Page 41.  
†Page 39.  
‡Page 38.

[Enclosures



## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 45

[Enclosures in No. 9.]

1867.

QUEENSLAND.—LEGISLATIVE ASSEMBLY.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

Encl. in No. 9.

## INTRODUCTION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

(Ordered by the Legislative Assembly to be Printed, 15 October, 1867.)

RETURN to an Address of the Honorable the Legislative Assembly of Queensland, dated 26th September, 1867, praying that his Excellency the Governor will be pleased to cause to be laid upon the table of this House,—

Copy of all Despatches and Correspondence in connection with the introduction of South Sea Islanders into this Colony.

(Dr. Challinor.)

## CONTENTS.

	Page.
1. Reference to previous papers on the same subject already before Parliament ...	45
2. The Senior Naval Officer on the Australian Station to His Excellency the Governor of Queensland, 25th April, 1867 ...	45
3. Minute of the Executive Council of 3rd May, 1867 ...	46
4. His Excellency the Governor to the Senior Naval Officer, 28th May, 1867 ...	46
5. Captain Whish to the Honorable the Colonial Treasurer of 22nd May, 1867 ...	47
6. The Senior Naval Officer to His Excellency the Governor, 4th June, 1867 ...	47
7. The Under Colonial Secretary to Police Magistrate, Brisbane, 5th July, 1867 ...	47
8. The Police Magistrate, Brisbane, to the Under Colonial Secretary, 25th September, 1867 ...	48

## INTRODUCTION OF SOUTH SEA ISLANDERS INTO THE COLONY.

(1.)

Previous papers on the subject of the importation of South Sea Islanders into Queensland will be found in "Votes and Proceedings," Session II, 1863, page 397.

(2.)

The Senior Naval Officer on the Australian Station to His Excellency the Governor.

H. M. S. "Esk," Sydney,  
25 April, 1867.

Sir,

I have lately received reports of the loss of several vessels, and the murder of several Europeans at Hinchinbroke and other Islands of the New Hebrides group.

I enclose an extract from a letter written by a trader in that group, wherein you will see that he is informed the natives say that they are doing these atrocities in revenge for the loss of many of their countrymen who were carried away three years ago to Queensland and the Fiji Islands, by Europeans who hired them as labourers and promised to return them to their homes in twelve months.

The trader writes:—"I have been cautioned by several of the Chiefs, and told to keep a good look-out, as the natives be determined to have revenge on the white man, as he had taken the men of the islands and agreed to bring them back in twelve months, which is over three years. This I know to be the case with parties in Queensland and Fiji Islands."

I have sent H.M.S. "Falcon" to visit the islands; she sailed to-day, and has orders to communicate with Consul Jones at Fiji, and request him to inform me if natives are conveyed from the New Hebrides to the Fiji group as labourers, if the trade is carried on by Europeans, and under what license and superintendence.

I have the honor to request that you will cause me to be supplied with information on the subject of the admission into Queensland of Island natives.

What number actually arrive?

Where they come from?

What class of people engage them?

The length of time they are engaged for?

And what security the natives have that they will be restored to their homes when their engagements have expired?

And other information on the subject will be useful.

I know, from my own experience, that many of the vessels trading to the New Hebrides are manned by rough and very lawless men, who finding themselves beyond the reach of any civilized power, behave towards the natives with injustice. Now that the New Zealand war is over, it is to be hoped that vessels of the squadron may be able frequently to visit the islands, and to see that the trade is carried on with justice, and according to law. In the hope that you may be able to afford me valuable information, which I can compare with the accounts brought back by H.M.S. "Falcon" on her return to Sydney, I trouble you with this communication, and—

I have, &c.,  
(Signed) J. P. LUCE,  
Captain and Senior Officer.

His Excellency Sir George Bowen, G.C.M.G.,  
&c., &c., &c.,  
Governor of Queensland.

(3.)

## 46 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

(3.)

EXTRACT from the Minutes of Proceedings of the Executive Council of Queensland.

At the Government House, Brisbane, on 3rd May, 1867.

PRESENT:

His Excellency the Governor in Council.

His Excellency the Governor lays before the Council a letter (dated 25th April, 1867), addressed to His Excellency by Captain Luce, R.N., now commanding Her Majesty's naval forces on the Australian Station.

This letter states that Captain Luce had lately received reports of the loss of several vessels, and of the murder of several Europeans at certain of the South Sea Islands; and that it appears from a letter written by a trader in those seas, that "the natives say that they are perpetrating these atrocities in revenge for the loss of many of their countrymen, who were carried away three years ago to Queensland and the Fiji Islands by Europeans, who hired them as labourers and promised to return them to their homes in twelve months."

Captain Luce asks for information on the subject from the Government of Queensland.

The Council deliberate. They observe that the first and principal importer of South Sea Islanders as labourers into this Colony is the Honorable Robert Towns, Member of the Legislative Council of New South Wales, and resident at Sydney, but the owner of a cotton plantation in Queensland. This gentleman can give Captain Luce more information on the subject than any other person; and they suggest that personal application should be made to him. Moreover, it is believed that the small number of South Sea Islanders who have hitherto come to work in Queensland, on the new sugar and cotton plantations, have all been landed from ships belonging to Sydney.

The Council further observe that the Masters and Servants Act (25 Victoria, No. 11), now in force in Queensland, provides for the due enforcement on both parties of labour contracts, whether made in this Colony or in foreign countries. Should it be proved that further legislation is required for the due protection of the South Sea Islanders, the Council do not doubt but that the Colonial Parliament will be ready to pass any measure which facts and documents, hereafter to be laid before them, may show to be absolutely necessary.

It need scarcely be said that the Responsible Ministers are anxious to punish all fraud and injustice whenever committed, and to secure the inhabitants of the Colony, of every class, in the full enjoyment of their rights.

The Council advise that the proper Government officers be directed to procure the information respecting the number of South Sea Islanders now in Queensland, &c., as asked for by Captain Luce, R.N., and also that the Police Magistrate of the district be ordered to inspect periodically the plantations on which any such islanders may be employed, and to report to the Colonial Secretary the result of such inspection.

A. V. DRURY,  
Clerk of the Council.

(4.)

His Excellency the Governor to the Senior Naval Officer.

Government House, Brisbane, Queensland,  
28 May, 1867.

Sir,

I received in due course your letter of the 25th ultimo, respecting the South Sea Islanders employed in Queensland.

2. You are, of course, already aware that the Governor of a Colony possessing Parliamentary Government is bound to act, in Colonial affairs, through his responsible advisers in the Executive Council. I accordingly took an early opportunity of laying your letter before my Ministers, and I request your attention to the enclosed Minute of Council, containing the views of the Government of Queensland on the entire subject.

3. I also transmit reports from the Collector of Customs of this Colony. It appears that in the aggregate only 382 South Sea Islanders have landed in Queensland, of which number 78 have returned to their homes. It is stated that those already sent back were under an engagement for one year only; and that most of the remainder are under engagements for three years, and will be provided with passages to their native islands when that period shall have expired.

4. The principal employers of these labourers are Captain Towns, of Sydney, and Captain Whish, formerly of the 14th Light Dragoons, and now the owner of a sugar plantation near Brisbane. As is pointed out in the enclosed Minute, Captain Towns can give you more information on this question than any other person; you will probably make a direct application to that gentleman. I annex the reply of Captain Whish to the queries addressed to him by my Ministers.

5. You are thus in possession of all the information which it has been in my power to procure for you here.

6. It will be seen from the Minute of the Executive Council, that the Government of Queensland, in common with myself, "are anxious to punish all fraud and injustice whenever committed, and to secure the inhabitants of the Colony of every class in the full enjoyment of their rights;" and that, "Should it be proved that further legislation is required for the due protection of the South Sea Islanders, the Council do not doubt but that the Colonial Parliament will be ready to pass any measure which facts and documents hereafter to be laid before them may show to be absolutely necessary;" and that, in the meantime, "the Police Magistrate of the district is ordered to inspect periodically the plantations on which any such islanders may be employed."

7. I have myself visited the plantations of Captain Towns and Captain Whish. The islanders employed there seemed to be healthy and contented, and they certainly made no complaints. You may rest assured that I shall not lose sight of this question. Should you visit Queensland yourself, I shall be glad if you will accompany me in a fresh inspection of the plantations referred to above.

Captain Luce, R.N.,  
Senior Naval Officer, H.M.S. "Esk," Sydney.

I have, &c.,  
(Signed) G. F. BOWEN.

Minute of  
Council, 3 May,  
1867.

22 May, 1867.

(5.)

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 47

(5.)

Captain Whish to the Honorable the Colonial Treasurer.

Oaklands, Cabulture River,  
22 May, 1867.Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

Sir,

In reply to your letter of the 9th instant, requesting information concerning certain South Sea Islanders in our employ, I have the honour to inform you that—

Thirty-three natives, all males, arrived on our plantation in December, 1865.

The agreement between us is, that they serve us for three years, and are then to be restored to their homes.

Their pay is 10s. a month, paid in kind, on their return home.

During their stay they are housed, fed, and clothed.

Besides this, they are supplied with pipes and tobacco, blankets, and pannikins, and are occasionally rewarded with beads, or allowed money to buy them.

They appear to be perfectly happy and contented, and have improved greatly in health and strength since their arrival in the country. One islander having died, there are 32 now on the plantation; and we have written to inquire about a fresh supply of them, as we wish to send our present hands home before the term of their agreement is out, that they may see, and tell their friends, that we are dealing fairly by them.

The more intelligent of the men are employed with horse teams, at the saw bench, in the sugar house, and on board the cutter, and these will in the end receive some additional remuneration according to their superior worth.

They all work cheerfully and well, indeed for some time past we have had no overseer over them, whereas with an equal number of Europeans an overseer would be indispensable.

The news of the massacre had reached us some time ago, and we know that natives are kidnapped to serve in the Fiji Islands; but the real cause of the massacre (and a most common one) appears not to have been put forward.

With the liability, however, to further disturbances, it might be to the interest of Government to undertake the supply, at cost price, of coloured labour suitable for sugar and cotton plantations; for, without some such importation, it is simply impossible for this country ever to rise from its present depressed state.

A rainy season, such as we have had for three or four months, would well nigh ruin a proprietor who had to keep a large gang of Europeans, who must be paid and fed, whether the weather allowed them to work or no. My experience in this matter has been dearly purchased; for three and a half years I employed white labour, and am perfectly convinced that it will never pay to cultivate cotton or sugar with white labour. We have had to import our own labour, and shall do so again as we require it. At the same time, if the Government is at all anxious for the development of the country, let them follow the example of the Mauritius and Natal Governments, and supply the Coolies to the planters; the latter will do the rest, and a very few years will prove the wisdom of such a course, and show that enterprise must command success under a Government that will do its duty.

The Honorable the Colonial Treasurer.

I have, &c.,  
(Signed) C. B. WHISH.

(6.)

The Senior Naval Officer to His Excellency the Governor.

Her Majesty's Ship "Esk,"  
Sydney, 4 June, 1867.

Sir,

I have the honor to acknowledge the receipt of your letter, dated 28th May, and its enclosures, containing information concerning the South Sea Island natives employed in the Colony of Queensland.

I am greatly obliged for the above information, and am now well satisfied that the South Sea Island labour traffic to Queensland will continue to be carried on with justice, and will be of great benefit to the natives themselves.

Consul Jones, of the Fiji, has also, I am informed, laid down regulations, and taken measures to enforce them, for the labour traffic between the New Hebrides and the Fiji group.

Her Majesty's ship "Falcon" is now on a cruise to the islands, and has orders to investigate any complaints made, either by Europeans or natives, and also to request the assistance of the Missionaries in investigating the circumstances attending the recent loss of vessels, and the reported murder of their crews at the island of Hinchinbroke, New Hebrides.

The new Commodore will thus have a clear statement of the whole case of the island labour traffic; and if the report made by the Captain of the "Falcon" contains matter likely to be of interest to you, I will request that such information may be forwarded to you.

His Excellency, Sir George Bowen, G.C.M.G.,  
&c., &c., &c.,  
Governor of Queensland.I have, &c.,  
(Signed) J. P. LUCE,  
Captain and Senior Officer.

(7.)

The Under Colonial Secretary to The Police Magistrate, Brisbane.

Colonial Secretary's Office, Brisbane,  
5 July, 1867.

Sir,

Representations having been made to the Government that much dissatisfaction prevails at some of the South Sea Islands at the protracted absence of many of the islanders who were induced to come to Queensland as labourers under promise of free return passages in 12 months, and this dissatisfaction having undoubtedly led to some, if not all, of the barbarous murders perpetrated upon Europeans visiting the South Sea Islands, I am directed to inform you that the Government deem it desirable to obtain information touching the condition and treatment of such islanders as may from time to time be brought to this Colony as labourers upon sugar or cotton plantations; and for this purpose it has been directed that the Police Magistrate of the district in which any such islanders may be employed shall periodically inspect all such plantations, and report to the Colonial Secretary the result of his observations.

## 48 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

observations touching the condition and treatment of the islanders. It is believed that, at the present moment, islanders will be found only on plantations in the Moreton Bay District, the principal ones being "Townvale," on the Logan, and "Redland Bay." To these plantations I am instructed to request you will make periodical visits, and, in terms of the Minute of Council, report fully to this office.

I have, &c.,  
(Signed) ROBERT GRAY,  
For the Under Colonial Secretary.

The Police Magistrate, Brisbane.

(8.)

The Police Magistrate of Brisbane to the Under Colonial Secretary.

Police Office, Brisbane,  
25 September, 1867.

Sir,

I have the honor to report, for the information of the Government, that, in accordance with the instructions conveyed in your letter of 5th July ultimo, relative to the South Sea Islanders employed on various establishments within the district of Brisbane, I proceeded, on the 12th instant, to the cotton plantation of Captain Towns, on the Logan River Reserve, where the description of labour referred to has been largely introduced.

2. Annexed to this report will be found the information given in the form of questions and answers by Captain Towns' present manager on the plantation, Mr. Walker, together with a return furnished me by that gentleman, showing—

The number of islanders brought into the country by Captain Towns, from the 18th August, 1863, to the present time.

The number of those returned to their respective islands in the same period.

The deaths that have taken place. And—

The number at present on the plantation; with other particulars.

3. It appears that, in the period named, 299 islanders have been introduced by Captain Towns, of whom 77 have been returned to their homes, 10 have been forwarded to Cleveland Bay, and 14 have died; leaving 198 at present employed on the plantation.

4. Of the whole number brought to this country (299), 67 only appear to have been engaged for 12 months, and to have been returned at the expiration of their agreement, namely, those who arrived in 1863 by the "Don Juan."

5. The rest have been engaged for a term of three years from the date of arrival.

6. Of the total number (134) brought here in 1864 by the "Uncle Tom," only 104 are left on the plantation; 10 have been returned; 10 have died; and 10 have been sent to Cleveland Bay, of whom no information could be given me by Mr. Walker.

7. The agreement of the first lot imported by the "Uncle Tom," in 1864, expired on the 8th June last; but up to the present time, of this number (54), 10 only, referred to in the preceding paragraph, have been allowed to return home.

8. The reason given by Mr. Walker for detaining these men beyond the time for which they had agreed to remain (which will be found in the answers to questions Nos. 10 and 11), is by no means satisfactory. The necessity of keeping faith with this peculiar race of people is too obvious to need any comment, and any breach of it may be attended with very serious consequences elsewhere.

9. The agreement of the second lot brought out by the "Uncle Tom" will not expire until 28th November, 1867; but, according to Mr. Walker's statement, a direct promise has been made to those men that they shall return in the present month with those whose agreement expired on the 8th June last. (*Answers to Questions 12, 13.*)

10. This promise should be strictly adhered to, and must be presumed to be made with Captain Towns' sanction.

11. Fourteen deaths are reported to have taken place out of the number brought to this country between 18th August, 1863, and 16th September, 1867 (299).

12. Of this number, three occurred on board ship after arrival in Moreton Bay; the other eleven deaths took place on the Logan River Plantation.

13. No magisterial inquiry has been held in any one case.

14. As the plantation where so many of these islanders are employed does not appear to be visited periodically, or even occasionally, by any medical man (*Question 24*), it would seem more necessary, than under ordinary circumstances, to have every death that occurs amongst them made the subject of a proper inquiry.

15. There are, at least, three Magistrates within a short distance of the plantation, to either of whom, in the event of a death taking place, application could readily be made.

16. I have only to add, that so far as can be judged from the manner and appearance of the islanders themselves, they are well cared for, and are amply supplied with wholesome food for maintaining their health and physical condition.

I have, &c.,  
H. H. MASSIE.

12 SEPTEMBER, 1867.

INFORMATION of Mr. Walker, Manager of the Logan River Reserve Cotton Plantation, respecting the South Sea Islanders employed in the establishment.

1. You are manager for Captain Towns, the owner of the plantation? Yes.

2. How long have you had charge of the establishment? About two years and three months.

3. Were any South Sea Islanders employed on the plantation before you took charge of it? Yes.

I see by a Custom House return, that sixty-seven islanders were introduced in 1863, and were returned in 1864. These were the first that were employed, and their term of agreement was only twelve months.

4. When you took charge of the establishment, how many islanders were employed? 114 (one hundred and fourteen). (*See Appendix.*)

5. What was the name of the ship by which they arrived, and the date of their arrival? Fifty-four were brought by the "Uncle Tom," on 8th June, 1864, and eighty by the same ship, 28th November, 1864.

6. Have you got a copy of the agreement made with these men at the time they were engaged? No, I have no duplicate in my possession. I believe Captain Towns has the original.

7. What was the term of their agreement? Three years from the date of their arrival.

8. Then the term of service of the fifty-four, who arrived on the 8th June, 1864, has expired? Yes.

9. Have they been returned since the expiration of their service to their respective homes, and, if so, by what ship? Of the whole number (134), introduced by the "Uncle Tom" in 1864, ten only have been

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 49

been returned up to the present time; one returned by the "Uncle Tom" after her first trip in June, 1864; seven Murray men were sent back in September, 1866, by the "Speck," Daly, master; and (2) two more (one a Tanna man, the other a Sandwich man), were sent back in May or June, 1867, by the "King Oscar."

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

10. Can you give any reason why these men were kept beyond the time for which they had agreed to remain? The only opportunity that occurred of sending them back was by the "King Oscar," this month. They seemed unwilling to go back by her. It was explained to them that if they were willing to remain a little longer, they might all return together,—that is, both lots brought here by the "Uncle Tom," in 1864.

11. Were they satisfied with this arrangement; was it their own wish to remain? Yes, I believe so. I dare say they would be glad to get home, but they seemed unwilling to go by the "King Oscar."

12. Have any arrangements been made for sending them home at once? Captain Towns went down to engage a vessel in Sydney for that purpose. I believe she is on her way up now. As soon as she arrives, they will all be sent back to their respective islands at once.

13. That is, the men whose agreement expired in June last, and the rest whose agreement has still to run to 28th November, proximo? Yes; both lots will be sent home together as soon as Captain Towns' ship arrives.

14. What are the names of the islands to which they belong respectively? Yeissy men, 14; Tanna men, 52; My men, 18; Sandwich men, 20; total, 104.

15. Since you took charge of the establishment, what number of islanders have been introduced? Ninety-eight; of this number, sixty-three came by the "Speck," Daly, master, in September, 1866, and thirty-five by the "King Oscar," in August, 1867.

16. Have you got a copy of the agreement made with these men? No; but in each case the term of agreement was three years from the date of arrival.

17. Previous to your taking charge of the establishment, are you aware how many deaths occurred? I cannot state positively; I know there were several; I think I might be able to ascertain. (See Appendix.)

18. Is any proper record kept of the arrivals, departures, deaths, casualties, and other particulars connected with the islanders that are employed on the establishment? No; but I think it desirable that some such record should be kept.

19. How many deaths have taken place since you have been in charge yourself? Six in all.

20. Can you give me the particulars in each case? Two out of the six deaths have occurred among the late arrivals by the "King Oscar." One died on the 19th August, 1867, from diarrhoea; the other on the 2nd September, from bronchitis and lung disease; I cannot give the particulars of the other deaths.

21. Has any Magistrate ever been applied to to hold an inquiry? No; not in my time.

22. Have the deaths in each case been registered at the nearest registry office? Printed forms of returns have always been made to the head office in Brisbane.

23. Is the establishment ever visited or inspected periodically by any medical man? No; I have a supply of medicines, and I treat the cases as they occur myself.

24. Has a medical man ever been sent for on any special occasion? No; two men were sent to the Brisbane hospital for treatment, and they came back.

25. What is the general state of health of the islanders on the establishment? Very good indeed; they are remarkably healthy.

26. What is the prevailing form of sickness amongst them? Affection of the lungs, with occasional slight ailments, such as sick head-ache, proceeding from derangement of the stomach.

27. Has the establishment been visited by any minister of religion? Two visits have been made by Roman Catholic clergymen. Each visit was made on a Sunday, and Divine service was performed.

28. Have the islanders any form of worship amongst themselves; do they observe the Sabbath? No; they keep the Sunday, but only as a holiday.

29. What is the state of education amongst them; can any of them read or write? Those on the plantation at present are wholly uneducated.

30. Has any immorality ever been observed amongst them? No; I never had the slightest reason to suspect that any such existed amongst them.

31. Have any of them formed connections with European or Native women? No; they seem to have a special contempt for the aboriginal population of this country. They never associate with them at all.

32. What is the general nature of the services performed by the islanders? They are principally employed as field labourers in the cultivation of cotton. About fifteen of them have been taught since they came on the plantation to drive bullocks and horses, to split shingles and fencing stuff, and to act as stockmen, but there are none of them very skilful.

33. Are they generally intelligent, docile, and willing, in the performance of any duties required of them? Very few of them show much intelligence on their first arrival; they are very slow, and require a deal of teaching, but they are exceedingly tractable, and very willing to do all they are asked to do.

34. If they are idle and negligent, or refuse to work, how are they dealt with? We stop their tobacco, and on some occasions make them change their quarters from one part of the plantation to another. They seem to have a great dislike to be separated from those with whom they have been in the habit of associating, but it is generally sufficient to threaten them with this; the threat is very seldom carried out.

35. Have you any white overseers under you? Yes: two at present; but they only see that any orders that are given generally are carried out. They have no special authority; if they have any complaints to make, they must report them to me. No islander is ever allowed to be struck or beaten. Personal ill-treatment of any kind is strictly forbidden.

36. Are there any native overseers; and if so, what is the nature and extent of their authority? They generally look up to some one of their own number appointed by themselves as head man. He is generally the mouth-piece, and instructions are given through him to the rest of the gang under him; but he has no authority over the others from me.

37. Is there any interpreter who can thoroughly understand and explain their grievances or grounds of complaint if any such should arise? There is no regular interpreter; but after they have been here some time, most of them can speak pretty good English. The Sandwich men can generally speak good English on their arrival.

38. Have they ever expressed a wish to make their complaint to a Magistrate, or Missionary, or some person whom they suppose to have authority independent of their employers? No, never.

39. Have you ever had any experience yourself in the management of South Sea Islanders before you had charge of this plantation? No.

40. What European labour do you employ on the establishment? Is there any jealousy or ill-feeling between the two races? There are about twenty Europeans employed, principally as mechanics, engineers, and skilled labourers. Some of them have wives and families. There never has been the slightest disagreement between them and the islanders.

41. What are the working hours observed on the establishment? From six in the morning to six o'clock in the evening. During that time they are allowed one hour for breakfast, and two hours for dinner in the summer; and one hour for breakfast, and one hour for dinner in winter. That is the regular allowance, but in the hot weather they have, in addition, occasional short intervals of rest.



1867.

## QUEENSLAND.—LEGISLATIVE ASSEMBLY:

## TRADE BETWEEN QUEENSLAND AND SOUTH SEA ISLANDS.

(Ordered by the Legislative Assembly to be Printed, 15th October, 1867.)

RETURN to an Order made by the Honorable the Legislative Assembly of Queensland, dated 9th October, 1867, That there be laid upon the Table of this House a Return, shewing:—

- " (1.) The number, names, and registered tonnage of all vessels engaged in trading between the several ports of this Colony and the South Sea Islands, from 10 December, 1859, to the present time.  
 " (2.) The names of the owners, masters, and consignees of said vessels; also, the names of the persons by whom the same were chartered.  
 " (3.) The date of arrival and departure of each vessel respectively, and the entries of the cargo inwards and outwards.  
 " (4.) The number of South Sea Islanders brought by each vessel; the names of the persons by whom they were brought, and of those to whom they were consigned; also the date of their arrival.  
 " (5.) The number of South Sea Islanders who have been returned to their homes in the said vessels; the date of their departure; and the names of persons in whose charge they were sent.  
 " (6.) A copy of the Government Regulations under which this immigration has been conducted."

(Dr. Challinor.)

RETURN shewing the number of South Sea Islanders who have arrived at the Port of Brisbane, from the 10th December, 1859, to the present time—10th October, 1867—and other information on this subject, as moved for in the Legislative Assembly, by Dr. Challinor, as can be supplied by the Customs Department.

Date of Arrival.	Vessels.	Tonnage.	Owners.	Masters.	Names of Persons by whom chartered.	Number of Passengers.		Names of Persons by whom brought.	Consignees.	Cargo.
						Natives.	Whites.			
18 November, 1861 ...	Coquette .....	72	Unknown ...	A. Coutts .....	Unknown .....	.....	.....	Unknown .....	Captain, agent .....	Ballast.
18 August, 1863 ...	Don Juan .....	130	Ditto ...	Grueber .....	Ditto .....	67	.....	Ditto .....	R. Towns & Co. ....	Ditto.
8 July, 1864 ...	Uncle Tom .....	166	Ditto ...	Leonard .....	Ditto .....	54	.....	Ditto .....	Ditto .....	30 tons yams.
28 November, 1864 ...	Ditto .....	166	Ditto ...	Smith .....	Ditto .....	80	.....	Ditto .....	W. H. Palmer & Co. ....	Sundries.
15 December, 1865 ...	Black Dog .....	142	Ditto ...	Linklater .....	Ditto .....	118	.....	Ditto .....	Alexander & Armour ....	Ballast.
11 June, 1866 ...	Mary Ida .....	16	Ditto ...	Mollet .....	Ditto .....	.....	.....	Ditto .....	Captain, agent .....	7,000 cocoa-nuts.
27 September, 1866 ...	Spec .....	161	Ditto ...	J. Daly .....	Ditto .....	63	.....	Ditto .....	O'Reilly & Pritchard ....	Ballast.
16 August, 1867 ...	King Oscar .....	248	Ditto ...	Gibbins .....	Ditto .....	225	.....	Ditto .....	Bright Brothers .....	Sundries.
18 September, 1867 ...	Courier .....	34	Ditto ...	Webster .....	Ditto .....	.....	6	Ditto .....	Orr & Honeyman .....	18 tons guano.
					TOTAL .....	607	6			



RETURN shewing the number of South Sea Islanders who have departed from the Port of Brisbane, from the 10th December, 1859, to the present time—10th October, 1867—and other information on this subject, as moved for in the Legislative Assembly, by Dr. Challinor, as can be supplied by the Customs Department.

Date of Arrival.	Vessels.	Tonnage.	Owners.	Masters.	Names of Persons by whom chartered.	Number of Passengers.		Names of Persons in charge.	Consignees.	Cargo.
						Natives.	Whites.			
15 April, 1863	Cæsar Goddefroy	428	Unknown	Frachtnich	Unknown		1	Unknown	Turner & Higginson	Part of original from Hamburg.
17 August, 1863	Alster	346	Ditto	Hansen	Ditto			Ditto	Ditto	Ditto ditto.
12 September, 1864	Uncle Tom	166	Ditto	Smith	Ditto	70	1	Ditto	Ditto	Part of original from Sydney.
21 August, 1865	Helene	366	Ditto	Hennings	Ditto			Ditto	Heussler & Co.	Part of original from Hamburg.
6 October, 1866	Spec	161	Ditto	J. Daly	Ditto	7		Ditto	O'Reilly & Pritchard	Original from Sydney.
11 September, 1867	King Oscar	248	Ditto	Gibbins	Ditto	9	3	Ditto	Bright Brothers	General cargo.
1 October, 1867	Courier	34	Ditto	Webster	Ditto		3	Ditto	Orr & Honeyman	Sundries.
7 October, 1867	Heather Bell	188	Ditto	Brown	Ditto	115	2	Ditto	O'Reilly & Pritchard	General cargo.
TOTAL						201	10			

RETURN shewing the number of South Sea Islanders who have arrived at the Northern Ports of Queensland, from the 10th December, 1859, to the present time—10th October, 1867—and other information on this subject, as moved for in the Legislative Assembly, by Dr. Challinor, as can be supplied by the Customs Department.

Date of Arrival.	Vessels.	Tonnage.	Owners.	Masters.	Names of Persons by whom chartered.	Number of South Sea Islanders.	Names of Persons by whom brought.	Consignees.	Cargo.
ROCKHAMPTON. 4 September, 1867	City of Melbourne	177	Not known.	Weiss	Not known	26	Not known		7 packages sundries.
BOWEN. 16 June, 1865	Telegraph	20	Ditto	W. Banner	Ditto	30	Ditto		Ballast.
29 September, 1866	Percy	34	Ditto	T. Harris	Ditto	50	Ditto		Ditto.
8 July, 1867	Fanny Nicholson	285	Ditto	G. Carphim	Ditto	201	Ditto		Ditto.
MACKAY. 13 May, 1867	Prima Donna	85	Ditto	Cook	Ditto	70	Ditto		Sawn timber.

RETURN shewing the number of South Sea Islanders who have departed from the Northern Ports of Queensland, from the 10th December, 1859, to the present time—10th October, 1867—and other information on the subject, as moved for in the Legislative Assembly, by Dr. Challinor, as can be supplied by the Customs Department.

Date of Arrival.	Vessel.	Tonnage.	Owner.	Master.	Name of Person by whom chartered.	Number of South Sea Islanders.	Name of Person in charge.	Consignee.	Cargo.
ROCKHAMPTON. 24 September, 1867	City of Melbourne	177	Not known.	Weiss	Not known	Nil	Not known		Part of original, and 30 head of cattle.

(Signed)

WILLIAM THORNTON, Collector of Customs.

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 53

## No. 10.

COPY of a letter from the Right Honourable C. B. Adderley, M.P., to L. A. Chamerovzow, Esq.

Downing-street,  
19 June, 1868.

Correspondence  
between Colonial  
Office and British  
and Foreign  
Anti-Slavery  
Society.

No. 10.  
Right Hon. C.B.  
Adderley, Esq.,  
M.P., to L. A.  
Chamerovzow,  
Esq.  
19 June 1868.  
\* Page 44.

SIR,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of 6th instant,\* enclosing copies of the authorities on which you ground the third and eighth statements in your previous letter of the 13th March, on the subject of the introduction of South Sea Islanders into Queensland.

The third statement was, that considerable numbers of South Sea Islanders had been "kidnapped and forcibly brought into the Colony." The eighth was, "That persons occupying responsible public positions are engaged also in this traffic."

His Grace finds in the papers before him no ground for the allegation that the islanders or any of them had been kidnapped for the purpose of being sent to Queensland, or that persons occupying responsible public positions are engaged in this traffic. His Grace observes that the charges rest wholly on statements made by a person not named to Captain Luce of Her Majesty's ship, "Esk," who, on receiving authentic information from Queensland, withdraws those charges, and expresses his opinion that "the South Sea Island labour traffic to Queensland will continue to be carried on with justice, and will be of great benefit to the natives themselves."

You also stated "that although promises were held out to these people that they should be restored to their homes within a given term, none have been sent back from the northern ports, and only 201 from Brisbane;" leaving it to be inferred that a large number of such promises had been made and had not been kept.

With regard to this charge, it appears, from the authorities adduced by you, that on 25th September, 1867, there were on Captain Towns' plantation 198 islanders, of whom fifty-four had become entitled to return home on the 8th of the previous June, but had been unwilling to avail themselves of the opportunity which then offered. It was then alleged that their employer intended to send them home with another party of islanders, whose term of engagement was shortly to expire; and it appears in fact that 115 natives did leave Brisbane in October, 1867.

These being the facts, as alleged in the very papers tendered in support of the charges, His Grace cannot but express his extreme surprise that such charges should ever have been made.

His Grace desires me to add that the subject is receiving and will continue to receive, the careful attention of Her Majesty's Government.

The enclosures to your letter now under acknowledgment will shortly be returned to you.

I am, &c.  
(Signed) C. B. ADDERLEY.

Correspondence between the Colonial Office and the Aborigines  
Protection Society.

## No. 1.

COPY of a Letter from Lord Alfred Churchill, M.P., to His Grace the Duke of Buckingham and Chandos.

16, Rutland-gate, S.W.,  
25 March, 1868.

Correspondence  
between Colonial  
Office and Abori-  
gines Protection  
Society.

No. 1.  
Lord Alfred  
Churchill, M.P.,  
to His Grace the  
Duke of Bucking-  
ham and  
Chandos,  
25 March, 1868.

MY LORD DUKE,

I have the honor to forward herewith a Memorial adopted by the committee of the Aborigines Protection Society, in which it is stated it has been the custom of certain British subjects in Queensland, to prosecute a traffic in native South Sea Islanders; that it appears no proper precautions have been adopted by the Government of the Colony to regulate this traffic, and that the natives of these islands state that the atrocities they have recently committed upon Europeans have been done in revenge for the loss of many of their countrymen, who were carried away three years ago to Queensland, by Europeans, who hired them as labourers, and who promised to return them to their homes in 12 months.

The Memorial also prays that your Grace may for the future withhold your sanction from the traffic in any form.

I have, &c.  
(Signed) ALFRED S. CHURCHILL.

His Grace the  
Duke of Buckingham and Chandos,  
to Her  
Majesty's Secretary of State for Colonies.

[Enclosure.]

## 54 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

Correspondence  
between Colonial  
Office and Aborigines  
Protection  
Society.

Encl. in No. 1.

[Enclosure in No. 1.]

To His Grace the Duke of Buckingham, Her Majesty's Principal Secretary of State for the Colonies.

On behalf of the Committee of the Aborigines Protection Society, we desire respectfully to call your Grace's attention to the traffic in native South Sea Islanders, which has been prosecuted for several years past by certain British subjects in the Colony of Queensland.

The traffic has existed wholly without the sanction of the law, for an act of the Colonial Legislature authorizing Coolie immigration from India, cannot possibly be made to legalize a traffic which is carried on with countries beyond British jurisdiction, and which is manifestly open to so many grave abuses. The same objection which proved fatal to the so-called immigration of negroes from the Coast of Africa applies with equal and irresistible force to the exportation of South Sea Islanders.

Even if this plea of illegality broke down, it yet appears that the Government of Queensland took no steps whatever to subject this species of imported labour to the regulations which the Duke of Newcastle's Despatch had rendered obligatory in regard to Coolies. It is true that the traffic scarcely admitted of regulations in the islands themselves, but it might easily have been placed under proper official control in the ports and plantations of Queensland. That such control was not exercised, is greatly to be deplored.

We greatly fear that an intimate relation will be found to subsist between this traffic and certain painful events which took place in 1865. In that year Commodore Sir William Wiseman destroyed several villages in the New Hebrides, in retaliation for outrages alleged to have been committed by natives on the persons of British seamen. Our impression that such a connection exists, is confirmed by a letter addressed by Captain J. P. Luce, of Her Majesty's ship "Esk," to Sir George Bowen, Governor of Queensland, and dated Sydney, 25th April, 1867. Captain Luce writes:—

"I have lately received reports of the loss of several vessels and the murder of several Europeans at Hinchinbroke, and other islands of the New Hebrides group. I enclose an extract from a letter written by a trader in that group, wherein you will see that he is informed, the natives say that they are doing these atrocities in revenge for the loss of many of their countrymen who were carried away three years ago to Queensland and the Fiji Islands, by Europeans, who hired them as labourers, and promised to return them to their homes in 12 months. The trader writes, 'I have been cautioned by several of the chiefs, and told to keep a good look-out, as the natives are determined to have revenge on the white man, as he had taken the men of the Islands, and agreed to bring them back in twelve months, which is over three years. This I know to be the case with parties in Queensland and Fiji Islands.'"

The gallant officer then puts some pertinent inquiries with reference to the introduction of natives from the New Hebrides into the Colony of Queensland, and adds:—

"I know from my own experience, that many of the vessels trading to the New Hebrides are manned by rough and very lawless men, who, finding themselves beyond the reach of any civilized power, behave towards the natives with injustice. Now that the New Zealand war is over, it is to be hoped that vessels of the squadron may be able frequently to visit the Islands, and to see that the trade is carried on with justice, and according to law."

We understand that a Bill for the regulation of the traffic is now before the Queensland Legislature. We venture to submit that this step is taken too late. The system has already produced strife and bloodshed in the South Sea Islands, and if persisted in, will probably entail still greater evils in time to come. We believe that no regulations that may hereafter be established, will be efficacious in allaying the distrust which has already been excited among the natives, or in preventing great abuses from taking place in the islands from which the labourers are obtained. We, therefore, venture to hope that a consideration of all facts now submitted to your Grace, will induce Her Majesty's Government to withhold its sanction from the traffic in any form.

We have, &c.,  
(Signed) ALFRED S. CHURCHILL, Vice President.  
W. M. TORRENS, M.P.  
RICHARD NORTON, Treasurer.  
F. W. CHESSON, Secretary.

65, Fleet-street, 23 March, 1868.

No. 2.  
Sir Frederic  
Rogers, Bart., to  
Lord Alfred  
Churchill, M.P.  
27 April, 1868.

## No. 2.

COPY of a letter from Sir Frederic Rogers, Bart., to Lord Alfred Churchill, M.P.  
Downing-street, 27 April, 1868.

MY LORD,

I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 25th ultimo, forwarding a Memorial adopted by a committee of the Aborigines Protection Society, on the subject of the introduction into Queensland of South Sea Islanders as labourers.

I am desired by his Grace to state that the question is now under the consideration of Her Majesty's Government.

I am, &c.,  
(Signed) FREDERIC ROGERS.

Other  
Correspondence.

## Other Correspondence.

## No. 1.

No. 1.  
The Right Hon.  
Sir John Trollope,  
M.P., to the  
Right Hon. the  
Secretary for the  
Colonies  
14 April, 1868.

COPY of a letter from the Right Honorable Sir John Trollope, Bart., M.P. to the Right Honorable the Secretary for the Colonies.

Casewick, Stamford, 14 April, 1868.

SIR,

I have the honor to forward to you an inquiry by the father of a seaman of the "Mary Ida," of Sydney, supposed to have been murdered, with others of the crew of that vessel, by natives of one of South Sea Islands; and H. M. S. "Curaçoa" having been required to investigate the circumstances, your office or the Admiralty may be in possession of the facts of the case, and if so, you will have the goodness to communicate them to the Memorialist, whose statement I enclose, the father of one of the men supposed to have been murdered.

The Right Honorable  
The Secretary for the Colonies.

I have, &c.,  
(Signed) JOHN TROLLOPE, M.P.,  
County Lincoln.

[Enclosure]

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 55

[Enclosure in No. 1.]

Sutton Bridge, Lincolnshire,  
27 March, 1868.Other  
Correspondence.  
Encl. in No. 1.

Right Honorable Sir,

I respectfully beg to state, that in consequence of not having heard any further particulars relating to the fate of the schooner "Mary Ida," of Sydney, Unthank, master; the vessel on board which my son, John Percy, William Unthank, the owners, and Henry Collins, was murdered by the natives of Sandwich Island; I again humbly beg to request you will be so kind as to cause inquiry to be made at the Colonial Secretary's Office, or at any other department, to know the result of the investigation, if any, made by the Commander of H.M.S. "Curaçoa," which was said had been sent on to investigate the affair, and to know if any of the property have been recovered from the Chief of that island. I also beg to state, before leaving Sydney, the owners purchased goods to the value of about £500, on purpose for trading at the South Sea Islands, sold at New Caledonia goods to the amount of about £300, and then proceeded to the Sandwich Island with the remainder of cargo; also I wish to know if the vessel has been sold, with her stores, &c., which was recaptured by Mr. Havinden, and taken to Pueblo, New Caledonia, and left in charge of Mr. Henry.

Trusting you will excuse my freedom, not deeming it necessary to forward the above through the favor of Mr. W. Skelton, as you kindly offered to forward any other inquiry into this unhappy event.

Right Hon. Sir John Trollope, Bart., M.P.

I am, &c.,  
(Signed) E. PERCY.

## No. 2.

Copy of a letter from T. Frederick Elliot, Esq., to Mr. E. Percy.

Downing-street, 29 May, 1868.

No 2.  
T. Frederick  
Elliot, Esq., to  
Mr. E. Percy.  
29 May, 1868.

SIR,

I am directed by the Duke of Buckingham and Chandos, to inform you that your letter of 27th March, addressed to Sir John Trollope, was forwarded by him to this department, and that inquiry has been made by his Grace's desire, at the office of the Lords Commissioners of the Admiralty, whether any further information had been received, respecting the plunder of the "Mary Ida," of Sydney, and the murder of the crew by the natives of the New Hebrides.

It appears, that the Admiralty have no information beyond what has been already communicated to you, except that stated in a postscript to a report of Commander Blake, dated 4th August, 1867, to the effect that the money taken out of the "Mary Ida," to the value of £18 7s. 9½d., recovered from the Chief of Emel Island, is retained by that officer for the purpose of being delivered over to your agent and to the agent of Mr. Unthank, at Sydney.

I have, &c.,  
(Signed) T. FREDERICK ELLIOT.

## APPENDIX.

## QUEENSLAND.

ANNO TRICESIMO PRIMO VICTORIÆ REGINÆ.

No. 47.

## AN ACT to Regulate and Control the Introduction and Treatment of Polynesian Labourers.

<b>Preamble.</b>	WHEREAS many persons have deemed it desirable and necessary, in order to enable them to carry on their operations in tropical and semi-tropical agriculture, to introduce to the Colony Polynesian labourers: And whereas it is necessary for the prevention of abuses and for securing to the labourers proper treatment and protection, as well as for securing to the employer the due fulfilment by the immigrant of his agreement, that an Act should be passed for the control of such immigration: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—
Not lawful to introduce Polynesian labourers, except according to regulations.	1. It shall not be lawful for any person or persons to introduce any Polynesian labourers into the Colony of Queensland, unless and except in accordance with the regulations contained in this Act and the forms thereunto attached.
Present employers to make returns within four months from passing of Act.	2. Within four months from the passing of this Act all persons who have in their employment any Polynesian labourers shall make a return to the Immigration Agent or other authorized agent of all such labourers in their employment, setting forth the number and names of such labourers, the nature and duration of their agreements, together with all such particulars as may be required.
Penalty for failure in making returns.	3. Any person employing any Polynesian labourers, who shall fail to make a return as required by the foregoing clause, shall, on conviction of the same before any two Justices of the Peace, be subject to a penalty not exceeding £50.
Act to apply to employers and labourers at the time of passing. Inspectors to be appointed.	4. The provisions of this Act shall, so far as practicable, be applied to all Polynesian labourers introduced into this Colony before the passing of this Act and to their employers.
Form of application.	5. The Governor, with the advice of the Executive Council, shall appoint from time to time such person or persons as shall be found requisite for the proper inspection of the said Polynesian labourers and enforcing the provisions of this Act.
Vessel to be properly found.	6. All persons desirous of importing labourers from the South Sea Islands shall make application to the Colonial Secretary at Brisbane, in the Form A. appended hereto, stating the number required and how they are to be employed; such application to be accompanied by a bond in Form K., signed by applicant and two sureties, to secure the return of the labourers to their native islands at the expiration of three years or 39 moons from date of arrival. A license in Form C. may then be issued, authorizing the applicant to import the number required.
Penalty.	7. The owner or charterer of any vessel so licensed shall provide for the use of the passengers a supply of medicines, medical comforts, instruments, and other things proper and necessary for diseases and accidents incident to a sea voyage, and for the medical treatment of the passengers during the voyage, including an adequate supply of disinfecting fluid or agent, together with printed or written directions for the use of the same respectively; and such medicines, medical comforts, instruments, and other things, shall, in the judgment of the emigration officer at the port of clearance, be good in quality and sufficient in quantity for the probable exigencies of the intended voyage, and shall be properly packed and placed under the charge of the medical practitioner, when there is one on board, to be used at his discretion. In case of non-compliance with any of the requirements of this section, the master of the ship shall for each offence be liable to a penalty not exceeding £50 nor less than £5 sterling.
Master of vessel to report arrival, &c.	8. The master of any vessel arriving with Polynesian labourers shall be bound to report, on arrival at any of the ports of Queensland, the number of such labourers and the names of the employers to whom they have been or are to be indentured, and shall not be permitted to land any of the immigrants until he has received the certificate (Form L.) of the Immigration Agent or other officer of the Government empowered to grant same, that the following regulations have been complied with:—
Master of vessel to produce certificate.	(1.) The production by the master of the vessel of a certificate in Form I., or certificate signed by a Consul, Missionary, or other known person, that the labourers have voluntarily engaged themselves, and entered into their agreements with a full knowledge and understanding of the nature and conditions of same, and that when they were embarked they were not known to be afflicted with any disease, and were neither maimed, halt, blind, deaf, dumb, idiotic, or insane.
Employers to produce certificate of Immigration Agent.	(2.) The production by the employers, or parties to whom the labourers are or are intended to be indentured, of the certificate in Form C. authorizing them to recruit.
Immigrants to understand the nature of their agreements.	(3.) That proper means have been taken, since the arrival of the ship, by the Immigration Agent or other officer, by explanations, questions, and inquiries, amongst the labourers themselves, to ascertain whether they have a proper understanding of the conditions of the agreements, and did voluntarily enter into same. That the agreements have been signed in the form prescribed, and the employers bound to observe the rules laid down for the treatment and management of the labourers.
Agreements to be completed on board ship, where practicable.	9. All agreements (Form D.) shall be completed on board the ship, if possible, and the immigrants taken from same by their employers; and should there arise a necessity for taking any of the labourers to the Immigration Depot, their maintenance there shall in all cases be borne by the employer.
Immigrants to be registered on arrival.	10. The arrival of the immigrants shall be registered in the Immigration Office, Brisbane, or at the Custom House in any other port; and, in the latter case, a copy of the register shall be forwarded by the Customs officer to the Immigration Office by following mail.
Scale of rations.	11. The scale of rations and wages shown in Form G., and printed on the form of agreement, shall in no case be deviated from.
Register to be kept by employer.	12. A register of hired Polynesian labourers shall be kept by each employer, in Form E., which shall be open for the inspection of any Magistrate, or other person appointed by Government for the purpose, who shall record his visit therein. No entry, except the state of muster at the expiration of each quarter, shall be made in the register of the employer, unless from a document of hiring, transfer, death, or desertion, countersigned by the Immigration Agent or other authorized officer.
Transfers, how made.	13. No transfer of an immigrant shall be made except with the full consent of the transferor, the immigrant, and the Government, in Form F.; and no immigrant shall be allowed to leave his employment under transfer until the same has been recorded in the books of the Immigration Office or other appointed office. All transfers shall be signed by the transferor and immigrant in presence of a Magistrate,

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 57

trate, who shall, before such signing, explain to the immigrant the full meaning and effect of such transfer; provided that every transferee shall enter into a bond similar to that of the transferor prior to any transfer being consented to.

14. All deaths or desertions shall be immediately reported to the nearest Bench of Magistrates, and to the Immigration Agent, by the employer; and, in case of death, a medical certificate of the cause thereof shall be forwarded, if possible. Deaths or desertions to be reported immediately.

15. All masters of vessels about to proceed to the South Sea Islands, in order to obtain labourers therefrom, shall enter into a bond, in Form B., with two sufficient sureties, for the prevention of kidnapping, and for the due observance of these regulations, so far as they are concerned. Masters of vessels to execute bonds prior to proceeding to hire labourers.

16. No ship shall carry a greater number of passengers than in the proportion of one statute adult to every 12 clear superficial feet allotted to their use; provided that the height between decks shall not be less than 6 feet 6 inches from deck to deck. When the height of the 'tween decks exceeds 6 feet 6 inches, an extra number of passengers may be taken at the rate of one for every 144 cubic feet of space. Each ship must be fitted with open berths or sleeping places, in not more than two tiers; the lowest tier shall be raised 6 inches from the deck, and the interval between the two tiers of berths shall not be less than 2 feet 6 inches. All passengers shall be berthed between decks or in deck-houses. Number of passengers. (Vide, Imperial Act, 16 & 17 Vic. c. 84.)

17. But no ship, whatever her tonnage or superficial space of passenger decks, shall carry a greater number of passengers on the whole than in the proportion of one statute adult to every 5 superficial feet clear for exercise on the upper deck or poop, or, if secured and fitted on the top with a railing or guard to the satisfaction of the emigration officer at the port of clearance, on any round-house or deck-house. Proportion of passengers to deck area.

18. The length of the voyage to or from the South Sea Islands shall be computed at thirty days for sailing vessels and fifteen days for steamers. Length of voyage.

19. Three quarts of water daily during the voyage shall be allowed to each adult, exclusive of the quantity used for cooking purposes. Water on the voyage.

20. Provisions shall be issued to each statute adult during the voyage, according to the following scale, namely:— Provisions on the voyage.

## DAILY PROVISION FOR STATUTE ADULT.

	lbs.	ozs.
Yams .....	4	0
Or rice .....	1½	0
Or maize meal .....	1½	0
Meat (pork or beef) .....	1	0
Tea .....	0	0½
Sugar .....	0	2
Tobacco (during good behaviour) per week .....	0	1½

The undermentioned clothing shall be supplied to each labourer immediately on embarkation, in advance:—

- 1 Flannel shirt.
- 1 Pair trousers.
- 1 Blanket.

21. Nominal returns of labourers shall be made by employers of South Sea Island labour to the Immigration Agent, at the expiration of each quarter, in Form H. Nominal return to be sent at expiration of each quarter.

22. At the end of each quarter the Police Magistrates, or Bench of Magistrates, in each district where South Sea Island labourers are employed, shall forward to the Colonial Secretary a return of all cases adjudicated upon in relation to Polynesian labourers employed under these regulations, such returns to include the names of employers and labourers, and the nature of the offences. Returns to be forwarded to Colonial Secretary each quarter.

23. All persons harbouring or employing Polynesian labourers, otherwise than under these regulations, without reporting the same to the nearest Bench of Magistrates, and to the Immigration Agent in Brisbane, shall be liable, on conviction thereof, to a penalty not exceeding £20. Penalty for harbouring runaway labourers.

24. All breaches of these regulations shall be punishable by fine, to be recovered in a summary manner before two Justices of the Peace; for the first offence, a fine not exceeding £10; for second and subsequent offences, not exceeding £20, nor less than £5. Breaches of regulations punishable by fine.

25. All engagements made or to be made with Polynesian labourers already in the Colony, or to arrive, are hereby expressly declared to be subject to the provisions of the Act 25 Vict. No. 11. Engagements subject to 25 Vict. No. 11.

26. A tax of £20 per head for every Polynesian labourer introduced contrary to the provisions of this Act shall be levied on all vessels in which such labourers may be brought to this Colony, and in default of payment of such tax such vessel shall be absolutely forfeited to Her Majesty. Tax on vessels in default of compliance.

27. All expenses incurred by the Government in affording hospital relief to sick Polynesian labourers, or by their detention in immigration depôts, shall be chargeable to the employers of such men, and may be recovered from them by summary process on the information of the Immigration Agent, or other authorized officer. Expenses incurred by Government chargeable to employers in certain cases.

28. Any person who shall, without the consent of the labourer and the written permission of the Government, remove or attempt to remove any such labourer out of the Colony of Queensland, except for the purpose of his return to his home, shall be liable to a penalty of £20 for every such labourer so removed or attempted to be removed; and it shall be lawful for the Government in any case to prevent the removal of any such labourer, except for the purpose of his return to his home as aforesaid. Labourers not to be removed out of the Colony without permission or consent.

29. Any person supplying Polynesian labourers with spirits shall be punishable, as at present in the case of aborigines under 51st section of "Licensed Publicans Act," 27 Vict. No. 16. Polynesian labourers not to be supplied with spirituous liquors.

30. It shall not be lawful for any employer of Polynesian labourers to charge such labourers with the payment of any moneys on account of stores supplied, or to deduct any sum in respect thereof from any wages due to them. Store accounts not to be deducted from wages.

31. This Act shall be styled and may be cited as the "Polynesian Labourers Act of 1868." Short title.

## FORM A.

Application for permission to introduce South Sea Island Agricultural or Pastoral Labourers.

I, \_\_\_\_\_, request to be allowed, in accordance with the Act now in force, to procure from the South Sea Islands \_\_\_\_\_ immigrants for agricultural or pastoral purposes to be employed in the \_\_\_\_\_ district.

A. B.,  
Applicant's signature.

The above requisition lodged with me this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

G. H.,  
Immigration Agent, Queensland.

## 58 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

## FORM B.

Bond to be entered into by Shipmasters.

Know all men by these presents that \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ are held and firmly bound unto our Sovereign Lady Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, in the sum of £500 of good and lawful money of Great Britain, to be paid to our said Lady the Queen, Her heirs and successors, to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole, our heirs, executors, and administrators, and every of them firmly by these presents.

Sealed with our seals.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_.

Whereas by the "Polynesian Labourers Act of 1868" it is amongst other things enacted that all masters of vessels proceeding to the South Sea Islands in order to obtain labourers therefrom shall enter into a bond with two sufficient sureties for the prevention of kidnapping and due observance of the requirements of the said recited Act. Now the condition of this obligation is such that if the above bounden J.K., master of ship \_\_\_\_\_, about to proceed to the South Sea Islands to procure labourers, shall faithfully observe the requirements of the said recited Act, and shall satisfy the Government of Queensland, through its officer, duly appointed for the purpose, that no kidnapping was allowed, countenanced, or connived at, then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered, by the above bounden \_\_\_\_\_ [L.S.]  
and \_\_\_\_\_, in the presence of \_\_\_\_\_

I hereby certify that the above bond was duly signed, sealed, and delivered by the said \_\_\_\_\_, and in my presence, this \_\_\_\_\_ day of \_\_\_\_\_

186 .

Immigration Agent.

## FORM C.

License to recruit labourers from the South Sea Islands.

This is to certify that \_\_\_\_\_ [or his Agent] is hereby licensed to recruit immigrant labourers from the South Sea Islands for Queensland, in conformity with the Act passed regarding such recruiting. This license is to remain in force only until the number mentioned above have been recruited.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

Colonial Secretary of Queensland.

Immigration Agent, Queensland.

N.B.—This license is to be returned to the Immigration Agent when the labourers have been received.

## FORM D.

186 .

Memorandum of Agreement made this day between \_\_\_\_\_ of \_\_\_\_\_ of the first part, and \_\_\_\_\_ native of \_\_\_\_\_ per ship \_\_\_\_\_ of the second part. The conditions are, that the said party of the second part engages to serve to the said party of the first part as a \_\_\_\_\_, and otherwise to make \_\_\_\_\_ generally useful for the term of \_\_\_\_\_ calendar months, and also to obey all \_\_\_\_\_ or \_\_\_\_\_ overseer's or authorized agent's lawful and reasonable commands during that period; in consideration of which services the said party of the first part doth hereby agree to pay the said party of the second part wages at the rate of not less than six pounds (£6) per annum, to provide \_\_\_\_\_ with the understated rations daily, to provide suitable clothing and conveyance to the place at \_\_\_\_\_ proper lodging accommodation, and to defray the expense of \_\_\_\_\_ which \_\_\_\_\_ to be employed, to pay wages in the coin of the realm at the end of each year of the agreement, and provide them with a return passage to their native island at the expiration of three years. No wages shall be deducted for medical attendance.

## DAILY RATION.

	lbs. oz.
Beef or mutton (or 2 lbs. of fish) ... ..	1 0
Bread or flour ... ..	1 0
Molasses (or sugar) ... ..	0 5
Vegetables (or rice 4 oz. or maize meal 8 oz.) ... ..	2 0
Tobacco, per week ... ..	0 1½
Salt, per week ... ..	0 2
Soap, per week ... ..	0 4

## CLOTHING.

	Yearly.
Shirts (one of flannel or serge) ... ..	2
Trousers, pairs ... ..	2
Hat ... ..	1
Blankets ... ..	1 pair.

In witness whereof they have mutually affixed their signatures to this document.

Witness—

The above contract was explained in my presence to the said immigrants, and signed before me by them with their names or marks, and by \_\_\_\_\_ or his authorized agent, at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 186 .

G. H.,

Immigration Agent or Custom House Officer.

Registered at the \_\_\_\_\_, 186 .

Office, Brisbane, Queensland, this \_\_\_\_\_ day

G. H.,

Immigration Agent.

FORM





## 60 IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND.

## FORM H.

## Quarterly Return.

RETURN of South Sea Islanders employed on the Plantation of \_\_\_\_\_, in the District of \_\_\_\_\_  
Name of Plantation ; Post Town ; for Quarter ending \_\_\_\_\_

No.	Name.	From	State of Muster on 31st March, 1868.	Transfers.	Desertions.	Deaths.	Remarks.

## RECAPITULATION.

Number at date of last return	...	...	...	...	...	...	...
Number transferred to plantation during above quarter	...	...	...	...	...	...	...
Deduct:—							
Number died during above quarter	...	...	...	...	...	...	...
Number transferred from plantation during above quarter	...	...	...	...	...	...	...
Number remaining on	...	...	...	...	...	...	...

Proprietor of

Registered at Immigration Office, Brisbane, on

and acknowledged

Immigration Agent.

## FORM (I).

Whereas \_\_\_\_\_ duly licensed by the Government of Queensland to recruit South Sea Island labourers according to license exhibited to us, and \_\_\_\_\_ natives of \_\_\_\_\_ appeared before us this \_\_\_\_\_ day of \_\_\_\_\_ 186 \_\_\_\_\_. The said agent has hired the said natives to serve various employers in Queensland as labourers for a term of three years, and undertakes that they shall be furnished with the undermentioned rations and clothing, that they shall be paid at the rate of not less than six pounds (£6) per head per annum in coin of the realm, that they shall be provided with proper lodging accommodation, and that the cost of their passage to and from Queensland, and all other costs and charges, shall be defrayed by their employers, and that they shall be returned free of expense to this place at the expiration of three years, and that the Government of Queensland shall exercise supervision over their employers and otherwise protect them during their term of service and during their passage to and from Queensland.

Now we certify that this document has been read, and its full meaning and effect explained to the said before-mentioned natives, in the presence of the said agent and of ourselves, and that the said natives have consented to accompany said agent to Queensland. And we further certify that, to the best of our belief, none of the said natives are suffering from any disease, or are maimed, halt, blind, deaf, dumb, idiotic, or insane.

In witness whereof we have hereunto attached our signatures this \_\_\_\_\_ day of \_\_\_\_\_ 186 \_\_\_, at \_\_\_\_\_.

Missionary [or European resident, or Chief Interpreter].

Agent.

Natives.

## CLOTHING PER ANNUM.

Hat	...	...	...	...	...	...	...	...	1
Shirts (one flannel or serge)	...	...	...	...	...	...	...	...	2
Trousers, pairs	...	...	...	...	...	...	...	...	2
Blankets, pair	...	...	...	...	...	...	...	...	1

## RATIONS PER DIEM.

Bread	...	...	...	...	...	...	...	...	lbs.	oz.
Beef or mutton (or fish, 2 lbs.)	...	...	...	...	...	...	...	...	1	0
Molasses (or sugar)	...	...	...	...	...	...	...	...	0	5
Vegetables (or rice, 4 oz., or maize meal 8 oz.)	...	...	...	...	...	...	...	...	2	0
Tobacco, per week	...	...	...	...	...	...	...	...	0	1½
Salt	...	...	...	...	...	...	...	...	0	2
Soap, per week	...	...	...	...	...	...	...	...	0	4

Countersigned by Master of Vessel.

To be furnished to Immigration Agent or Customs' Officer with report of arrival.

## FORM (K).

Form of Bond to be given by employer.

Know all men by these presents that we A. B. of C. D., and E. F. of \_\_\_\_\_, are held and firmly bound unto our Sovereign Lady Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith, in the sum of [ten] pounds of good and lawful money of Great Britain for each Polynesian labourer employed by us, to be paid to our said Lady the Queen, Her heirs and successors, to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole, our heirs, executors, and administrators, and every of them, firmly by these presents.

Dated this

day of

Sealed with our seals.  
one thousand eight hundred and

Whereas

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 61

Whereas by the Polynesian Labourers Act of 1868 it is amongst other things enacted, that all persons desirous of importing labourers from the South Sea Islands shall enter into a bond with two sureties to secure the return of the labourers to their native islands at the expiration of three years or thirty-nine moons from date of arrival, at the rate of £10 sterling for each labourer introduced. Now, the condition of this obligation is such, that if the above bounden A. B. shall pay to the Immigration Agent at the rate of 15s. per quarter for every Polynesian labourer in his employment for the purpose of providing a return passage for each and every South Sea Islander introduced by him under his application, and also all the charges or expenses incurred by the Government of Queensland in connection with the same, then this obligation to be void; otherwise to remain in full force and virtue.

Signed, sealed, and delivered by the above bounden A. B., C. D., and E. F. in the presence of [L. S.]

I hereby certify that the above bond was duly signed, sealed, and delivered by the said A. B., C. D., and E. F. in my presence, this day of 186 .

Immigration Agent [or Justice of the Peace.]

## FORM L.

I hereby certify that the master of the , arrived from on the day of 186 , has produced to me the necessary certificates (Form I.) that the whole of the labourers on board have voluntarily engaged themselves, &c., &c.

2. I further certify that the license (Form C.) has been produced in all cases.

3. I also certify that, by careful examination of the labourers, I have ascertained that they appear to have a proper understanding of the full meaning and effect of the agreements, and that they voluntarily entered into the same, and that the agreements have been signed in the form prescribed (Form D.).

Dated at this day of 186 .

Immigration Agent [or Officer of Customs.]

I certify that this Public Bill, which originated in the Legislative Council, has finally passed the Legislative Council and Legislative Assembly of Queensland.

Legislative Council Chamber, Brisbane,  
18 February, 1868.

(Signed)

HENRY JOHNSON,  
Clerk of the Parliaments.

In the name and on behalf of the Queen I assent to this Act.

Government House, Brisbane,  
4 March, 1868.

(Signed)

M. C. O'CONNELL.

## No. 2.

THE SECRETARY OF STATE FOR THE COLONIES to THE OFFICER ADMINISTERING THE  
GOVERNMENT OF NEW SOUTH WALES.

[Separate—Parliamentary.]

Downing-street,  
30 October, 1868.

SIR,

I transmit to you herewith, certain Parliamentary Papers, the titles and number of copies of which are specified below; and I request you will be good enough to acknowledge their receipt.

Title of Paper.		No. of Copies.
Queensland .....	South Sea Islanders—H.C. 496 of 1868.	2

I have, &c.,  
BUCKINGHAM & CHANDOS.

## SOUTH SEA ISLANDERS (QUEENSLAND.)

FURTHER Correspondence relating to the Importation of South Sea Islanders into  
Queensland.

(In continuation of House of Commons Paper, No. 391, of 1868.)

Colonial Office, }  
27 July, 1868. }

C. B. ADDERLEY.

The officer administering the Government of Queensland to his Grace the Duke of Buckingham and Chandos.  
16 May, 1868.  
28 March, 1868.

COPY of a Despatch from the Officer administering the Government of Queensland to  
His Grace the Duke of Buckingham and Chandos.

(No. 43.)

Government House, Brisbane, Queensland,  
16 May, 1868.  
(Received 22 July, 1868.)

MY LORD DUKE,

I have the honor to enclose, for your Grace's information, a copy of a report addressed to me by Captain Bingham, R.N., the Officer in Command of Her Majesty's ship "Virago."

2. This report is the result of an inquiry undertaken by Captain Bingham, at the instigation of Governor Sir George Bowen, into the treatment and mode of engaging those South Sea Islanders who are employed on board of the vessels engaged in Beche-de-Mer fishing in Torres Straits and the neighbourhood of Cape York.

3. It is satisfactory to find that Captain Bingham has been enabled, from personal observation, to come to the conclusion that none of these people were brought away from their homes against their will, or maltreated.

4. I am enabled also to report to your Grace that, on inquiry from the Emigration Agent in this Colony (who is now, under the Polynesian Labourers' Act, charged with the supervision of these islanders in Queensland), I learn that the employment of these people continues to be very favourably thought of by those gentlemen who have engaged them; that the men themselves, on the establishments he has visited, are apparently industrious, contented, and happy; and that he has, up to the present time, had no complaint of ill-treatment of any kind.

I have, &c.,  
(Signed) M. C. O'CONNELL.

[Enclosure.]

## IMPORTATION OF SOUTH SEA ISLANDERS INTO QUEENSLAND. 63

[Enclosure.]

Her Majesty's Ship, "Virago," Gladstone,  
28 March, 1868.

Sir,

In reference to your enclosure, No. 1, in letter dated 24th December, 1867, I have the honour to inform you that I have made every inquiry possible into the matter of the South Sea Island labour from the schooners "Active" and "Isle of Thanet," as well as from different individuals whom I have met on my way to and from Cape York.

From Cape York I gave a passage to a Mr. John De Largey, to Lizard Islands, who is part owner of "Edith," "Active," and "Isle of Thanet," together with the fishing gear appertaining thereto. I closely questioned him as to the number of South Sea Islanders he had in his employ, the mode of engaging them, and also as to their treatment; he stated he had about 50, all told, and that they were volunteers, and well treated, generally engaged for a period of about two years.

On my arrival at Lizard Islands I sought out and interrogated the man in charge of the fishing party, in the same manner; his statement did not materially differ from De Largey's.

I then mustered all the people, having ascertained that none were absent; they numbered six article men, 40 South Sea Islanders and two women; I questioned them as to their food, and manner of treatment; a number of these men understand English, and they all appeared satisfied with what they received: viz., rice, fish, molasses, and flour, with a small portion of meat, and from all I could gather they appeared to be well cared for and happy, many of them coming up to De Largey, shaking hands warmly, and greeting him most cordially; I landed with him. On my questioning the men as to the length of time they had been employed fishing, they said 10 months, and expected to remain about 12 longer, when they would go back to their homes.

Taking an impartial view of the demeanour of these people, I do not imagine that any of them were brought away from their homes against their will, or maltreated.

I have, &c.,  
(Signed) HENRY M. BINGHAM,  
Commander.

His Excellency,  
The Governor of Queensland,  
&c., &c., &c.

(True Copy.)  
FITZ ROY SOMERSET,  
Private Secretary.

[Price, 2s.]

Sydney: Thomas Richards, Government Printer.—1869.



1868-9.

---

NEW SOUTH WALES.

---

IMPORTATION OF SOUTH SEA ISLANDERS INTO  
QUEENSLAND.

(FURTHER DESPATCH RESPECTING.)

---

Presented to both Houses of Parliament, by Command.

---

THE SECRETARY OF STATE FOR THE COLONIES to GOVERNOR THE EARL OF BELMORE.

(No. 87.)

Downing-street,

20 November, 1868.

MY LORD,

With reference to your Lordship's Despatch, No. 26, of the 29th of February last, enclosing a Petition addressed to your Lordship, from Missionaries representing the Presbyterian Church in the New Hebrides, relative to the deportation of natives of those islands, for the purpose of being employed as laborers in Queensland and other places,— I have the honor to transmit to you, for your information, the enclosed copy of a paper printed for Parliament, in return to an Address of the House of Commons, for copy or extracts of all Correspondence relating to the importation of South Sea Islanders into Queensland. P. P. H. of  
C.—391 of 1868.

At page 73 of that paper will be found an Act of the Legislature of Queensland, “to regulate and control the introduction and treatment of Polynesian Laborers,” which Act is still under the consideration of Her Majesty's Government.

I have, &c.,

BUCKINGHAM & CHANDOS.

---

[*Erratum.*—In the Memorandum of His Excellency the Governor, at page 23 of the papers laid before the Legislative Assembly, on 5th February, 1869, after the words “and to what extent,” there should be a full stop instead of a comma.]





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## CULTIVATION OF ARROWROOT IN THE COLONY.

(PETITION—MR. WILLIAM COLE, RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 18 February, 1869.*

To the Honorable the Members of Legislative Assembly, in Parliament assembled.

The humble Petition of William Cole of Tomago,—

RESPECTFULLY SHEWETH:—

That your Petitioner, in 1855, commenced the growing of Arrowroot on his farm at Tomago, and has since—a period of fourteen years—devoted much labour, skill, and pecuniary means to that branch of industry.

That from 1863 up to the present time your Petitioner's Arrowroot has been invariably pronounced by competent judges to be greatly superior to imported Arrowroot, and has been consequently purchased extensively by chemists and druggists as well as by storekeepers and private families.

That, at the respective agricultural and other exhibitions held in New South Wales during the past eight years, and also at the Intercolonial Exhibition held in Melbourne in 1864, prizes have been awarded for your Petitioner's Arrowroot; and that, moreover, the late Governor of the Colony, His Excellency Sir John Young, had congratulated your Petitioner upon the success which had attended his efforts, and also highly recommended the growth of Arrowroot as an ordinary crop.

That your Petitioner has (as he is fully prepared to prove) succeeded beyond all doubt in establishing Arrowroot growing in New South Wales—a great public boon.

Your Petitioner, therefore, humbly prays that your Honorable House will take such steps as may seem best to promote the growth of New Industries in this Colony by a system of bounties or otherwise.

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

Tomago, Hunter River  
2 February, 1869.

WILLIAM COLE.



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## DEEPENING OF PARRAMATTA RIVER.

(REPORT FROM ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS, IN REFERENCE TO.)

*Ordered by the Legislative Assembly to be Printed, 12 February, 1869.*THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS to THE UNDER SECRETARY  
FOR PUBLIC WORKS.Department of Public Works,  
Harbours and River Branch,  
Sydney, 12 February, 1869.*Minute Paper.*

HEREWITH I beg to hand, for the information of the Honorable the Secretary for Public Works, an estimate of the probable cost of deepening the Parramatta River, from Redbank to the Government Wharf at the township, to a depth of 10 feet at low water, and for a width of channel of 150 feet. The amount is £66,582.

To obtain a depth of 10 feet in the channel will involve the excavation of 198,107 cubic yards of sand and mud, and about 113,352 cubic yards of rock. As it would be necessary to use cofferdams for the rock excavation, a high price must be allowed for it. I have accordingly estimated it at 10s. a yard; and I do not think it could be safely put at a lower figure.

If a channel of only 6 feet in depth at low water should be considered sufficient, the cost would be considerably reduced. There would be only about 108,907 cubic yards of sand and mud, and about 27,292 cubic yards of rock; and the whole cost would be about £19,091.

It should be considered, however, whether, if the work be entered on at all, it would not be better worth while to undertake the larger scheme at once, than possibly have to enter on it at some future time, if the trade of the Parramatta River should ever develop to any considerable extent.

E. O. MORIARTY.

*Memorandum.*

DEEPENING the Parramatta River, from Redbank to the Government Wharf at Parramatta; distance, 9,000 feet.

Estimate No. 1, for making a channel 150 feet wide, and 10 feet deep at low water:—

		£	s.	d.
Quantities—Silt excavation, 198,107 cubic yards, at 1s. ....		9,905	7	0
" Rock " 113,352 " at 10s. ....		56,676	0	0
		<u>£66,581</u>	<u>7</u>	<u>0</u>

Estimate No. 2, for making a channel 150 feet wide, and 6 feet deep at low water:—

		£	s.	d.
Quantities—Silt excavation, 108,907 cubic yards, at 1s. ....		5,445	7	0
" Rock " 27,292 " at 10s. ....		13,646	0	0
		<u>£19,091</u>	<u>7</u>	<u>0</u>

E.O.M.  
12/2/69.



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## WATER SUPPLY FOR TOWN OF LIVERPOOL.

(PETITION RESPECTING.)

---

*Ordered by the Legislative Assembly to be Printed, 24 February, 1869.*

---

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the undersigned landed proprietors and residents of the Town and District of Liverpool,—

HUMBLY SHEWETH:—

That in order to secure a sufficient supply of Water in Liverpool, now becoming a manufacturing district and having great local advantages for manufactures, it is necessary to raise the present Dam-head. We therefore pray, your Honorable House may be pleased to take into consideration the said Petition, as being one of general importance.

Your Petitioners have to state, that at present there is already a Paper Manufactory here, erected at a considerable outlay of capital, and calculated by its consumption of fibre to benefit the agricultural interests of the Colony; likewise a large wool-washing establishment which, in a commercial point of view, is of importance in maintaining the character of our Wools in the Home market—both employing a considerable number of persons, and both dependent upon a pure and sufficient supply of water.

Your Petitioners beg to state, that the present Dam is both insufficient for the purpose of storing water against time of drought and insecure, as even the present supply stored is fast leaking into the salt water.

If the Dam were sufficiently raised to retain a larger supply of water, fresh manufactories would at once be commenced.

Wherefore, your Petitioners humbly solicit your Honorable House may be pleased to consider the same, and as in duty bound will ever pray.

[*Here follow 125 Signatures.*]

---





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## STATE OF THE WATER IN GEORGE'S RIVER, AT LIVERPOOL.

(REPORTS FROM THE COMMISSION APPOINTED TO EXAMINE AND REPORT UPON.)

*Ordered by the Legislative Assembly to be Printed, 25 February, 1869.*

THE SYDNEY WATER COMMISSION to THE COLONIAL SECRETARY.

5 February, 1869.

MEMO.—In accordance with your instructions, we proceeded to Liverpool, and inspected the river, both above and below the dam. We found the water above the dam perfectly good; below the dam the smell is very unpleasant, arising apparently from the mixing of the discharged water from the Woolwashing and Paper Works with the stagnant sea-water.

CHRIS. ROLLESTON.

E. O. MORIARTY.

THE SYDNEY WATER COMMISSION to THE PRINCIPAL UNDER SECRETARY.

Sydney, 6 February, 1869.

SIR,

We beg to submit the following additional report to that which we forwarded yesterday to the Honorable the Colonial Secretary, as to the state of the water at Liverpool.

2. Accompanied by Dr. Smith, the Medical Officer of the Government Asylum, we minutely inspected the river above the dam, in order to ascertain if there were any outlets, from either the Woolwashing or Paper Works, communicating with the river. From the Woolwashing Establishment there is no outfall or perceptible soakage whatever into the pure water above the dam; but from the Paper Works we observed a discharge of water—inoffensive as regards smell—used in the manufacture of the paper, and depositing a white, slimy substance, like fine clay, which the overseer informed us it really was. Whether this discharge is innocuous or not we are unable to say; but we think the discharge should be directed into the same channel as the outflow below the dam.

3. Below the dam the smell is very offensive, proceeding, as we think, from the mixing of the outflow from the two establishments before mentioned with the stagnant salt water of the river. The refuse from the Benevolent Asylum contributes, if at all, in a very trifling degree, to the stench complained of, which will doubtless disappear as soon as sufficient rain falls to flush the river.

We have, &c.,

CHRIS. ROLLESTON.

E. O. MORIARTY.



1868-9.

## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

## ALEXANDER W. SCOTT.

(PETITION OF.)

*Ordered by the Legislative Assembly to be Printed, 19 January, 1869.*

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

The humble Petition of Alexander Walker Scott, formerly of the City of Newcastle, in the Colony of New South Wales, presently of the City of Sydney, Esquire, one of the Trustees of The Newcastle Proprietary Grammar School.

RESPECTFULLY SHEWETH,—

That in or about the month of September one thousand eight hundred and forty, certain persons associated themselves together for the purpose of establishing, at Newcastle above mentioned, a School, in conformity with the provisions of the Established Church of England and Ireland; and that by subscription and other means funds were raised, available for the purpose of the Association, amounting to one thousand one hundred and fifty pounds.

That on or about the ninth day of September one thousand eight hundred and forty, certain waste lands of the Crown situated at Honeysuckle Point, adjoining the City of Newcastle, comprising twenty-one acres three roods twenty perches, were offered for sale there by public auction, and sold according to a plan exhibited at the said sale; and James Mitchell of Sydney, Esquire, acting as the agent of the said subscribers, attended at such sale, and purchased the whole of such lands at the several prices per acre following, that is to say: one acre one rood twenty perches, at the rate of fifty-eight pounds per acre; one acre, at the rate of eighty-five pounds; nine acres, at the rate of twenty-nine pounds per acre; and ten acres, at the rate of thirty-six pounds per acre; and the aggregate price of the said lands, amounting to the sum of eight hundred and three pounds fifteen shillings, was thereupon duly paid by the said James Mitchell, on behalf of the said associated subscribers, into the Treasury of this Colony.

That on or about the fifth day of February in the year of our Lord one thousand eight hundred and forty-one, the said parcels of land were duly granted by the Crown to the said James Mitchell, according to the ordinary and usual form of Crown grant consequent upon purchase then in use in that behalf.

That on or about the nineteenth day of July one thousand eight hundred and forty-four, the said James Mitchell, by the direction of the said subscribers, duly conveyed the said parcels of land to William Croasdill and your Petitioner, who thereupon acknowledged themselves Trustees for the said proposed School.

That on or about the fourth day of July one thousand eight hundred and fifty-four, the Hunter River Railway Company, incorporated by an Act of the Legislature of New South Wales, took and appropriated under the powers of that Act, for the purposes of their Railway, the whole of the lands conveyed as above mentioned, stating the quantity however at twenty acres two roods six perches only.

That on or about the twenty-ninth day of July one thousand eight hundred and fifty-four, the said William Croasdill and your Petitioner, by Henry Kerrison James their agent, demanded from the said Hunter River Railway Company compensation at the rate of one thousand five hundred pounds per acre for the land so taken as aforesaid, the same comprising a large extent of frontage to the Harbour of Newcastle of great value for wharfage and other mercantile purposes.

That before any agreement could be come to in respect of the compensation for the said land, between the said Hunter River Railway Company and the said William Croasdill and your Petitioner, the Government of New South Wales became, under the provisions of an Act of the local Legislature passed in the year one thousand eight hundred and fifty-four, the purchasers of the said Hunter River Railway Company's property,

property, and, by force of that Act; and of subsequent Legislation, all the property of the said Company was vested in the Commissioner for Railways as a corporation sole, and all liabilities devolved upon the said Commissioner.

That the question having arisen whether the whole of the lands taken by the said Hunter River Railway Company was, in fact, required for Railway purposes, a correspondence ensued between the said William Croasdill and your Petitioner and their Solicitors and the Commissioner, which resulted in the Commissioner informing the said William Croasdill and your Petitioner, by letter dated the fourth of August one thousand eight hundred and sixty-two, that the whole of the land taken must be retained for Railway purposes.

That the Commissioner for Railways having declined to pay to the said William Croasdill and your Petitioner the price per acre claimed by them, they, on the eleventh day of September one thousand eight hundred and sixty-seven, in pursuance of the provisions of the Act twenty-two Victoria number nineteen, by writing under their respective hands, appointed George Vindin of West Maitland, Esquire, an Arbitrator on their part, for the purpose of determining the amount of compensation to be paid to them in respect of the land taken, and of the damage sustained by them by reason of the execution of the Railway Works.

That the Commissioner for Railways, by deed poll under his hand and seal dated the twenty-seventh day of September one thousand eight hundred and sixty-seven, appointed William Downing Biden of Singleton, Surveyor, to be an Arbitrator on his behalf, for the purpose of determining the amount of compensation to be paid by him in respect of the land described in a plan attached to his appointment and thereon colored red, and which land was a portion of the land taken as hereinbefore mentioned.

That such proceedings were had in the matter of the said arbitration, that the said Arbitrators and an Umpire, duly appointed, met at Newcastle aforesaid, on the eighth day of June last; and, on that and the two following days, took certain evidence in the matter of the said claim of the said William Croasdill and your Petitioner, in the course of which evidence it was proved that the parcel of land described in the appointment made by the Commissioner for Railways, and to which in fact the inquiry was therein limited, contained fourteen acres three roods seventeen perches only—a deduction of seven acres and three perches having been made in respect of so much of the said lands so purchased by them as aforesaid as was situate within one hundred feet of high-water mark of the Harbour of Newcastle, which last-mentioned lands the Commissioner for Railways then deposed before the said Arbitrators had been about two years previously taken from him by the Department of Public Lands, in terms of the general reservation contained in the grants to the said James Mitchell.

That on the 24th day of June one thousand eight hundred and sixty-eight, the said Arbitrators delivered an award under their hands, in the matter so submitted to them as aforesaid, in respect of the said fourteen acres three roods seventeen perches, and found the sum of nine thousand eight hundred and twenty-two pounds eight shillings payable to the said William Croasdill and your Petitioner in that behalf; but the said William Croasdill and your Petitioner were, by the terms of the said submission, excluded from, and they are still left without any compensation in respect of the residue and most valuable portion of their land, purchased as aforesaid, and held by the Hunter River Railway Company and their successor the Commissioner for Railways from July one thousand eight hundred and fifty-four to the middle of the year one thousand eight hundred and sixty-six, a term of twelve years.

That the Commissioner for Railways, though a corporation, is in fact a Public Officer appointed and removable by the Governor and Executive Council, and holding the vast powers conferred on him by Statute only for the public good.

The said William Croasdill and your Petitioner are advised, and they very respectfully submit to your Honorable House, that the reservation in the grants in question was never contemplated to be made an engine of depriving purchasers of a third part of their estate without compensation, but was intended only to maintain a right of access to water for public purposes; and that they are entitled, as a matter of very right and justice, to receive compensation for the value of that of which they were deprived in the year one thousand eight hundred and fifty-four by the Hunter River Railway Company, and for the damages sustained by them, without any reference to the fact that the said seven acres and three perches of land were twelve years afterwards assumed by the Government under the reservation aforesaid, and that the measure of compensation payable to the said William Croasdill and your Petitioner, calculable under the Statute, with reference to the value at the time of the original taking by the Hunter River Railway Company, must be estimated by reference to the conditions at the same time subsisting, and is no way dependent upon *ex post facto* operations even of the Government itself.

That on the twelfth day of August last, the said William Croasdill and your Petitioner, desiring redress, presented to His Excellency the Governor-in-Chief their respectful Memorial setting forth the facts above detailed, and submitting their right to the payment of compensation for the value of the land of which they have been deprived, the receipt of which Memorial was acknowledged on the twenty-eighth day of that month by letter from the Honorable the late Colonial Secretary, in which letter the said William Croasdill and your Petitioner were informed that “the land alluded to in the Memorial has been resumed by the Government for public purposes in terms of the deed, and that the Government do not consider the Memorialists entitled to any consideration in consequence of such resumption.”

That

## PETITION OF ALEXANDER W. SCOTT.

3

That, by reason of the premises, the said William Croasdill and your Petitioner are injured in the loss of their land without any equivalent; and that they are without redress in the premises, and are therefore obliged to pray the consideration of your Honorable House.

Your Petitioner therefore humbly prays, that such inquiries may be made as to your Honorable House shall seem meet, and that your Petitioner may have appropriate relief in the premises.

And your Petitioner will ever pray, &c.

A. W. SCOTT.

Sydney,—January, 1869.

---

Sydney: Thomas Richards, Government Printer.—1869.

[Price, 3d.]



1868.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## CLAIMS TO WATER FRONTAGE, PYRMONT BAY

(PETITION FROM CERTAIN OWNERS OF PROPERTY, IN REFERENCE TO THE CASE OF MR. THOMAS SMITH.)

---

*Ordered by the Legislative Assembly to be Printed, 15 December, 1868.*

---

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

The humble Petition of the undersigned Owners of Property having water frontage to Pyrmont Bay,—

HUMBLY SHEWETH :—

That your Petitioners have learned, with deep regret, the conclusion arrived at by the Select Committee of your Honorable House appointed to inquire into the claim to water frontage of Mr. Thos. Smith.

That your Petitioners were not represented in that Select Committee, and that evidence was not sought to inquire into the real merits of the case.

That the interests of the residents at Pyrmont would be seriously prejudiced, by hastily adopting the Report of the Select Committee, without having your Petitioners' case also placed before your Honorable House.

That your Petitioners, on their own behalf and on behalf of the residents of Pyrmont, humbly pray to be heard at the Bar of your Honorable House, by counsel learned in the law, before adopting the said Report; and your Petitioners, as in duty bound, will ever pray.

*[Here follow 8 Signatures.]*

Sydney, 8th December, 1868.

---





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.

(PETITION—CERTAIN LICENSED VICTUALLERS OF SYDNEY.)

*Ordered by the Legislative Assembly to be Printed, 2 March, 1869.*

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

The humble Petition of the undersigned Licensed Victuallers of the City of Sydney and its environs,—

RESPECTFULLY SHEWETH :—

That your Petitioners have ascertained that a Bill has been introduced into your Honorable House, intituled, “A Bill to limit in certain Districts the number of Licensed Public-houses, and to amend in other respects the Licensing Act of 1862.”

That your Petitioners, having had the said Bill under their consideration, are of opinion that its provisions are arbitrary, unjust, and impolitic, and, if passed into law, would be the means of entailing loss and ruin upon many who have, directly or indirectly, embarked large amounts of capital, on the faith and security of the existing law.

That the said Bill, if passed into law, would subject your Petitioners to an amount of police surveillance which would not be tolerated or endured by any other class of tradesmen in any free country, and which, if carried into effect, could only be the means of bringing your Petitioners, and others engaged in the trade of Licensed Victuallers, into constant collision with the police,—a thing neither desirable in itself, nor conducive to the public weal.

That while your Petitioners readily admit that the number of Licensed Houses in some Districts is greater than the necessities of the population may require, they are strongly of opinion that the existing law would, if properly administered by the Magistrates, be amply sufficient to repress this evil, without resorting to such unjust and oppressive measures as are contemplated in the Bill now before your Honorable House.

That your Petitioners feel bound to object, in the strongest possible manner, against the enactments contemplated by the first and second clauses of the said Bill, as being both unnecessary and impolitic, and merely a revival of the old law of 1849, when the state of the population of the Colony was vastly different from what it is at the present day.

That your Petitioners, viewing the said Bill as a whole, are of opinion that it is tyrannical and unnecessary, and calculated to interfere materially with their rights and liberties as subjects of the British Crown.

Your Petitioners, therefore, most respectfully pray that your Honorable House, taking the premises into consideration, and having regard to the varied and important interests involved in this question, will not pass the said Bill into law, but reject it altogether.

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

[Here follow 203 Signatures.]



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.

(PETITION—CERTAIN LICENSED VICTUALLERS OF NEW SOUTH WALES.)

---

*Ordered by the Legislative Assembly to be Printed, 9 March, 1869.*

---

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

The humble Petition of the undersigned Licensed Victuallers of New South Wales,—

RESPECTFULLY SHEWETH:—

That your Petitioners have ascertained that a Bill has been introduced into your Honorable House, intituled, “A Bill to limit in certain districts the number of Licensed Public-houses, and to amend in other respects the Licensing Act of 1862.”

That your Petitioners are of opinion that the provisions of the said Bill are arbitrary and unjust, and impolitic, and would be the means of entailing loss and ruin upon many persons who have directly or indirectly invested large amounts of capital on the faith and security of the existing law.

That the said Bill, if passed into law, would subject your Petitioners to an amount of police surveillance which would not be tolerated or endured by any other class of tradesmen in any free country; and which, if carried into effect, could only be the means of bringing your Petitioners into constant collision with the police—a thing neither desirable in itself, nor conducive to the public weal.

That while your Petitioners readily admit that the number of Public-houses in some districts is greater than the necessities of the population may require, they are strongly of opinion that the existing law would, if properly administered by the Magistrates, be amply sufficient to repress this evil, without resorting to such unjust and oppressive measures as are contemplated by the Bill now before your Honorable House.

That your Petitioners feel bound to object, in the strongest possible manner, against the enactments contemplated by the first and second clauses of the said Bill, as being both unnecessary and impolitic, and merely a revival of the old law of 1859, when the state of the population was vastly different from what it is at the present day.

That your Petitioners, viewing the said Bill as a whole, are of opinion that it is tyrannical and unnecessary, and calculated to interfere materially with their rights and liberties as subjects of the British Crown.

Your Petitioners, therefore, most respectfully pray that your Honorable House, taking the premises into consideration, and having regard to the varied and important interests involved in this question, will not pass the said Bill into law, but reject it altogether.

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

[*Here follow 97 Signatures.*]

---



1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## ABORIGINES.

(REPORT FROM COMMISSIONER OF CROWN LANDS, DARLING DISTRICT, RESPECTING.)

*Ordered by the Legislative Assembly to be Printed, 9 March, 1869.*THE COMMISSIONER OF CROWN LANDS, DARLING DISTRICT, to THE CHIEF  
COMMISSIONER OF CROWN LANDS.Darling District,  
Crown Lands Office,  
28 January, 1869.

SIR,

The duty again devolves upon me to furnish the Annual Report of the state of the Aborigines within the district to which my commission extends.

2. It is just seventeen years since I furnished a Report on the state of the Aborigines within the Albert District, the greater portion of which is now within the Darling District, to which I have been recently appointed. I have been able to find a few of the men, now aged, who at that period were of considerable service to me. The then children have become men, but the customs and so to say accomplishments of their parents have been quite neglected. These youths are all in the service of the leaseholders, and can no longer earn their living in the bush. The whole tribes have become very much deteriorated by their association with Europeans, whose vicious examples they childlike follow. I find that, at shearing time, on many of the stations the whole, and on most stations much, of the necessary labour is performed by the Aborigines. They are most excellent if not rapid shearers; and in some cases I have seen them employed in classing the wool, under supervision of course—for this labour employing the women and even children. They are paid the high current rate of wages, but like the old style of European shepherd or shearer, the whole of these earnings are spent in drink. Many deaths occur in this way, *directly* and *indirectly*. These debauches lead to quarrels and murders. The liquors are supplied not only by publicans but by wholesale spirit merchants; the only precaution taken being, that the Aborigines retire to some remote bend of river with the spirit cases or kegs, and there carry out their revels unnoticed and unseen.

3. I find also that on such occasions as races or holidays the Aborigines crowd into the little towns, wherein on such occasions they offend all decent people by their conduct, the impropriety of which is stimulated to extravagancy by the spirits supplied to them by Europeans. It is dreadful only to think of the manner in which at such times all order and decency is outraged.

4. If the Government, instead of wasting a considerable sum of money yearly in supplying blankets to the Aborigines, who do not require them and never retain them, were to furnish their police officers with power to remove the tribes from the towns when any excitement is going on, I apprehend that the true interests of the Aborigines would be better served than they are at present.

5. However, no real change can ever be expected to take place in the morale of the Aborigines. Of late years temptations, in the shape of shanties and grogshops, have multiplied tenfold. All that can be done or hoped for, is to banish the dreadful scenes from the towns.

6. The Aborigines of the Darling still, in my opinion, stand first as to docility, aptitude for labour, and usefulness; and it must be always a subject of deep regret that they have been made as bad in many respects as themselves by the scum of the bush labouring population which floated out to these remote districts.

I have, &amp;c.,

CHARLES G. N. LOCKHART,  
C.C.L.





1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

## SYDNEY PAVING BILL OF 1869.

(PETITION—CITY OF SYDNEY.)

---

*Ordered by the Legislative Assembly to be Printed, 23 March, 1869.*

---

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

The Petition of the undersigned Property Holders, Tenants, and others,—

SHEWETH :—

(1.) That in the present depressed state of the Colony, such a measure as the Bill now before your Honorable House, intituled “A Bill to provide for Paving certain Streets in the City of Sydney,” is inexpedient, as putting your Petitioners to great and vexatious expense in a time of great depression.

(2.) When a former Paving Bill was before your Honorable House containing like provision, much objection was raised to its arbitrary clauses, but no action was taken therein, seeing that the Colony generally was in a flourishing condition and its provisions were confined to the principal thoroughfares in the City.

Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing premises into consideration, and not pass into law the Bill intituled “A Bill to provide for Paving certain Streets in the City of Sydney.”

[*Here follow 42 Signatures.*]

---



1868-9.

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

WATER FRONTAGE AT BLUE'S POINT,  
NORTH SHORE;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
22 *March*, 1869.

---

SYDNEY, THOMAS RICHARDS, GOVERNMENT PRINTER.

---

1869.

[*Price*, 2s.]

303—A

1868-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF  
THE LEGISLATIVE ASSEMBLY.

VOTES No. 47. TUESDAY, 2 MARCH, 1869.

9. Water Frontage at Blue's Point, North Shore:—Mr. Tunks moved, pursuant to Notice No. 2,—

(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House as to the necessity of the Government reserving from alienation sufficient Water Frontage at Blue's Point, North Shore, for a Public Wharf, with a view of dedicating the same to the public.

(2.) That such Committee consist of the following members, viz.:—Mr. Forster, Mr. Sutherland, Mr. Farnell, Mr. Tighe, Mr. Graham, Mr. R. Stewart, Mr. Hill, Mr. Neale, Mr. S. Brown, and the Mover.

Debate ensued,—

And Mr. Terry 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 inquire into and report to this House as to the necessity of the Government reserving from alienation sufficient Water Frontage at Blue's Point, North Shore, for a Public Wharf, with a view of dedicating the same to the public,—put and passed.

Whereupon, the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed:—Mr. Tunks, Mr. S. Brown, Mr. W. Campbell, Mr. Neale, Mr. Phelps, Mr. Lloyd, Mr. Forster, Mr. Hill, Mr. Sutherland, and Mr. Gordon.

VOTES No. 59. MONDAY, 22 MARCH, 1869.

2. Water Frontage at Blue's Point, North Shore:—Mr. Tunks, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this matter was referred on 2nd March, 1869; together with Appendix. Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings	2
Progress Report	3
Proceedings of the Committee	4
Minutes of Evidence	7
Appendix	15

1868-9.

---

WATER FRONTAGE AT BLUE'S POINT, NORTH SHORE.

---



---

PROGRESS REPORT.

---

The Select Committee of the Legislative Assembly, appointed on the 2nd March, 1869,—*“with power to send for persons and papers”*—*“to inquire into and report to this House as to the necessity of the Government reserving from alienation sufficient Water Frontage at Blue's Point, North Shore, for a Public Wharf, with a view of dedicating the same to the public”*—have agreed to the following Progress Report:—

Your Committee having been appointed at so late a period of the Session, have not been able to do more than initiate proceedings and examine one witness. They deem it inexpedient to attempt to proceed further at present. The question involved in this inquiry is of great importance, not only to the locality immediately concerned but to the public at large, as affecting the administration of the law regulating the alienation of the whole navigable water frontage of the Colony.

Your Committee, therefore, earnestly recommend the consideration of this subject early next Session.

WILLIAM TUNKS,

No. 1 Committee Room,

Chairman.

Sydney, 17 March, 1869.

---

# PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 5 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Tunks,		Mr. Neale,
Mr. W. Campbell,		Mr. Hill,
Mr. Lloyd.		

Mr. Tunks called to the Chair.

Committee deliberated as to their course of proceedings, and directed that P. F. Adams, Esq., Surveyor General, be summoned for next meeting.

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

TUESDAY, 9 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Tunks, in the Chair.

Mr. Hill,		Mr. W. Campbell,
Mr. Phelps,		Mr. Lloyd.

P. F. Adams, Esq. (*Surveyor General*), called in and examined.

Witness handed in letter from William Tunks, Esq., M.P., to Minister for Lands, 12th March, 1866, respecting wharf accommodation at Blue's Point; and reply to same. (*Appendix, 1 and 2.*)

Witness also handed in Gorman's survey of Blue's Point; Huntley's survey of Blue's Point; and survey of Blue's Point in 1841 for road purposes. (*Appendices 3, 4, and 5.*)

Witness also handed in letter from the Under Secretary for Lands to the Surveyor General, 8th February, 1869, referring to Memorandum of the Surveyor General, and Engineer-in-Chief for Harbours and Rivers, of 4th December, 1868; and to reclamation of land and water frontage generally. (*Appendix 6.*)

Witness also handed in tracing from the plan referred to in the *Gazette* of the 25th July, 1839. (*Appendix 7.*)

*Ordered*,—That the tracings and documents handed in by the witness be appended. (*Vide Appendix 1 to 7.*)

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 17 MARCH, 1869.

MEMBERS PRESENT:—

Mr. Tunks, in the Chair.

Mr. Neale,		Mr. Lloyd.
------------	--	------------

Committee deliberated.

Chairman submitted Progress Report.

Same read 1<sup>o</sup>, as follows:—

## " PROGRESS REPORT.

"THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 2nd March, 1869,—*"with power to send for persons and papers"*—*"to inquire into, and report to this House as to the necessity of the Government reserving from alienation sufficient Water Frontage at Blue's Point, North Shore, for a Public Wharf, with a view of dedicating the same to the public"*—have agreed to the following Progress Report:—

"Your Committee having been appointed at so late a period of the Session, have not been able to do more than initiate proceedings and examine one witness. They deem it inexpedient to attempt to proceed further at present. The question involved in this inquiry is of great importance, not only to the locality immediately concerned but to the public at large, as affecting the administration of the law regulating the alienation of the whole navigable water frontage of the Colony.

"Your Committee, therefore, earnestly recommend the consideration of this subject early next Session."

Progress

Progress Report submitted by Mr. Lloyd.  
Same read 1<sup>o</sup>, as follows:—

“PROGRESS REPORT.

“In the opinion of your Committee, ample provision for the present wants or future requirements of the inhabitants and business of that locality has been made by the Government, as is shown by the evidence taken of Mr. Surveyor General Adams, and the maps and tracings handed in by that gentleman on behalf of himself and the Engineer-in-Chief.”

Motion made (*Mr. Neale*), and Question,—That the Progress Report of “the Chairman” be the Progress Report of this Committee.

Amendment proposed (*Mr. Lloyd*),—To omit the words “the Chairman,” and insert the words “Mr. Lloyd” instead thereof.

Question put,—That the words “the Chairman” stand part of the Question.

The Committee divided.

Ayes, 1.

Noes, 1.

Mr. Neale,

Mr. Lloyd.

The numbers being equal, the Chairman gave his Casting Vote with the Ayes.

Original motion put and carried.

Chairman's Progress Report then read 2<sup>o</sup>, and agreed to.

Chairman to report to the House.





1868-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

WATER FRONTAGE AT BLUE'S POINT,  
NORTH SHORE.

TUESDAY, 9 MARCH, 1869.

Present:—

MR. W. R. CAMPBELL,	MR. LLOYD,
MR. HILL,	MR. PHELPS,
MR. TUNKS.	

WILLIAM TUNKS, Esq., IN THE CHAIR.

Philip Francis Adams, Esq., examined:—

1. *Chairman.*] What is your official designation? Surveyor General of New South Wales. P. F. Adams, Esq.
2. As such, you would be the custodian of all papers with reference to all matters connected with land? No, the papers are in the custody of the Lands Department—not of the Surveyor General's. 9 Mar., 1869.
3. Are you aware of the object of this Committee? I have seen it on the Notice Paper.
4. You produce some papers having reference to this case? I do.
5. Have you seen, among the correspondence between myself and the Lands Department, a letter from me, dated 12th March, 1866, calling attention to the encroachment upon the waters of the harbour at Blue's Point? I have. (*Vide Appendix No. 1.*)
6. Do you produce a reply to that from the Under Secretary for Lands, dated 18 May, 1866? I do. (*Vide Appendix No. 2.*)
7. Can you state whether, in consequence of that correspondence, a survey of Blue's Point was made at that time, or about that time. Yes.
8. Had this place been previously surveyed? A survey, at Captain Norie's application, was made about that time, either before or after your application.
9. Had it been previously surveyed many years before? There was a survey for road purposes as far back as 1841.
10. Can you recognize that (*handing a plan to witness—Appendix No. 5*) as being a copy of any plan in your department? It appears to be a compilation from several of our plans.
11. Is it within your knowledge that in 1866, when a survey was made with reference to this application, it was found to disagree with the previous survey? The survey of the road?
12. The road abutting on the water more particularly? No, I think there was no disagreement as far as it went.
13. Can you furnish the Committee with a copy of the old survey? I can. (*Vide Appendix No. 3.*)
14. As well as with a tracing of the present survey? Certainly. (*Vide Appendix No. 4.*)
15. You know the situation of the place alluded to? I do.
16. And the district? Yes.
17. Can you state to the Committee the nature of the district? It is extensively populated,

- P. F. Adams, Esq. ated, containing the village of St. Leonards; and a portion of the traffic from Lane Cove and the back districts of Manly, Pittwater, and Wiseman's Ferry, comes to Sydney along this road, although the greater portion goes by the other ferry at present.
- 9 Mar., 1869. 18. *Mr. Hill.*] You mean the private wharf? Yes.
19. *Chairman.*] There is a large district to the northward of the harbour generally? Yes, and this is one of the outlets to it.
20. From your knowledge of the neighbouring district, are you able to state whether there is any public wharf on the North Shore, either at St. Leonards or within miles of it? There is a public wharf at Milson's Point, and this is the other. There is also a wharf eastward of the Milson's Point landing, left in the subdivision of the Campbell Estate.
21. Is that dedicated to the public? Yes, between the property of Mr. Lassetter (now occupied by Mr. Beauchamp) and that of Mr. John Campbell.
22. These are left for access to the water on the subdivision of private property? The one at Milson's Point is a public wharf, left on the end of a proclaimed road.
23. Has that road been dedicated altogether? Yes.
24. Is the road from Milson's Estate completely dedicated? Yes.
25. Can you ascertain about the date? *Gazette Notice*, 25 January, 1867.
26. That is in the municipality of East St. Leonards? Yes.
27. Is there any other, situated in the municipality of St. Leonards, besides the wharf we are speaking about? There is no wharf erected. There are several sites left in the subdivision of Blue's Estate where a wharf can be erected, but at present there is none.
28. These have all been left on the subdivision of property for sale? Yes.
29. The ends of streets leading to the water? Yes, that is all.
30. Can you furnish the Committee with any idea of the width of these streets in Blue's Estate? Generally, 50 links; some may be more, but that, I think, is about the average.
31. Then, in your opinion, would it be expedient to provide a wharf at Blue's Point, with sufficient depth of water for commercial purposes? It would be desirable certainly.
32. As an outlet to a large district having communication with Sydney? Yes; there should be deep water wharf accommodation, by all means.
33. Can you state to the Committee the nature of the accommodation at present—I mean as regards the facilities for bringing vessels alongside? The silting up of the little bay where the wharf reserve was originally made has gone on for the last thirty years. Steamers have been in the habit of throwing out cinders and dirt, till it is so silted up that a vessel of any size can scarcely approach it.
34. Do you know the position of Capt. Norie's property in this matter? Yes.
35. If Capt. Norie be permitted to reclaim from the water the southern end, and other persons at the eastern side be permitted to reclaim, this wharf will be in a bight or angle? That would be rather an advantage to it than otherwise.
36. That will be the fact? It will be in a bight.
37. Then, to erect a jetty upon that, would appear to trespass on the land of a neighbouring proprietor? Yes, if such a thing were proposed.
38. That is, if it were to go eastward, it would seem to oversail the land of the proprietors on the eastern side of the bay? Yes; but I may add that the Engineer of Harbours and myself have already refused to recommend the alienation of this land on the north-eastern side of the bay.
39. Is there any finality in that refusal? No, it depends upon the decision of the Minister.
40. It would be competent for the owner of this land to apply again at any time? Yes.
41. You are one of a Board to whom questions of reclamation have been usually referred? The Surveyor General and Engineer-in-Chief of Harbours make a joint report.
42. Have you any instructions to guide you as to your duties in this particular? There were none until some time after I became Surveyor General, when the Engineer-in-Chief and myself asked from the Minister an expression of opinion to guide us.
43. The present Minister? The present Minister—to guide us in our recommendation, which he has accorded.
44. The recommendation to permit reclamations immediately adjoining this wharf had been so far decided without such instructions? Yes—action was taken in this matter before the expression of opinion was obtained.
45. Can you state about the date when this was originally surveyed? The road was surveyed in 1841.
46. Was preliminarily notified? Yes; but the preliminary notification took place in 1839.
47. But has never been completed? The proclamation lapsed, through the Government taking no further proceedings.
48. Is not that the case in numberless other such-like proclamations? Yes, a great many.
49. Are you aware whether the Government took possession and used the land from that time till now? It appears not; the bulk of the evidence is against it, although many people have said that they had had free access to the road along the beach; but it could never have been used for traffic, for it was a rugged shore, unfit for any kind of traffic.
50. The bulk of evidence, you say, has been against the using? Against the use of the road.
51. Who are some of the persons who have given the evidence you allude to? I could not specify them.
52. Have they been sought by any kind of authority? I refer to the evidence of the surveyors who have inquired into the matter. I cannot remember who else I have spoken to on the subject.
53. Who were the surveyors? Messrs. Huntley and Armstrong.

54. It is upon their reports you are now speaking—Have they furnished reports to this P. F. Adams, Esq.
55. The evidence you allude to as preponderating in a particular direction is merely the verbal statement of parties? Persons I have spoken to upon the matter, besides the 9 Mar., 1869. surveyors.
56. Is it within your knowledge that public meetings have been held of the inhabitants of the North Shore, and that petitions numerously signed have been sent to the Government with reference to this matter? Yes.
57. Have these surveyors, to your knowledge, applied to any of these people? I am not aware where they have got their information.
58. Would it be reasonable that they should apply to persons interested in the other side of the question, as well as to those who employed them to survey the land? If they were required to report upon the matter, it would be their business to make the best and fullest inquiry they could.
59. The plan referred to was furnished by Mr. Armstrong? Mr. Huntley surveyed the road; and this plan (*referring to plan, Appendix No. 5.*) is a compilation of Mr. Armstrong's and Mr. Huntley's surveys.
60. Mr. Armstrong is a licensed surveyor who was occasionally employed by private persons to survey? Yes, and Mr. Huntley also.
61. Mr. Armstrong has been employed to furnish the original of the tracing before the Committee? He furnished one portion of it, and Mr. Huntley furnished the road survey.
62. He was employed by private persons to survey the land, and has furnished a plan, which has been deposited in your office? Yes.
63. The person owning the land, in every case, pays the cost of the survey? Not in the case of an application to purchase land.
64. In the case of reclamation? The Crown pays for that.
65. The Crown furnishes plans for these reclamations? The Crown pays for the surveyor. The applicant furnishes a sketch, which he may get from any surveyor he may choose to employ not being a salaried surveyor of my department.
66. In every case in which an application is made to reclaim land from the water, the Government authorities pay for the survey? Yes.
67. Can you furnish the Committee with the instructions received for your guidance in this matter, as one of the Board? I can. (*Vide Appendix No. 6.*)
68. In examining these questions, do you take into account the probable requirements of the public before you accede to them? We do.
69. Has that been the case since the passing of the Act, do you know? I suppose so; the ex-Surveyor General was always very particular in that.
70. That is, in having a prospective view to the interest of the public? Yes.
71. The instructions you speak of as having received from the Minister are not before the public in any way? No, it is an expression of his opinion for our guidance.
72. *Mr. Hill.*] You reside on that side of the water? I have resided there for five years.
73. Then you are thoroughly acquainted with Blue's Point—its locality? Yes.
74. You have stated that it is your opinion a public wharf should be erected somewhere there? A public wharf, or better accommodation than there is now.
75. Do you believe Blue's Point is the best position in that locality for a public wharf? I think that Blue's Point has a greater claim for a public wharf for vessels discharging coal, and for the requirements of the district, irrespective of steam-boat and passenger traffic—transit traffic—than any other locality.
76. Does that arise from the population immediately surrounding? Yes.
77. Are you acquainted with the whole of that country leading from Blue's Point to Parramatta? I am not well acquainted with it. I have been over the road only once or twice.
78. I suppose you know it is becoming a place of great importance? It is, decidedly.
79. Are you acquainted with the road which leads from that point to Barrenjuey—the newly constructed road which goes away to Pittwater? I never travelled it, but I know it by plans and report.
80. You do not know that that part is becoming largely cultivated? I believe settlement is progressing there, but very little land is being alienated.
81. There is a great deal of private land there? Yes.
82. I suppose the whole or the greater part of the produce will come by Blue's Point, when the road is perfected there? At present all the traffic goes by Milson's Point.
83. But Milson's Point is a private wharf? The steamer's wharf is a private wharf.
84. Which can be shut? But the public wharf is open.
85. That is on the west side of the point? No, on the east side of the point. In my former answer as to the public wharves, I omitted to mention the one used by the watermen on the west side of Milson's Point. This has been dedicated to the public, in the sale of the adjoining land.
86. But I think you have said already that you believe Blue's Point is one of the most eligible positions you know of for a wharf? Yes, it is very approachable by roads; the gradients are good.
87. As a resident in that place, do you know anything of public opinion as to whether a wharf should be erected at Blue's Point? At present it is hardly necessary to increase the accommodation they have. I should imagine, if the Government dredge were employed for a short time in dredging out the silt that has collected there, the requirements of the public would be met for the next twenty years.

P. F. Adams, Esq. 88. Which do you think would be attended with the greater expense,—the dredging the immense quantity of silt that has accumulated there for a number of years, or the building of a new wharf at the point? The mere dredging would be a very small expense—far less than the erection of any wharf; however, if the dredging were continued, wharf walls must be erected.

9 Mar., 1869.

89. I suppose you know that there is a great depth of water at the point; and that if a wharf were erected there, vessels of almost any draft might lie there? Yes.

90. It is easily approached? Yes.

91. Is it your opinion that it would be a great injury to that portion of the public using the point, if the land you have spoken of were alienated to Capt. Norie? The opinion of the ex-Surveyor General and of the Engineer-in-Chief for Harbours, when dealing with that land, was, that the public interest would not be affected by it; and their opinion is so recorded on the papers.

92. *Mr. Campbell.*] Do you think it would interfere with the traffic of the harbour,—the proposed alienation of the land at the point to Capt. Norie? No, it would do no harm to the navigation.

93. Do you think it a more desirable place for a wharf than the inner side—the eastern side? I think a more desirable site would be further in, if the silt were cleared out—there would be better shelter; but there is very little difference.

94. Are you aware that at one time the ferry steamer ran from Windmill-street to Blue's Point? Yes.

95. Could you give the Committee any idea why the traffic was stopped there and taken to Milson's Point? The better steamer accommodation turned the scale.

96. Was it not because the approaches to the wharf were so much worse at Blue's than at Milson's Point? No; it was not so much on that account, as because there was better and more regular steamer accommodation at the other ferry.

97. It was not in consequence of the bad approach to Blue's Point—the hill? That had not much to do with it.

98. I think you said there is no doubt that it is the most central position of any on the North Shore for a wharf—that it is more accessible for the general inhabitants of the North Shore? I am hardly prepared to say that it is more central than the other. I think the advantages are nearly equal as between Milson's Point and Blue's Point; Blue's Point may be more accessible to the greater bulk of the population.

99. *Mr. Lloyd.*] If the question lay between Milson's Point and Blue's Point, which would you prefer? I should favour the erection of a public wharf at Blue's Point in preference to the other, if there were only one to be erected.

100. Do you think the public convenience would be as well served by the erection of a wharf here as at any other portion of the eastern side of this point? There is sufficient land reserved for a wharf at Blue's Point as it now stands.

101. Perfect accommodation could be given to the public at Blue's Point? Yes.

102. Supposing the dredge to be employed at the part you have indicated, would there not be a greater amount of accommodation in frontage there? Yes.

103. And it would afford more absolute shelter to colliers or other vessels lying there? Yes.

104. If steamers can land their passengers anywhere; but I suppose it is contemplated to bring colliers here to land their cargoes. For such a purpose, is not this as good a wharf as could be selected? Yes; I think the further up the bay the ground can be excavated to deep water, the better the shelter that will be afforded.

105. *Chairman.*] Will you describe what you mean by a public wharf? A wharf that would be placed under the charge of a municipality, subject to their laws and regulations.

106. Is the mere division of property by streets having access to the water, sufficient to justify your calling the extremities of those streets fronting the water public wharves? Yes.

107. It is not competent for owners of land to shut up such streets, and to take toll from persons passing? Not if the land has been alienated with a frontage to the street, or a right to the road.

108. Are you aware of the terms upon which the land, either at Blue's or at Milson's Point, was alienated? I am not.

109. It is within your knowledge that these main roads have been formally and completely dedicated? They are reported to be so by the municipal authorities. In asking the Government to align these, they state that they are properly dedicated.

110. Is not that with a view to their dedication? If they are aligned and proclaimed they are dedicated, without a doubt.

111. After you have surveyed them are they dedicated? After they are approved by the Executive Government.

112. Does not that admit of objections on the part of other persons? The Department of Lands puts the question, in the first instance, to the municipal authorities, on their desiring the alignment of streets, whether they are dedicated. If the answer is to the effect that they are dedicated, to the best of the knowledge of the municipal authorities, the streets are proclaimed under the Act 4 William IV, No. 11.

113. Then the initiative is taken by the Lands Department? Yes.

114. Has that been the case with St. Leonards? Yes.

115. It is curious that I should be the Mayor and not know it? You will find it so.\*

116. Are you aware of any Act of Parliament that regulates public wharves? There is such an Act.

117.

\* NOTE (on revision):—Mr. Tunks is right—the dedication being patent; and, to save delay, no reference was made to the Corporation.

117. Is it within your knowledge that either of the public wharves you have spoken of P. F. Adams, Esq. has been brought under the operation of that law? I think they have, but I am not sure.\*
118. Has the wharf at Blue's Point been handed over to the Corporation? Not yet, I 9 Mar., 1869. believe.
119. Are you aware whether any application has been made by the Corporation to have it handed over? I think not.
120. In your capacity as one of the Board, can you state whether the Crown has the right of refusing or of acceding to an application to reclaim and sell a water frontage? Yes, I think so.
121. That is one of the principles that would guide you, in your official capacity, in this particular? Yes.
122. That the owners of land have not the absolute right of purchase? I do not think they have.
123. Is it true, that when the owner of a waterside property applies, his application is referred to a Board, and that Board report upon the case before it is advertised, and before the public have any means of knowing what has been done in the particular matter? The Engineer for Harbours and myself report upon every application.
124. Is that before or after the public have any knowledge of the matter? Before.
125. Before the public know, you have given your decision? We make our report.
126. And to that extent have decided? I do not consider it a decision at all; for when the matter comes before the public, objections are invited; and, if good reason can be shown, I am not pledged in any way to my decision; nor do I consider that the Engineer-in-Chief for Harbours would be. We are open to conviction, if anything further can be shown than we knew at the time we reported.
127. You stated, in answer to Mr. Hill, that any further wharf accommodation is hardly necessary at present at Blue's Point? I did. I think no further erection of wharves is at present actually necessary, but the accommodation could be vastly improved by dredging and a trifling expense in walls.
128. That is, by making a channel continuously up the side of the wall? Yes, and by extending it far enough to deep water.
129. To what distance out could you get? I should think there is water enough there for a vessel of 500 tons, 50 or 100 feet from the wharf.
130. Will you state what would be the draft of water of such a vessel? About 14 feet.
131. At low tide, 100 feet eastward? There would be from 10 to 14 feet in the centre—the length of the public wharf.
132. At low tide? No, I do not think at low tide there would be so much.
133. Are you acquainted with the cost of the dredging machine, per day, to the Government? No, I am not; I could not say.
134. Then I suppose you intend that the dredging this out should be a charge upon the Corporation? If the Corporation asked it, perhaps the Government might allow the use of the dredge. I am not aware of the regulations.
135. What kind of vessel could haul alongside the late jetty at present, at low water? There is not above 4 feet at the present jetty at low tide, in consequence of the silting up, and the throwing out from the steamers of coals and ashes.
136. Then, if a steamer larger than a ferry-boat were to come at low tide, part of it would oversail the proposed limit for the wharf, and thereby trespass upon the neighbouring property? It would not interfere with any alienated land, but it would come within the limit laid down by the Engineer-in-Chief for frontage to the wharf; the line of limit for the wharf being a regular curve, generally beyond the present low-water line.
137. If a vessel longer than a ferry-boat were to go alongside at low-water, she would have to get her whole length further than the wharf? A vessel of 150 feet long would extend beyond the wharf in its present state; but a vessel of 200 feet long could be alongside the wharf without overlapping any property, if the silt were dredged out, although there may be rocks there which I do not know of.
138. You have stated that the wharf was merely bare rocks, and therefore never could have been used as a roadway out towards the point? That is beyond where the present jetty is—I mean southward of the present jetty.
139. It never has been used southward of the present jetty? Not to my knowledge.
140. Have you noticed the action of the wash of the tides and of steamers upon the wharf since it has been used and kept in order—immediately preceding the present improvements? The destruction is the greater, the further you go out towards the point.
141. During the last year, has not a considerable quantity of the old roadway been washed away by the action of the tides? A gale of wind took a portion of the loose stuff, but I do not think it extended to the solid masonry.
142. The earthy formation has washed away considerably the last few years—since it has not been in common daily use? I can hardly say that I have observed much change; the stuff that has been thrown in loosely has probably been washed away.
143. Have you seen, at low-tide, some 60 or 100 feet to the south of the present jetty, anything of the remains of a former jetty? There are some hewn stones between Captain Norie's boat wharf and the public wharf, at the extent of the proclaimed road, which is some 60 or 100 feet beyond the present wharf.
144. Have you any knowledge of the wharf, where the stones are now to be seen only at low-tide, ever having been used? Not as a public wharf.
145. Have any of the surveyors of whom you have spoken before as having given evidence ever mentioned this circumstance? They have not.

146.

\* NOTE (on revision) :—It has not been brought under the Act 5 William IV, No. 13.



- P. F. Adams, Esq. 146. The North Shore is divided into two municipalities, is it not? Yes.
147. The one you speak of at Milson's Point is East St. Leonards, and the other is St. Leonards? Yes.
- 9 Mar., 1869. 148. Can you furnish the Committee with any information as to the sort of material we have in that neighbourhood for making roads? The material is not good—it is too soft.
149. Then is it probable that we shall require to have our supply of good material water-wise in future years? Very probable.
150. Irrespective of our passengers' landing place, we should also require some place for a coal yard or coal wharf? For the storage of coal.
151. For the landing of coal? After the lapse of time, as population becomes thicker, additional wharfage will probably be obtained by extending jetties from the present frontage into the bay, but at present there is no necessity for it, nor will there be for some years.
152. Supposing we had a vessel with 500 tons of ballast on board, of such a character as would be useful for our streets, could we land it at such a wharf as the present? Not at the wharf in its present state, but I believe it could be landed if the limit laid down by the Engineer-in-Chief were adhered to, and the wharf were built out to that.
153. You say something could be done if something else were done; but, as a matter of fact, is there any limit known as the Engineer-in-Chief's limit? It is shown in this plan. (*Vide Appendix No. 5.*)
154. You have stated that a vessel having 500 tons of ballast on board could come along-side and discharge there now? If the wharf were built out to this line.
155. Without trespassing on the neighbouring proprietors? I think so.
156. Then, irrespectively of the requirements of this large district, would it be necessary that the municipality of St. Leonards should have a wharf of their own of a public character, in order that they might not be compelled to go to the wharf of a neighbouring municipality? I think that, as the importance of the district increases, it will be necessary that a wharf should be built out to the limit on this design.
157. Then, having regard to the prospective interests of the public at the North Shore, would it be wise to dispose of any land in the neighbourhood of this wharf, now in the possession of the Government? Certainly not.
158. I mean water frontage? Water frontage.
159. *Mr. Lloyd.*] Then, if you should be mistaken as to the depth of water and the facilities for forming a wharf there, it would necessarily follow that you would have to go to Milson's wharf to land materials for the purpose named? No, it would only involve the extension further out of the limit laid down by the Engineer-in-Chief.
160. That would depend upon whether some person chose to sell or not? No.
161. *Mr. Hill.*] You mean into that bay? Into that bay. I think it may be fairly assumed that the limit laid down by the Engineer-in-Chief is correct, and is the best position for a wharf.
162. *Chairman.*] I asked you before whether the limit had been defined? Yes, and shown on this tracing.
163. Are you aware of any other plan? I am not aware of any other plan than that from which this was taken having been prepared by the Engineer-in-Chief.
164. You are not aware that the Works Department authorized a survey at the instance of the Municipality? This design is the result of that survey.
165. What is the date of that survey? I have not the original plan with me, but I can add it on revision.\*
166. If that had been regarded as the plan, would the department have furnished me with such a letter as that (*handing a letter to witness*)? That letter appears to have been written immediately after the instructions were given to make the survey on which the limit for the wharf has been adopted.
167. The tracing you speak of as having been furnished at the instance of Captain Norie, was in 1866 or about that time? The portion tinted red on the plan is the portion measured at Captain Norie's application.
168. That was in 1866? Yes.
169. And this letter is addressed in 1868? The letter dated 1868 refers to another survey made in consequence of an application to the Works Department in the latter part of 1868.
170. Is it within your knowledge that a staff of officers came over from the Harbours, Rivers, and Navigation Department, to make an independent survey, in 1868? I am not aware of any other but this survey I allude to.
171. That wharf you speak of was preliminarily notified in 1839? The road from St. Leonards to Lane Cove, I think, commenced at this point.
172. The survey was made in 1838 or 1839? It was surveyed in 1838.†
173. And preliminarily notified in 1839? Yes.
174. Are you aware whether any provision was made in the grant to Blue, empowering the Government to make roads? A road.
175. Has that road been made and confirmed? It has been confirmed to a point about 100 feet beyond the present wharf.‡
176. Have you any records in your department which would give us information as to how this road became open, in the first instance, in 1838 or 1839? I scarcely think we have

\* ADDED (*on revision*):—10 November, 1868.

† NOTE (*on revision*):—I must here observe that, on subsequent examination of the plans, I find that the road was preliminarily notified in 1839. The parish map being deemed sufficient for the purpose of proclamation, the marking did not take place till 1841, which accounts for the date of the plan, Appendix No. 3, being subsequent to the preliminary notification.

‡ NOTE (*on revision*):—The confirmation has not actually taken place, but will, in the due course prescribed by the Act.



have any record. Some trace might be found in the Colonial Secretary's Office, but I think there is none in the Survey Office of any use, or of that road previous to 1839, although it undoubtedly was in general use long before that time. P. F. Adams, Esq.

177. Is it within your knowledge that the wharf we are now alluding to was made by prison labour, and at the public cost? I am not aware of any record of that; but if such were the case, you would find it in the records of the Colonial Secretary's Office. 9 Mar., 1869.

178. Should we also have to refer to the Colonial Secretary's Office to find who were the first trustees? I imagine so.

179. Is the tracing referred to in the advertisement in the *Government Gazette* of 1839 still in existence? It is. (*Vide Appendix No. 7.*)

180. Is it within your knowledge that several meetings have been held at the North Shore, at which petitions and remonstrances have been adopted in reference to this matter? I believe so.

181. Has the application of Mr. Norie, with reference to the reclamation and purchase of land, been altered? It has been considerably modified. The application, as far as I can recollect, included somewhere about 100 or perhaps 120 feet of what has since been considered requisite for a wharf, and proclaimed as such in the proclamation of the road.

182. When you speak of a proclamation, do you mean a preliminary notification? Yes.

183. A preliminary notification has been accepted as a proclamation? Not unless confirmed by the Executive. If not confirmed by the Executive, the notification lapses.

184. Is it within your knowledge that it has been accepted, many years ago, as a proclamation? It may have been accepted so far as the public are concerned, but not legally.

185. No further action has been taken, and persons have used these places in several instances? I think so, but cannot name a case in point.

186. I mean where there has been no objection? Yes. It is very probable there may have been cases; but there must have been some reason for the road not having been confirmed.



# WATER FRONTAGE AT BLUE'S POINT, NORTH SHORE.

## APPENDIX.

(To Evidence given by P. F. Adams, Esq., Surveyor General, 9 March, 1869.)

No. 1.

William Tunks, Esq., M.P., to The Minister for Lands.

St. Leonards, 12 March, 1866.

Sir,

I beg to bring under your notice a subject which is represented to me to be an encroachment on the water of the harbour. The encroachment alluded to consists of a fence erected between high and low water, at the southern end of the wharf at Blue's Point, St. Leonards. If the putting up of this fence is the assertion of a right, by the holder of the adjoining property, to reclaim land from the water eastward, and, in time, in advance of the wharf, or to prevent the public from landing there, in accordance with long usage,—and if, at no distant day, the owners of property northward, and adjoining the same wharf, should see fit to assert their right to reclaim land southward, or fence out the public,—this, the only landing-place at St. Leonards, will be closed in, or so far enclosed as to be useless for so large a district. I may also mention that there is no reserve of water frontage at St. Leonards permanently made by the Government, for any purpose whatever, except the end of one street (Walker-street); and that, at present, is impracticable for wharf purposes, without an outlay of money which there is no means of supplying until the place is incorporated, or the Government grant the amount from the public funds.

The present wharf accommodation is not in excess of the present, nor equal to the future, requirements of the district. I, therefore, respectfully request you will order an examination and an inquiry into this matter, with the view of protecting the interests of the public.

I have, &c.,

WILLIAM TUNKS.

No. 2.

The Under Secretary for Lands to William Tunks, Esq., M.P.

Department of Lands,

Sydney, 18 May, 1866.

Sir,

In reference to your letter of the 12th of March last, bringing under notice an encroachment that has been made on the harbour, by the running out of a fence at the southern end of the wharf at Blue's Point, St. Leonards,—I am directed by the Secretary for Lands to inform you that this fence—which was erected by Capt. Norie, the proprietor of Blue's grant—appears to embrace a portion of the tide-way, which will probably be required hereafter, as stated by you, for an extension of the existing wharf.

2. It is intended, therefore, to take the necessary steps for securing it to the public, and to have a fresh survey made (the old plan being imperfect), with the view of establishing the kerb and building lines of the street, under the Act 2nd Victoria, No. 2.

I have, &c.,

M. FITZPATRICK.

No. 3.

[Gorman's Survey of Blue's Point.]

No. 4.

[Huntley's Survey of Blue's Point.]

No. 5.

[Plan of Blue's Point.]

No. 6.

The Under Secretary for Lands to The Surveyor General.

Department of Lands,

Sydney, 8 February, 1869.

Sir,

In reference to the joint memorandum of yourself and the Engineer-in-Chief for Harbours and Rivers, dated 4th December last, in which you desire an expression of opinion from the Honorable the Secretary for Lands, as to the policy of the Act 25 Victoria, No. 1, so far as regards the reclamation of land from the harbours and rivers of the Colony, with a view to guide you in reporting upon applications under the 9th section of the Act referred to,—I am directed to state, for your information, that Mr. Secretary Forster is strongly under the impression that the Government will require, in future, to exercise the powers granted to them with greater caution and deliberation than appears hitherto to have been the case.

2. Mr. Forster cannot for a moment admit, nor can it, in his opinion, be admitted without great inconvenience and danger, that former cases of the exercise of these powers are to be regarded as precedents in all future cases, or that proprietors of land have acquired what are somewhat loosely termed "rights of reclamation," in consequence of the indulgence shown to other proprietors under apparently similar circumstances. In fact, unless the Government is prepared to sacrifice the interests of future generations, and to abandon irrevocably to neighbouring proprietors of land the most desirable thoroughfares and most obvious ways of access to the waters of the harbour, it will be necessary in future to deal with every case distinctly on its own merits; and, in doing so, to take in consideration many points which are at present liable to be overlooked, but may be very differently estimated in time to come. Mr. Forster thinks it advisable, therefore, that the following rules and principles should, as far as possible, be observed in future cases:—

- (1.) The powers vested in the Government by the 9th clause of the Alienation Act must be regarded as entirely discretionary. No proprietor, by reason of former decisions, or of the position of his property, can be admitted to have or claim any absolute right of reclamation over adjoining shores or waters. Such right may be, or may have been expressly granted or implied in a deed of conveyance, but otherwise the exercise of these powers should be recommended only as a matter of grace, or in consideration of some public benefit.
- (2.) Such recommendation should not be made in any case where any public inconvenience, loss, or danger, may be apprehended, or is likely to arise, however remotely, from the proposed reclamation or alienation of the frontage; and in any case of doubt, it is obvious that public interests ought to have the benefit of the doubt.
- (3.) It will be safer in general that such recommendation should not be made unless when some public benefit, direct or indirect, can be shown or presumed. But it may be that some indirect benefit might be fairly presumed by the reclamation of considerable areas of land or frontage not previously available for use or occupation, or by the erection of buildings, wharfs, jetties, machinery, &c.
- (4.) Authority to fill in and reclaim can scarcely with justice be applicable to cases where the water is too deep to admit of such filling in and reclamation beyond a few feet of high water.
- (5.) Authority to fill in and reclaim may not unreasonably be accompanied by and made subject to such conditions as may appear to the Government necessary for public purposes or the protection of the rights of neighbouring proprietors.
- (6.) In granting or recommending to be granted such authority, every care should be taken to preserve the symmetry and beauty of the harbour,—to prevent boat navigation from being intercepted or interfered with by awkward, inconvenient, or unnecessary projections,—and to avoid the possible danger of further increment of shallow water or silted deposit beyond or in place of the land filled in and reclaimed.
- (7.) Permission to erect a wharf or jetty must not be held necessarily to imply or involve authority to fill in and reclaim; or alienation of the adjoining shore to the person obtaining such permission, which may be, at the discretion of the Government, temporary or permanent, at pleasure, or for a term of years.

I have, &c.,

M. FITZPATRICK.

#### No. 7.

[Tracing from Plan referred to in the *Gazette* of 25 July, 1839.]

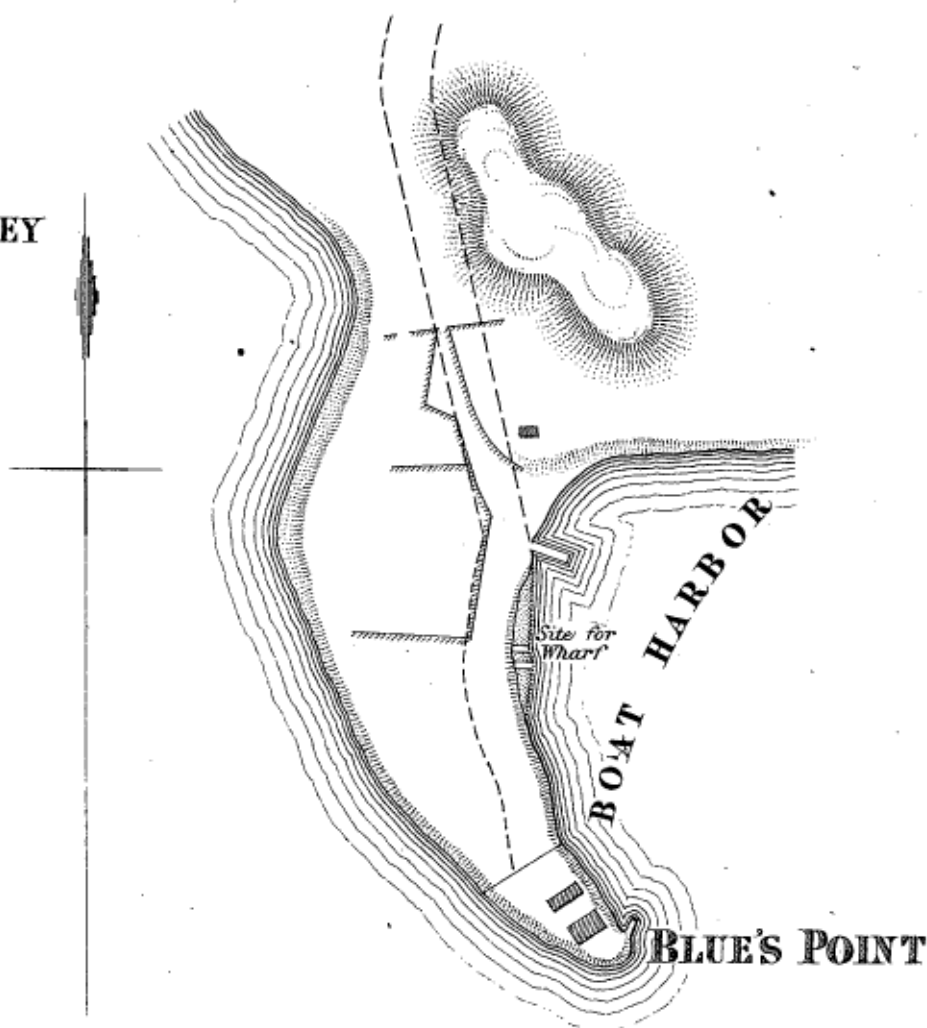
[Four plans.]

## APPENDIX N<sup>o</sup> 3.

*Handed in by P. H. Adams Esq<sup>re</sup> 9<sup>th</sup> March 1869*

*Chairman.*

GORMAN'S SURVEY  
OF  
BLUE'S POINT



SCALE 4 CHAINS TO 1 INCH.

NOTE - Lines shewn thus --- are colored Red on the Original Plan, Buildings are also colored Red

*Transmitted to the Surveyor General  
with my letter dated 10<sup>th</sup> of June 1841.*

*(Signed) J. V. Gorman,  
Assistant Surveyor.*

*(Sig. 303)*

Handed in by P. F. Adams Esq<sup>re</sup> 9<sup>th</sup> March 1869.

*Prelim.<sup>y</sup> notified by Gaz. notice of the 25 Jan.<sup>y</sup> 1869, fol. 204*



*Transmitted to the Surveyor General  
with my letter dated 1<sup>st</sup> Oct<sup>r</sup> 1866.*

LICENSED SURVEYOR

(*Sig. 303*)

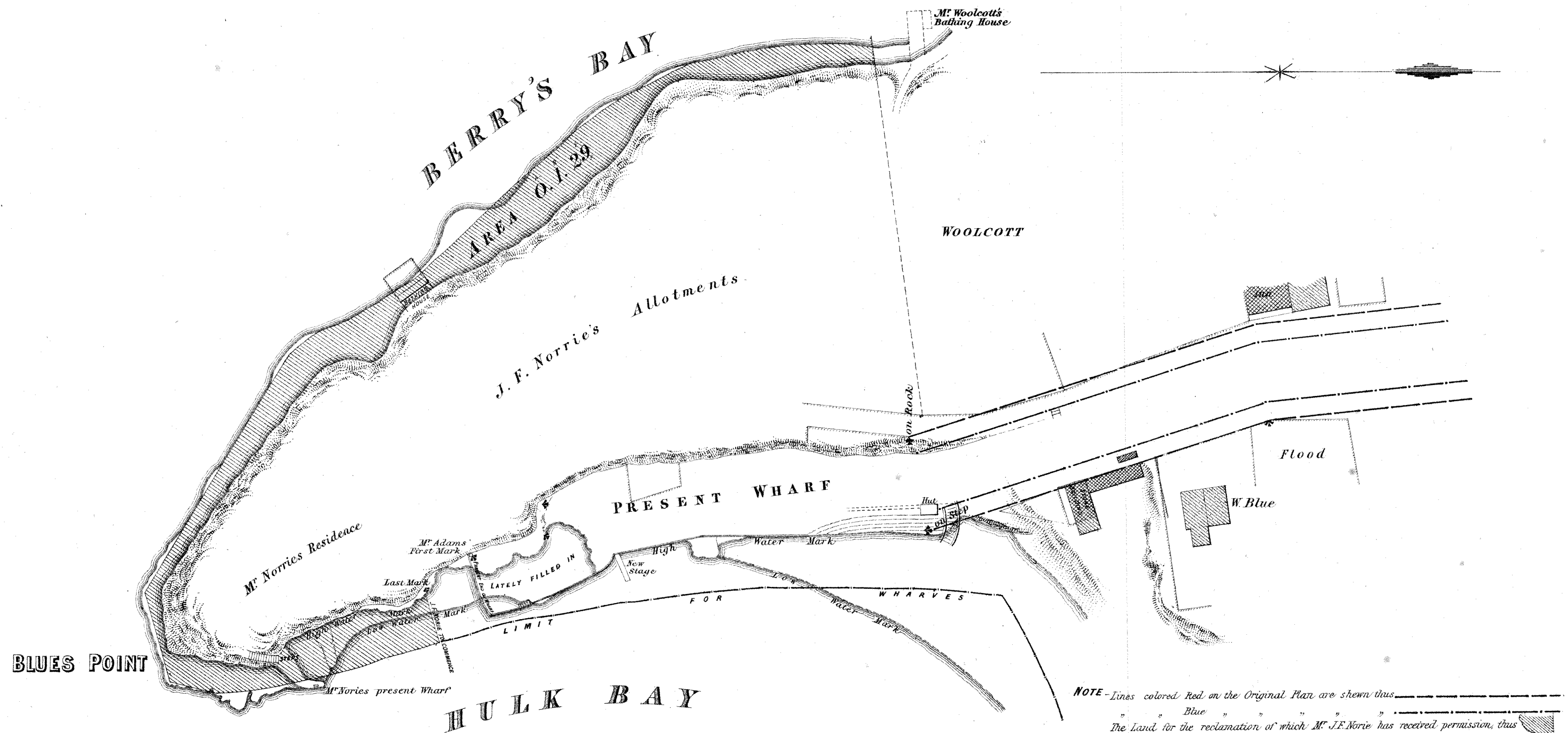
Lithographed at the Surveyor General's Office, Sydney, April 1869.

# APPENDIX N<sup>o</sup> 5.

*Mr Adams - Handed in before the Select Committee on "Water Frontage Blues Point North Shore."*

(SIGNED) *William Tunks*, CHAIRMAN.

*N<sup>o</sup> 2 COMMITTEE ROOM, 9<sup>th</sup> March 1869.*



SCALE - 1 CHAIN TO 1 INCH.

Lithographed at the Surveyor General's Office, Sydney. May 1869.



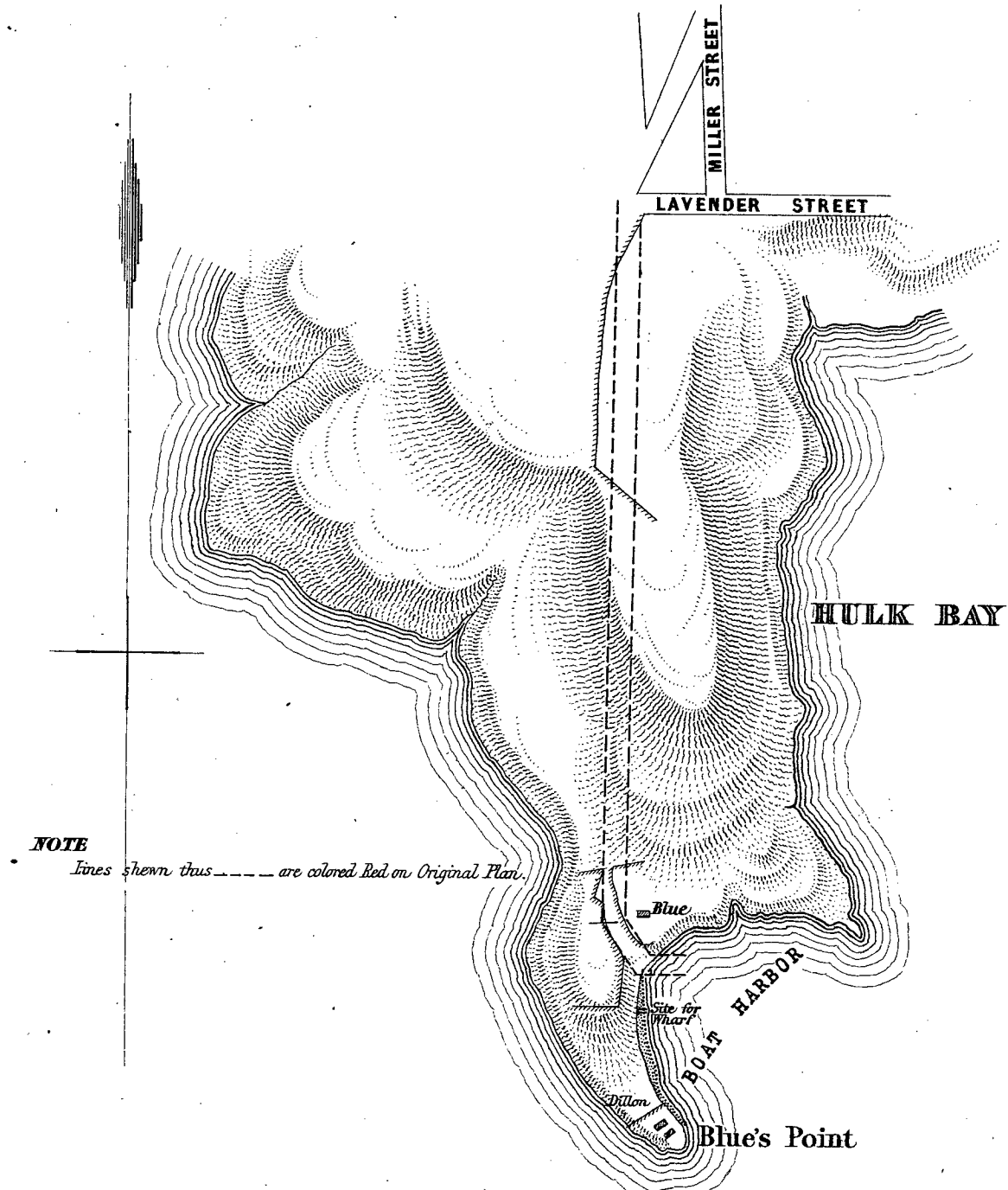
# APPENDIX N<sup>o</sup> 7.

*Handed in by P. F. Adams Esq<sup>re</sup> 9<sup>th</sup> March 1869.*

*Chairman.*

## TRACING FROM THE PLAN REFERRED TO IN THE GAZETTE NOTICE OF THE 25<sup>TH</sup> JULY 1839.

SCALE 8 CHAINS TO 1 INCH.



### NOTE

*Lines shewn thus ----- are colored Red on Original Plan.*

*Road proclaimed in the Gov. Gaz. of 31. July 1839. 161. 826.*

*The only part marked was from Blues Point to St. Leonards.*

*The Parish Maps were considered a Survey and Tracing  
sufficient to meet the Act. See memo. on C.S.L. 39/489.*

*(Sig. 303)*

A handwritten signature or set of initials in black ink, located in the bottom-left corner of the page. The script is cursive and stylized, with a large loop on the right side.